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HOUSE OF COMMONS

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AND NORTHERN IRELAND
FORTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

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THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FOURTH SESSION OF THE FIFTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 25 JUNE 1987]

FORTIETH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES VOLUME 193

FOURTEENTH VOLUME OF SESSION 1990-91

House of Commons

Monday 17 June 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENERGY

Opencast Coal Mines

1. **Mr. Hain:** To ask the Secretary of State for Energy if he will make a statement on the arrangements for licensing opencast coal mines.

The Parliamentary Under-Secretary of State for Energy (Mr. David Heathcoat-Amory): Under existing legislation, the British Coal Corporation is the licensing authority and is therefore responsible for the arrangements for licensing opencast coal production.

Mr. Hain: Is the Minister aware of the environmental blight, pollution, traffic congestion and danger to health caused by opencast mines, which are concentrated overwhelmingly in the Neath and Swansea valleys, and elsewhere in south Wales? If the Minister concentrated them in the south-east and south-west of England, he would be skinned alive by his constituents and his Government would get a bloody nose.

Mr. Heathcoat-Amory: I agree that opencast coal mining must be carried out to the highest planning and environmental standards, but to put an artificial limit on opencast coal production as the Labour party wishes would be to the detriment of the coal industry generally and would cost many jobs in the industry.

Mr. Ashby: Is my hon. Friend aware that, contrary to the assertion of the hon. Member for Neath (Mr. Hain), the preponderance of opencast mining is not in the hon. Gentleman's area but in mine? North-west Leicestershire has been devastated by opencast mining and there is now a proposal for a new opencast mine at the Coalfield West site. That proposal is opposed by the county council, the district council and the overwhelming majority of people in the area. Will my hon. Friend therefore reconsider the proposal and perhaps defer it for 200 years or so, until technology has improved sufficiently for such opencasting to be carried out without detriment to the environment?

Mr. Heathcoat-Amory: I confirm that my hon. Friend has opencast mining in his constituency, and I visited a site there. The appeal decision on the site in question, however, will be made not by my Department but by my right hon. Friend the Secretary of State for the Environment.

Mr. Eadie: Are we to take the Minister's reply as having some relationship with the fact that he has asked Rothschild, the merchant bankers, and Touche Ross, the accountants, to advise on the privatisation of the mining industry? Will they be making recommendations about that, and will the Select Committee on Energy be bypassed yet again?

Mr. Heathcoat-Amory: When we draw up plans to privatise the coal industry, we shall consult all interested parties, including the opencast mining sector.

Electricity Generation

3. **Mr. Paice:** To ask the Secretary of State for Energy what is his estimate of the amount of electricity generation likely to be generated from renewable sources by the end of the decade.

10. **Mr. Knapman:** To ask the Secretary of State for Energy what is his current estimate for the amount of electricity generation likely to be generated from renewable sources by the end of the decade.

The Parliamentary Under-Secretary of State for Energy (Mr. Colin Moynihan): The Government are working towards a figure of 1000 MW of new renewable electricity generating capacity by the year 2000.

Mr. Paice: My hon. Friend will recognise that nobody expects renewable resources to be the primary contributor to our electricity supplies in the foreseeable future, but does he agree that the Government's record on research into that source bears good comparison with that of previous Governments? Is not it interesting to note that we are spending 12 times as much as the Labour Government spent on research into renewable energy?

Mr. Moynihan: My hon. Friend is absolutely right. More than £180 million has been invested in research, development and demonstration, with a budget allocation of more than £24 million—a new record high—for this year.

Mr. Knapman: Can my hon. Friend confirm that it is thanks to the privatisation of the electricity generating industry that renewables are to have their best opportunity ever to compete, and to compete on their own merits?

Mr. Moynihan: I can indeed confirm that. Through electricity privatisation, we established the non-fossil fuel obligation, and under that obligation we are giving renewables their best opportunity ever to enter the electricity generating market.

Dr. Kim Howells: Does the Minister agree that the Government missed a vital chance? As they intended to privatise the electricity industry, would not it have been better to create real competition, rather than the present duopoly which is concentrating only on the cheapest options—which at the moment happen to be combined-cycle gas-burn systems? Does he agree that if we were really serious about developing renewables, we would have done something about ensuring that small generators had a chance as well?

Mr. Moynihan: The hon. Gentleman should be well aware that that is precisely what is achieved under the non-fossil fuel obligation. As a result of that tranche, 75 projects that are both commercially viable and environmentally acceptable have come forward right across the board—not least in landfill gases, hydro power and wind projects. I am sure that the hon. Gentleman will back all those projects and recognise that they are very important for the development of renewable energy on a commercial basis.

Mr. Wallace: Does the Minister realise that the non-fossil fuel obligation can do nothing to promote renewable resources in Scotland, where that obligation does not exist? Does he recognise that many of the renewable sources involve very heavy capital starts, with the pay-back taking place over a long period? What steps is he taking to ensure that there is a lengthening of contracts so that those who supply from renewable sources have the opportunity of a pay-back on their initial capital costs?

Mr. Moynihan: The hon. Gentleman has raised two important points. My right hon. Friend the Secretary of State for Scotland recently announced a scheme under which Scottish Power and Scottish Hydro will contract for the output of renewables projects in Scotland—a scheme which the hon. Gentleman will no doubt warmly welcome. The second point concerned the implications of the 1990 limitation on the levy. I am satisfied that the regional electricity companies have the flexibility that they need to offer generators acceptable contracts under the proposed 1991 renewables order. The reality of that is evident from the considerable number of projects proposed for recognition in the second tranche of that order.

Mr. Dobson: Is the Minister aware that National Power has announced that it is to abandon most of the research and development work that was carried out when the industry was publicly owned and that it intends to sack hundreds of scientific research staff because, in its words, it is not prepared to continue funding research and development for the solution of national problems? If National Power will not do that research, who will?

Mr. Moynihan: The hon. Gentleman should have heard my response to my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice). The Government have given strong support under a substantially enhanced research and development and demonstration budget. If National Power—or any other company—can make proposals within the non-fossil fuel obligation to contract with the regional electricity companies, it will greatly benefit the development of research and development and the commercial viability of many of these important projects.

Gas and Electricity Prices

4. **Mr. Haynes:** To ask the Secretary of State for Energy when he next expects to meet the directors general of Ofgas and Offer to discuss the regulation of gas and electricity prices.

The Secretary of State for Energy (Mr. John Wakeham): I regularly meet the directors general of both Ofgas and Offer and discuss a range of matters of mutual interest.

Mr. Haynes: Is the Secretary of State aware that the chairman of the National Consumer Council in the east midlands has severely criticised the prices being charged by the east midlands electricity authority, suggesting a figure of between 9 and 11 per cent? Consumers in the east midlands are being robbed, so the Secretary of State should get a flea in his ear and go and see those directors. Let us give them some teeth and have something done about the job. Incidentally, is the Secretary of State aware that they spent £28,000 taking business men to the cup final, and that they wined and dined them as well? What about that? It is time that the right hon. Gentleman pulled his socks up.

Mr. Wakeham: I would never accuse the hon. Gentleman of tabling a planted question——

Mr. Haynes: On a point of order, Mr. Speaker. It was my question and not a plant, although I know what goes on on the Conservative Benches.

Mr. Wakeham: I was agreeing with the hon. Gentleman, not disagreeing with him. I said that the hon. Gentleman's question was not a plant, but it enables me, nevertheless, to say that domestic prices have fallen by 2·5 per cent. in real terms in the past seven years, which compares very favourably indeed with the price record of the last Labour Government, under whom there was an increase of 22 per cent. What is more, under the privatised system, domestic consumers are protected by substantial regulations which will enable prices to be kept down to the retail prices index level. That is working very well.

Mr. Michael Morris: Is my right hon. Friend aware that there is genuine disquiet in the east midlands, particularly if what has happened this year were to continue for the foreseeable future—over the next two or three years? My constituents are concerned to know whether my right hon. Friend the Secretary of State is confident that the regulatory powers are adequate to meet the ever-changing market conditions.

Mr. Wakeham: Yes, I am very confident that the powers are there. The increase in electricity prices for the domestic consumer will not be higher than the retail prices index over the three-year period. The director general can always come to me if he requires further powers.

Mr. Hardy: The Secretary of State mentioned the domestic consumer. He must be aware that the electricity price increases that heavy industrial users face are a serious deterrent to the maintenance of production and to exports. Does he not realise that those users face serious international competition and that our competitor countries behave with rather more sense than we do in this important matter?

Mr. Wakeham: We certainly do not subsidise electricity prices, which may be what the hon. Gentleman was suggesting, and I would not want to do that. The larger users can now use their commercial strength in a competitive market to negotiate the best prices available. A considerable number of industrial users have already benefited from competition and have been able to secure much lower prices.

Mr. Marlow: Will my right hon. Friend remind that moaning grandad on the Opposition Back Bench, the hon. Member for Ashfield (Mr. Haynes), that before privatisation the monopoly producer was its own regulator?

Mr. Wakeham: My hon. Friend is right. Further to what the hon. Member for Ashfield (Mr. Haynes) said, whether or not customers went to a cup final with an electricity company——

Mr. Haynes: The company paid for it.

Mr. Wakeham: I was about to make that point. There was no cost to the consumers. Their prices——

Mr. Haynes: The Secretary of State is a grandfather as well.

Mr. Wakeham: Perhaps we can keep the hon. Gentleman's private life out of this.

My point is that the regulations will mean that those expenses will not fall on the consumer.

Mr. Barron: Can the Secretary of State tell us whether it is the Government's plan that, as he rightly said, some of the larger commercial users are able to shop around and obtain the benefit of a 15 per cent. drop in the price that they paid the year before while domestic consumers have had an increase of 11 per cent?

Mr. Wakeham: Domestic consumers are protected by a system of price regulation. They have a different system because it is not possible to introduce competition for domestic users. They are protected by domestic regulations which do not allow prices to increase more than the retail prices index over a three-year period.

Renewable Energy

8. **Mr. Maclennan:** To ask the Secretary of State for Energy what further steps he plans to take to promote the development of the technology for renewable energy resources throughout the United Kingdom.

Mr. Moynihan: The Government will be reviewing their policy on renewable energy sources in the second six months of this year. We will also be bringing forward a further renewable order, including reserved bands for a range of technologies later this year, and my Department will continue to support a major research and development programme aimed at developing all those renewable technologies relevant to conditions in the United Kingdom.

Mr. Maclennan: I thank the Minister for that reply. In the review, will he take on board the fact that his earlier announcement about contractual arrangements between private suppliers in Scotland and the Scottish boards does nothing to benefit the generation of development of renewables by the Atomic Energy Authority's technology? Will he particularly consider the possibility of that authority being involved in the development of the programme to which he referred?

Mr. Moynihan: I can confirm that we shall certainly take those points on board and look at them in detail during the review.

Mr. Butler: Can my hon. Friend report on progress with regard to the Mersey barrage scheme, about which some doubts have been expressed recently?

Mr. Moynihan: We are very keen to find a positive way forward on the Mersey barrage scheme. My officials have received a report from the Mersey Barrage Company and are currently considering it in detail. To date, we have spent £2·4 million of the £4·8 million total programme budget for the project, and we hope very much that solutions can be found to the problems and the challenges which lie ahead for the MBC.

Mr. Flynn: Does not the Minister consider that to be a disappointing reply? Will he look for a much more positive and generous investment in tidal power—a range of tidal barrages around our coast? Is it not true that for many years, possibly a century, we have neglected the use of tidal power—which is British, eternal and non-polluting?

Mr. Moynihan: No, I do not believe that my reply was in any way disappointing. I mentioned that we were hoping positively to find an appropriate way forward on the Mersey barrage scheme. On tidal energy research, we have put more than £8 million into development and demonstration. We have supported on a 50:50 basis

feasibility studies on the Mersey barrage, and the Department has funded about £4 million towards studies for a Severn barrage. That is a very positive programme to identify appropriate, commercially viable and environmentally acceptable projects in tidal energy.

Electricity Generation

11. **Mr. Holt:** To ask the Secretary of State for Energy what estimate he has made of the increase in demand for electricity generation in the next 10 years; and if he will make a statement.

Mr. Heathcoat-Amory: My Department does not routinely forecast electricity demand—that is the job of the industry. When specific needs arise, projections are produced as, for example, in the United Kingdom's submission to the Intergovernmental Panel on Climate Change, which was published as an energy paper and is available in the Library of the House.

Mr. Holt: I am grateful, on the one hand, for that answer, but I am not very grateful, on the other hand, because it says nothing. Does my hon. Friend agree that, although the future demand for electricity is an unknown quantity, the Government should consider the supply of electricty generated by North sea gas as it affects the Teesside area? We do not want a proliferation of pylons radiating like a spider's web from that region. There is no reason at all why other parts of the country should not have gas fed directly to them. If power stations are built in those areas, we would not need pylons despoiling the beautiful North Yorkshire countryside, which is under threat at this moment.

Mr. Heathcoat-Amory: Additional overhead lines are sometimes necessary to connect new power stations or to strengthen the grid system, but applications to build such lines must be accommpanied by environmental statements to ensure that the concerns expressed by my hon. Friend are fully considered before permission is given.

Mr. Benn: Can the Minister explain how it is that he disclaims responsibility for forecasting when the statute that set up his Department requires him and his right hon. Friend the Secretary of State to safeguard the energy supplies of the United Kingdom? By saying that forecasting is the responsibility of private companies, he is absolving himself of any responsibility whatsoever for future energy policy.

Mr. Heathcoat-Amory: We are concerned to ensure a diverse and competitive supply of energy. What one can say about strategic plans and detailed projections of the past is that they were all wrong, including those made by the right hon. Member for Chesterfield (Mr. Benn) when he was Secretary of State for Energy.

Mr. Morgan: Would the Minsiter care to comment on what the chairman of Pilkington's told shareholders at the company's annual general meeting a fortnight ago, when he said that one of the advantages of the democratic process in this country is that it might bring in a Labour Government who, unlike the present Government, actually have an energy policy?

Mr. Heathcoat-Amory: I was not at the annual general meeting, but I have visited Pilkington's, and the company was extremely happy with the way in which we are working with the electricity industry and supplier of energy efficiency equipment to develop such a policy in the United Kingdom.

Wind Farms

12. **Mr. Speller:** To ask the Secretary of State for Energy if he will make a statement on his policy on wind farms.

Mr. Moynihan: Government policy is designed to stimulate the development and application of all forms of renewable energy, including wind farms, wherever they have prospects of being economically competitive and environmentally acceptable.

Mr. Speller: Will my hon. Friend join me in congratulating Mr. Brian Peace of Rackenford in my constituency who has just obtained planning permission for a wind generator on his farm? Does my hon. Friend agree that the requirements are not so difficult and detailed that it might be a good idea if he and his right hon. Friend the Secretary of State were to give some advice on planning applications both to the applicants and to the councils that have to consider the applications?

Mr. Moynihan: That is a fair point. My Department is working closely with the Welsh Office and the Department of the Environment to prepare a planning policy guidance note to assist in the planning process.

Dr. Thomas: The Minister has kindly anticipated my question. Although I do not wish to provoke a dispute between his Department and the Secretary of State for Wales, who is currently considering an application for a wind farm on my constituency boundary, will he assure the House and those who are interested in alternative sources of energy that his Department will produce those guidelines rapidly so as to encourage further such applications, especially from rural areas where the development of wind farms can benefit the agricultural economy as well as providing for local energy needs?

Mr. Moynihan: I am grateful to the hon. Gentleman for his introductory remarks. Although I cannot comment on the specific case to which he has referred, which is known as the Cymmaes case, I can confirm that I am anxious to see wind farms built and demonstrated within the United Kingdom. I am therefore concerned about any delays or possible effects on the viability of such projects due to lack of planning policy guidance. That is one reason why we place such high priority on producing guidance along the lines that I mentioned to my hon. Friend the Member for Devon, North (Mr. Speller).

Oil and Gas Reserves

13. **Mr. Burns:** To ask the Secretary of State for Energy what is his latest estimate of the level of oil and gas reserves on the United Kingdom continental shelf.

Mr. Moynihan: My Department's report to Parliament of April this year on the "Development of the Oil and Gas Resources of the United Kingdom"—the Brown Book—gives our latest estimates of reserves. They show that additions to reserves during last year kept pace with production during the year in the case of oil, and exceeded production in the case of gas.

Mr. Burns: I am grateful to my hon. Friend for that reply. Does he agree that those healthy estimates confound the moaning minnies and pessimists who constantly claim that our reserves are running out? Does he further agree that those figures will have a healthy influence on the British economy in the next few years?

Mr. Moynihan: I agree with my hon. Friend. Nearly half the oil so far discovered on the United Kingdom continental shelf and almost two thirds of the gas remain to be produced. We look set, therefore, to remain self-sufficient in oil well into the decade and a significant producer into the next century.

Mr. Skinner: Will the Minister confirm that in recent years we have been able to extract oil from below the North sea because of the different incentives introduced by the Government, through Acts of Parliament, to enable the smaller pools of oil to be used? Does he agree that if it is possible to use incentives to extract oil in that way, it is sensible to do the same for coal that is located in thinner seams? The Government should not have double standards.

Mr. Moynihan: There are no double standards. Substantial support has been given to coal—far more than has been devoted to the development of oil and gas. The success of oil and gas production in the United Kingdom has been due primarily to the stable fiscal and regulatory regime under which international operators have worked.

Sir Dudley Smith: The information that my hon. Friend has given about gas supplies is encouraging, but is he aware that a substantial minority of people in this country do not have a gas supply? Will he talk to those who now run the gas industry and tell them that anyone living in a reasonably built-up area should have the right to the provision of a gas supply?

Mr. Moynihan: As my hon. Friend knows, the provision of gas supplies to domestic customers in the United Kingdom continues to increase. His point is well taken and will, no doubt, be listened to carefully by British Gas.

Dr. Godman: When considering licence applications from offshore oil and gas companies wishing to extract those most welcome oil and gas reserves, what emphasis is placed on the safety needs of those employed in extracting those reserves? Does the Minister agree that a modern, up-to-date standby vessel fleet is essential for the safety of those workers and will he therefore impress upon the oil and gas companies the manifest need to replace the aging vessels in the fleet with modern purpose-built vessels? That is what is needed by those employed in the offshore oil and gas industry.

Mr. Moynihan: The hon. Gentleman makes an important point. However, I draw to his attention that important safety considerations are examined at the annex B or production licence stage and not at the initial licence award round. A company that wins an award for prospectivity must prove that it achieves very high levels of safety, not least those outlined in the Cullen report. The main thrust of the important point that the hon. Gentleman makes, and with which I agree, is dealt with at the production licence stage later.

Mr. Doran: First I welcome the initial statement made by the Minister. Opposition Members share his optimism for the North sea. Is he aware that production will continue to demand the highest possible level of encouragement from the Government? Does he share my anxiety that the Geological Society, which has been engaged in mapping the seabed in the most prospective areas, is to have its contract with the Department of Energy terminated in the next two years, even though it is about to embark on surveying areas in the north-west of Scotland where we have high hopes for further reserves of hydrocarbons?

Mr. Moynihan: I can assure the hon. Gentleman that that particular work, which was commissioned a while ago, will complete its normal course in two years when full assessment will have been completed to a depth of 600 ft. If my memory serves me right, arguments to go down to 6,000 ft—which is what we are talking about in the north-west frontier acreage—is totally unreasonable and unnecessary. Of course, we shall review carefully arrangements with outstanding organisations such as the one that the hon. Gentleman mentioned. However, I emphasise that we are not curtailing a report. It will come to its full and complete conclusion in two years.

Electricity Privatisation

14. **Mr. John Marshall:** To ask the Secretary of State for Energy if he will estimate how many individuals became shareholders as a result of electricity privatisation in England and Wales.

Mr. Wakeham: Some 5 million [illegible]6 million individuals became shareholders in the privatised electricity companies in England and Wales. A recent survey, not yet completed, has estimated that of these some 10 per cent. are new shareholders.

Mr. Marshall: May I congratulate my right hon. Friend on successfully concluding the privatisation of the electricity industry which will lead to greater efficiency and keener pricing? Will he bring to the attention of those many millions of shareholders the confiscatory attitude of the Labour party?

Mr. Wakeham: I am grateful to my hon. Friend. However, not only the shareholders would suffer loss if the Labour party ever achieved power. The consumers of electricity, the employees of the company, the taxpayers and, indeed, the environment would lose.

Coal Productivity

15. **Mr. Alison:** To ask the Secretary of State for Energy when he next intends to meet the chairman of British Coal to discuss productivity.

Mr. Wakeham: I have regular consultations with the chairman of British Coal on all aspects of the coal industry, including the remarkable efforts that the corporation has been making to improve its productivity in its fight for a major share of the United Kingdom coal market over future years.

Mr. Alison: When my right hon. Friend next meets the chairman, will he join me in congratulating him and all concerned at British Coal on the astonishing performance of the mineworkers in the Selby group? They have

achieved a productivity record of 12·92 tonnes per man shift—almost double the industry average. Does my right hon. Friend agree that the local generators National Power and PowerGen need look no further than the Selby coalfield for secure, long-term supplies of good quality coal at competitive prices?

Mr. Wakeham: I shall willingly do what my right hon. Friend suggests. Certainly, I congratulate the mineworkers at Selby. Their new weekly productivity record is, as my right hon. Friend says, over 2 tonnes higher than their previous best. Wistow in the Selby complex set a new European output record of 108,700 tonnes in a week. That demonstrates what I have said many times from this Dispatch Box—the coal industry has a great future if its productivity improvement continues in the way that my right hon. Friend describes.

Mr. Eadie: When the right hon. Gentleman next meets the chairman of British Coal will he refer to the outstanding record in coal production achieved by Longannet miners who have broken British records? Does he agree that there is a substantial case for British Coal to reopen Monktonhall colliery in my constituency? I hope that he will subscribe to that.

Mr. Wakeham: I know the hon. Gentleman's concern about Monktonhall colliery, which we all share. British Coal plans to review the future of Monktonhall this summer. We have already written to the chairman of British Coal to ask him to take an early decision on its future. It is a matter for him, but I await with interest what he has to say.

Mr. Andy Stewart: When my right hon. Friend meets the chairman of British Coal will he convey through him our thanks and appreciation to Merrick Spanton, the recently retired chairman of British Coal Enterprise Ltd. While he was there, he created 71,000 new job opportunities in coal mining areas. Will my right hon. Friend tell the new chairman, Mr. John Northard, how we welcome the fact that he and his team will relocate in Edwinstowe in my constituency? As a present for their arrival, will my right hon. Friend confirm that the Government will continue to support the much-needed job-creating enterprise?

Mr. Wakeham: My hon. Friend is right to refer to those gentlemen for their distinguished service to the coal industry. He is also right that the Government will continue job-creating work in the future.

Mr. Home Robertson: Will the right hon. Gentleman be more specific in relation to the comments about the future of Monktonhall colliery that he made to my hon. Friend the Member for Midlothian (Mr. Eadie)? Is he aware that the Parliamentary Under-Secretary suggested in an Adjournment debate not long ago, that it was likely that Monktonhall would be reopened? Is the right hon. Gentleman aware of the widespread publicity that that received and the hopes that were raised, not only by Ministers but by British Coal, about the future of employment in that part of Lothian? Will the right hon. Gentleman be more specific?

Mr. Wakeham: I know that the hon. Gentleman will find this disagreeable, but I prefer to wait for the report before I comment on it. I look forward to receiving it as soon as it comes.

Mr. Sumberg: Bearing in mind British Coal's overall responsibility for opencast mining applications, when my right hon. Friend meets the chairman of British Coal will he point out to him that an application has been made to the local council in Bury for an opencast mine in the Radcliffe area in my constituency? Will my right hon. Friend tell the chairman that that application is resolutely opposed by all local residents and that an effective committee, NORACC, has been formed to oppose it? If the application comes before the chairman, will he reject it?

Mr. Wakeham: As my hon. Friend has asked me, I shall certainly refer to the matter when I next see the chairman of British Coal. There is an established procedure. Any opencast applications that do not receive planning permission locally fall to be considered by my right hon. Friend the Secretary of State for the Environment. The Government are concerned that only applications that meet the highest environmental standards are approved. We shall see that that policy is continued.

East Midlands Electricity

16. **Mr. Harry Barnes:** To ask the Secretary of State for Energy what action he proposes to take in response to the report of East Midlands Electricity plc on the electricity supply crisis which arose from severe weather conditions.

Mr. Heathcoat-Amory: I welcome East Midlands' comprehensive report which makes a number of recommendations. My engineering inspectorate will monitor the company's progress in implementing these, to ensure that they are carried out as expeditiously as possible.

Mr. Barnes: Is the Minister aware that the worst of the weather crisis occurred in north Nottinghamshire and in north Derbyshire where hundreds of thousands of people were without electricity and water supplies for a considerable period? That coincided with the flotation of East Midlands Electricity plc and meant that the Government did not declare an emergency in circumstances in which they should normally have done. Should not the Government have set up their own inquiry and not just depended on the inquiry of East Midlands Electricity plc?

Mr. Heathcoat-Amory: No distribution network could have survived those weather conditions without sustaining damage. All those in the industry—management and staff—worked heroically to restore supplies and it is wrong to refer in any way disparagingly to their efforts or to link the problem to the privatisation of the industry.

Mr. Jacques Arnold: While on the subject of severe weather, will my hon. Friend join me in welcoming last Friday's announcement on improvements to the cold weather payments scheme—the second set of improvements within six months? Will he also confirm that those vast improvements are greatly superior to those on offer under the previous Labour Government?

Mr. Heathcoat-Amory: I welcome that observation, although it was not my Department which introduced those improvements.

Mr. Dobson: Can the Minister confirm that there have been more interruptions in supply to consumers since the electricity industry was privatised? Before he denies that,

will he also confirm that neither the Secretary of State nor the Office of Electricity Regulations can provide any statistics?

Mr. Heathcoat-Amory: The privatisation of electricity has resulted in significant benefits to its consumers, which include timely reaction to any interruption of supply.

Nuclear Energy (Employees)

18. **Sir Trevor Skeet:** To ask the Secretary of State for Energy what is his estimate of the number of people employed in Britain's nuclear energy industry.

Mr. Wakeham: The total number of people directly employed in the British nuclear energy industry is about 40,000.

Sir Trevor Skeet: Does the Secretary of State recognise that unless he is prepared to bring the review of the nuclear industry forward to 1993, he will be faced with a declining nuclear industry? Does he regard with any great satisfaction the fact that France has 75 per cent. of its total electricity produced by the nuclear industry, while Belgium produces 60 per cent. by that method? Why cannot we have a comparable figure of electricity production from our nuclear industry?

Mr. Wakeham: The answer to that question goes back to long before I was Secretary of State; others must bear a share of the responsibility.

My hon. Friend has asked me to bring the 1994 review forward. I am sorry, but I do not believe that that would be the right course of action. I believe that 1994 is the correct time to review the future of the nuclear industry of this country because we will then have completed the Sizewell B project and we will have had an opportunity to consider the various options for the future. The nuclear industry has a good future if it is able to produce electricity at a low cost, and safely.

ATTORNEY-GENERAL

Fraud

29. **Mr. Carrington:** To ask the Attorney-General what progress is being made in improving co-operation between the Serious Fraud Office and overseas agencies in the prosecution of fraud cases.

The Solicitor-General (Sir Nicholas Lyell): Last week the United Kingdom implemented part 1 of the Criminal Justice (International Co-operation) Act 1990 enabling us to ratify the European convention on mutual assistance; and on 14 May 1991 we also implemented the European convention on extradition.

Mr. Carrington: I am grateful to my right hon. and learned Friend. He will be aware that the position of London as the major financial centre in Europe is at least partly dependent upon our ability to prosecute fraud across international boundaries. Does my right hon. and learned Friend agree that the measure of international co-operation now discussed will make it much easier to prosecute fraud across international boundaries?

The Solicitor-General: Yes I do. The director of the Serious Fraud Office keeps in close contact with her overseas equivalents. The measures that I have just mentioned will enable us to serve summonses and other judicial documents from abroad in the same way as we do here to help to obtain evidence. They also include the use of domestic procedures for police powers of search and seizure. Those measures will enable the transfer of prisoners to give evidence overseas and from overseas to give evidence here. All that is extremely beneficial.

Mr. Dickens: Does my right hon. and learned Friend agree that as soon as a villain knows that the game is up he immediately hot foots out of the United Kingdom to safety and support overseas? That leaves behind devastation and misery for those companies or people against whom he has committed fraud. Will my right hon. and learned Friend insist that we pull together the support from overseas agencies so that such people can be pursued and convicted?

The Solicitor-General: I agree with my hon. Friend. The object of the measures is such that those alleged to have committed such fraud can be brought back from overseas to face trial.

Grievances (Judicial Remedy)

30. **Mr. Maclennan:** To ask the Attorney-General what steps he is considering to ease public access to the judicial remedy of grievances.

The Solicitor-General: Following the Legal Aid Act 1988 and the Courts and Legal Services Act 1990, the Government are implementing a series of measures to improve the machinery of civil justice and, in particular, to reduce delay, cost and complexity.

Mr. Maclennan: Is the Solicitor-General aware that the recently published proposals by the Lord Chancellor on legal aid are widely regarded as the most openly retrograde steps proposed since legal aid was introduced in the late 1940s and that they are universally condemned by the legal profession and consumer organisations throughout the country? In the light of the already apparent hostility, will he withdraw them?

The Solicitor-General: The Lord Chancellor's consultation document deserves rather closer examination than that. It offers an opportunity for extending the limits of legal aid upwards in areas where it has not attempted to go under any Government. Whether it will be possible to do so will depend to some extent on the finances available. That it offers an opportunity in that direction, when hitherto no such opportunity has appeared, is something which the hon. Gentleman should no overlook.

Mr. Lawrence: Does my right hon. and learned Friend agree that a state-funded insurance scheme, which could cover many more people at much less cost than the present legal aid scheme, or tax relief on private insurance, would ensure that there was much greater access to the judicial system than there is at present?

The Solicitor-General: My hon. and learned Friend picks up another of the points to be found in the Lord Chancellor's consultation document, which is well worth careful examination.

Mr. Fraser: Is not the proposal simply the equivalent of urging people to take out a BUPA subscription instead of

using the national health service? Can the Solicitor-General confirm that as a result of the recent freezing of the upper limits of legal aid for income and capital, 1·1 million people who would otherwise be eligible for legal aid are being left out and that there is nothing whatever in the Lord Chancellor's consultative paper to provide any compensation for those who will be disqualified from legal aid simply by saving? Will he please confirm that there is no policy of permanently freezing those upper limits?

The Solicitor-General: There is no policy of permanently freezing the upper limits. Obviously, the non-increase in them this year will have some effect on the numbers who are eligible. The matters that are open for consideration in the consultation document offer opportunities for legal aid in areas where hitherto it has not been available. They include legal aid insurance, which is to be seen in some areas—property insurance policies sometimes include this—and should not be viewed narrowly.

Crown Prosecution Service

31. **Mr. John Marshall:** To ask the Attorney-General if he will make a statement about vacancy rates in the Crown prosecution service.

The Attorney-General (Sir Patrick Mayhew): Over the past 12 months 315 lawyers have entered the service and vacancies have fallen from 22 to 13 per cent. Vacancies for administrative staff are 4 per cent.

Mr. Marshall: I thank my right hon. and learned Friend for that answer which demonstrates a dramatic improvement. What hope does he have that the other vacancies will be filled speedily?

The Attorney-General: I am grateful to my hon. Friend for what he said. The trend is a positive one. It reflects not only the increased salaries available—they are highly competitive—but the improvement in the quality of career which the service offers. We shall continue with that, and I hope to see the service fully recruited in the short term.

Mr. Bermingham: Does the Attorney-General agree that basically vacancies and recruitment problems happen to be in London and the surrounding areas? Does he further agree that were London to recruit at the same levels as Yorkshire, Manchester or many other areas, the service and the courts in London would be that much more enhanced? They are simply overworked in London.

The Attorney-General: Yes, the hon. Gentleman, who has close knowledge of these matters, is right that London is certainly one of the worst areas—or parts of London are. Humberside is another bad area. We must analyse the reasons why. Advertising and the promotion of the service are now devolved to local areas, and they are making great strides. I hope that the improvement that we have noticed will continue. I think that it will.

Children Act

32. **Mr. Hind:** To ask the Attorney-General how he plans to deal with the changes in court procedure following the introduction of the Children Act 1990.

The Solicitor-General: Last month family proceedings rules providing for new procedures in the High Court, county courts and magistrates courts were made. In relation to the Children Act, they are effectively identical.

Mr. Hind: I am obliged to my right hon. and learned Friend for that answer. Will he confirm that the Children Act will provide more speedy and compassionate methods of dealing with all matters relating to children? There has been much controversy in recent months and years, such as that surrounding the case in the Orkneys. Does he accept that many members of the Bar are worried about the possible deleterious effect on the speed with which cases go through the courts unless the procedure is properly organised?

The Solicitor-General: My hon. Friend is right to look forward to considerable benefits to child law from the implementation of the Children Act. It will provide a uniform system of law for all levels of court, enabling cases to be set at the right level—High Court, county court or magistrates court—as appropriate. The transitional problems are being carefully dealt with, and I have no doubt that the High Court will keep a close watch on the cases that currently come before it and those that will remain before it after the transitional period in October.

Gulf War

33. **Mr. Flynn:** To ask the Attorney-General if he has received any representations concerning the legality of weapons used by coalition forces in the Gulf war.

The Attorney-General: I have received representations on this subject from the hon. Member and from the hon. Member for Linlithgow (Mr. Dalyell).

Mr. Flynn: Does the Attorney-General agree that the world community should consider carefully the use of those weapons, which had never before been used on the scale on which they were used in the Gulf war? They are not conventional weapons in the usual sense. They are weapons of mass slaughter which resulted in the deaths of between 100,000 and 200,000 conscripts and injury to 300,000 to 700,000. Is not it time that we viewed air fuel explosives, cluster bombs and daisy cutter bombs as an entirely new way of waging war which should be included, in the interest of the world community, in the inhumane weapons protocol? We must think carefully about the manufacture, sale and deployment of those terrible weapons.

The Attorney-General: As the hon. Gentleman knows, the future line taken by Britain in international legislation or conventions is not a matter for me. The hon. Gentleman particularised his question and mentioned air fuel explosives. He has asked that question before, and he knows that they have been used by only the United States in the Gulf war and only for the purpose of detonating minefields. They have never been used against personnel.

On the larger issue, it must be recognised that there will be casualties if an aggressor occupies a country and the United Nations determines that force must be used as a last resort to throw it out. The responsibility for that lies with the aggressor.

OVERSEAS DEVELOPMENT

Aid

36. **Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government have any proposals to improve response time for aid to meet crisis situations.

The Minister for Overseas Development (Mrs. Lynda Chalker): Yes, we have an excellent record in responding to disasters, but we are always learning from experience. We are currently reviewing our overseas disaster management arrangements and those of the United Nations. Those reviews will be completed shortly.

Mr. Pike: I recognise that time is crucial in a crisis or a disaster, but is the Minister satisfied that although the NHS crisis teams were made available on 1 April, they were still in the United Kingdom and not in Iraq a month later on 1 May? Does she have sufficient people in the crisis unit in her Department? Does she receive the necessary co-operation from other Departments to ensure that a speedy response is given?

Mrs. Chalker: As I think the House knows, I was especially careful to ensure that if anyone went to the Gulf from the national health service as part of a volunteer team, they not only could do their work when they arrived there, but would be accepted by the recipient Government. Teams from other countries had problems which, fortunately, our teams did not encounter because of our preparation work. The people who went gave very good service.

In this three-month period we have doubled the staff in our disaster relief unit. Future plans are for a different organisation, which will respond just as quickly and effectively.

Mr. Wilkinson: Has my right hon. Friend any plans to respond in double-quick time to the horrendous disaster that is unfolding in the Philippines following the awful volcanic eruption of Mount Pinatubo? Has she been able to consult her European Community partners or the United Nations agencies? The United States is clearly in a better position than we are, as it has military personnel on the spot, and the local Association of South-East Asia Nations powers are also there. Can my right hon. Friend reassure the House, however, that the United Kingdom will do everything in its power to bring assistance to bear?

Mrs. Chalker: We greatly sympathise with the people and Government of the Philippines, who have experienced yet another major natural disaster. The embassy told us today that the Government would be requesting assistance shortly, and we shall do all that we can to meet their specific needs.

I should inform the House that Manila airport is currently closed. However, we have daily contact with our embassy, as the embassy has with the Government of the Philippines. We should not underestimate that Government's own capacity to handle the emergency, but we are ready to help.

Sir David Steel: Is not the Minister concerned at continuing reports that aid is failing to get through to the populations who need it in parts of the Horn of Africa? Notwithstanding the long-term review that she is currently undertaking, will she support the ad hoc re-establishment of the United Nations office for emergency operations in Africa, which was so successful in 1985-86? When the office was stood down in 1986, we were told that it could be re-established if the need arose. Surely that need has now arisen.

Mrs. Chalker: A very successful meeting has been held between Jim Ingram of the World Food Programme and the leaders of the Ethiopian People's Revolutionary Democratic Front in Addis about directing relief towards the pressure points and the ports of Africa. We are certainly prepared to consider the re-establishment of the UN office, if it is needed. Our current information is, however, that good news has been received, including that of the agreement in the past 48 hours to the air drop to Nasir in northern Sudan. Last week, I was instrumental in requesting that from the Government of Sudan.

Sir Richard Luce: I congratulate my right hon. Friend on the prompt action that she always takes when any emergency arises, but does she agree that there is no substitute for international machinery to deal with such emergencies? Both she and my right hon. Friend the Prime Minister have recommended action on this front; can she tell us what progress has been made?

Mrs. Chalker: The Anglo-German initiative discussed by my right hon. Friend the Foreign Secretary and Herr Genscher on 9 June is already in being. It involves the appointment of a senior figure who would report directly to the UN Secretary General, to direct all relief measures within the UN system and to co-ordinate the relief work of the humanitarian agencies and Governments. We do not know yet who that figure will be; we do not even know whether the initiative will be accepted internationally. There is, however, general support for the idea that we and the German Government have presented.

Mrs. Clwyd: Does the Minister agree that the crisis affecting refugees in Iraq is still unresolved? Has she seen the headlines in today's newspapers—for example,

"Major's haven plan in tatters"

in *The Independent*, and

"Don't leave the Kurds"

in the *Daily Telegraph?* Does she agree with the prediction that if the coalition forces and the United Nations do not guarantee a settlement, another million people will flee Iraq? Is she prepared for that event?

Finally, what would the Minister say to the senior aid worker who, having just returned from Iraq, said:

"The whole aid exercise has been completely wasted. If there is no artillery unit to hold the line against the Iraqi troops, the Kurds will run for their lives. They feel betrayed and they are terrified."?

Mrs. Chalker: First, let us get the whole operation of save havens into perspective. We began the exercise in April, and phases 1 and 2 have been successfully completed, providing life-saving relief for people in the mountains and bringing them down into the safe havens. We are now working on phase 3, the aim of which is to give relief to Iraqi people in northern Iraq. That means re-integrating people into their own communities in Iraq, with protection. That is why the representatives of the Iraqi people have combined to form a central development committee, formed of the indigenous organisations, with three specialist sub-committees: one in engineering, one in agriculture and one in health. With the representatives of

the Kurdish Democratic party and the PUK—Patriotic Union of Kurdistan—working together, it will oversee what happens in the future. That is necessary because we have always agreed—right from the beginning—that allied troops would be deployed temporarily. We have taken no decision about the withdrawal of troops. We are in close touch with our allies and my right hon. Friend the Foreign Secretary is discussing the matter with his opposite numbers. I assure the House that, having successfully completed the first two phases, I shall ensure that other phases of the operation are successfully concluded.

Horn of Africa

37. **Mr. Harry Greenway:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to visit the Horn of Africa and Sudan; and if he will make a statement.

Mrs. Chalker: I would be prepared to visit the Horn of Africa again if it would assist the relief effort. At present, the World Food Programme is working to ensure that maximum use can be made of Port Sudan, Massawa and Assab.

Mr. Greenway: I thank my right hon. Friend for that reply. May I underline her obvious awareness of the horrendous starvation in the Horn of Africa? Will she say more about the visit of Mr. Jim Ingram to the area? What long-term measures can we support to provide food grown in the area, bearing in mind that unless people learn to grow their own food they will never overcome long-term starvation but will achieve only the short-term effect of being fed for the day?

Mrs. Chalker: We should all congratulate Jim Ingram on his visit to Khartoum and Addis. He says that he has had the most positive response from the leaders of the Ethiopian People's Revolutionary Democracy Front in respect of relieving the need for food, medicine and shelter. He has also been successful in getting the interim Goverment in Addis Ababa to agree to clear roads in the Gambella area of mines, which are preventing people from moving safely, and to agree to cross-border feeding. There has also been agreement that military convoys will accompany the food convoys to the east in Hararghe. As I said in answer to the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), there will be a further follow up to the provision of food in Sudan, as well as the agreement to the air drops.

Charities (VAT)

38. **Mr. Wilson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received about the effect of VAT on charities dealing in famine and disaster relief.

Mrs. Chalker: In 1991 we received four specific representations which raised the question of VAT as the primary issue. Some other representations raised the question with other issues. VAT is a matter for my right hon. Friend the Chancellor of the Exchequer, who amended the legislation in 1989 to ensure zero rating of charities' fund raising, including the sale of donated goods in charity shops.

Mr. Wilson: Does the Minister accept, however, that charities, especially third world charities, are tremendously concerned that if standardisation takes place throughout Europe, resulting in the loss of zero rating to the charities sector as a whole, some £500 million of income will be lost? For example, Oxfam fears a loss of £5 million. Will the Minister make strong representations to ensure that that does not take place across the board and that there are Europe-wide discussions to draw attention to the problems that loss of zero rating would present for charities?

Mrs. Chalker: I have considered that matter and discussed it with several non-governmental organisations, including the Oxfam representatives on Merseyside. I assure the House that if the European Community were to challenge the United Kingdom legislation on the zero rating of sales of donated goods from charity shops and refunds of VAT on rents, we would resist. Should the European Community attempt to legislate further on the activities of charities, we would stongly defend their voluntary nature and independence. The hon. Gentleman has my word on that.

Mr. Dafydd Wigley (Caernarfon): On a point of order, Mr. Speaker.

Mr. Speaker: I shall take points of order after the statement.

Local Government (Wales)

3.34 pm

The Secretary of State for Wales (Mr. David Hunt): With permission, Mr. Speaker, I should like to make a statement about local government in Wales.

In my statement to the House on 23 April I announced my intention to publish a consultation paper about the local government structure in Wales. I am publishing that paper today in Welsh and English. It will be extensively distributed throughout Wales, and I wish to consult very widely on its content.

The case for the establishment of a system of unitary authorities throughout Wales has been put to me by many people, including those in the Assembly of Welsh Counties and the Council of Welsh Districts. I agree that we should now consider moving towards such a system. My consultation paper therefore sets out for public debate the considerations that must be borne in mind in determining the size and number of the new authorities.

We must look to create a structure that can deliver high-quality services efficiently and economically, whether those services are delivered directly by the authority itself or through contractual arrangements with another agency. Local services are vitally important to very many people, and we must not put delivery of those services at risk by proposals for reorganisation that are not fully thought through. But people do not look to their local authorities only as deliverers of services. They also want to see authorities that reflect, enhance and strengthen the local communities, which are such an important feature of Welsh life. During my discussions throughout Wales, the clear message that I have received has been that it is vital that the structure of local government that is produced is one with which the people of Wales can identify.

I am today presenting for public debate a number of possible arrangements for local government in Wales. Among these, I see particular attractions in a structure of 20 authorities illustrated in one of the maps set out for discussion; but I make it absolutely clear to the House that I have reached no final decisions and, before doing so, I propose to consult widely. I also repeat to the House what I say in the paper: it is wrong to start from a desired number of authorities and then try to fit service provision into that structure. Rather, the number of authorities, and their size, must flow from a careful balancing of all the various relevant considerations.

I should also say something about community councils. Whatever may be the outcome of those consultations, some of the new authorities may cover larger areas than do the present districts. We must ensure that this does not lead to a loss of responsiveness to local opinion. Community and town councils therefore have an important role as the voice of their communities to the wider world. I want to consider the case for developing that role within a new local government structure.

I am not today proposing any tight times scale for the reforms that I envisage. This is a vitally important matter and we must not be rushed into decisions. I also bear it in mind that local authorities will face a major task in implementing the council tax from 1993, but it is desirable that local authorities should be able to plan ahead effectively. I therefore intend, in the light of the comments I receive, to come forward early next year with firm proposals. But let me make one thing clear. I will not bring forward any reorganisation unless I am satisfied that it is capable of bringing long-term benefits and improvements in efficiency. The real administrative cost of local authority services under the new arrangements must not be greater than under the existing structure, and the potential for real efficiency savings should be demonstrable. I should finally make clear that the paper makes no reference to the question of an assembly for Wales. The arguments that have been put to me have not been advanced with great force or unanimity, and they have failed to persuade me that there is any case for creating an assembly.

On the contrary, Wales has benefited considerably from having a Secretary of State with a voice in Cabinet and from the effective working relationships that have been established with and between central Government, local government and the private sector in Wales. In contrast, the result of creating an assembly would be a Welsh Office with no capacity for significant influence on central Government, and a Welsh executive authority detached from central Government and thus unable to argue the case for Wales where the real decisions are taken—at the heart of central Government.

Given a choice between a strong Secretary of State and an elected executive authority, the Government are in no doubt whatever that the interests of the people of Wales would be best served by maintenance of the present arrangements. They are reinforced in that view by the fact that the judgment of the 1979 referendum was the same —and by an overwhelming margin.

The consultation paper sets out our proposals on the way forward for local democracy in Wales. I believe that we should consider moving towards unitary authorities as the best foundation. The proper size and number of such authorities, however, are matters on which everybody will have a view. The paper sets out three suggestions, one of which I consider the most attractive. But all three are offered as a basis of consultation.

The paper that I am publishing today marks another important step in the Government's review of local government. I intend to consult widely and, in accordance with our Welsh tradition, proceed as far as possible by discussion and agreement with interested parties.

In Wales, we have a historic opportunity to build on the positive partnership between central and local government in the Principality, which is the envy of many other parts of the United Kingdom.

The challenge that faces us is to establish a structure of local government that will serve Wales well for many years to come. That is the target. I now want to consult the people of Wales on how best we may achieve that result, and I invite right hon. Members from all parties to contribute to that debate. I commend the consultation paper to the House.

Mr. Barry Jones (Alyn and Deeside): Does the Secretary of State understand that Labour party policy is to retain the great office of Secretary of State for Wales? A Labour Premier, Harold Wilson, installed the great James Griffiths as the first Secretary of State for Wales, and Mr. Griffiths—then the Member of Parliament for Llanelli—established the Welsh Office. I remind the right hon. Gentleman also that Labour created the Welsh Development Agency and the Development Board for Rural Wales, and gave to the Secretary of State the considerable powers contained in sections 7 and 8 of the Industry Act 1975.

[Mr. Barry Jones]

Is not the right hon. Gentleman in office because of Labour's great commitment to the governance of Wales? He is the last person to talk to us about the office of Secretary of State for Wales. His party was always hostile to proposals for a Department of State.

As to unitary authorities, I hope that the consultations will be more thorough and genuine than those on the poll tax. Has the Secretary of State considered establishing a commission?Does he accept that imitation is the sincerest form of flattery, and that we welcome the fact that he has accepted Labour's case for unitary authorities? Does he accept also that the number and boundaries of the unitary authorities should be determined by the Secretary of State only after appropriate and genuine consultation? A political decision would bring with it hints of gerrymandering, especially in the redrawing of boundaries in the south Wales valleys and in north-east Wales. I give the right hon. Gentleman a strong warning on that matter.

Why is the Secretary of State dividing the map of Wales on the advice of civil servants? We want to create a durable structure of local government, and to do that there must be genuine and extensive consultation with local communities, not a back-of-the envelope job that will satisfy the needs of the Conservative party manifesto. The Government have a tendency to legislate in haste and repent at leisure.

The Secretary of State's failure to come out in support of a regional government leaves his proposals unbalanced and the key problems unresolved. If the proposals aim at more effective, responsive local government, why is that principle not to be extended to the ever growing list of quangos in the right hon. Gentleman's gift? The many bodies appointed by the Secretary of State which exercise powers in Wales should be made more accountable to the people of Wales. There is one law for Whitehall and another for the town hall.

The Secretary of State's argument that a Welsh assembly would leave Wales isolated in Europe is nonsense. Our European partners have already recognised the value of decentralising, but the right hon. Gentleman is ready to consign Wales to the backwaters of Europe. Britain is the only country in the Common Market that does not have regional government. In the decades ahead the national boundaries of Britain will diminish in importance while regional and local identities and decisions will grow in importance.

We in Wales cannot afford to be left behind by the rest of Europe. Why, as today's *Western Mail* alleges, is the Secretary of State committing Wales to the dark ages? A Welsh assembly is a vital component of a thoroughgoing and durable reform of local government and will benefit democracy, accountability and economic development. The statement will satisfy no one. It is a retreat, it is timid, and it is a missed opportunity.

Mr. Hunt: I shall deal with the important announcement—it is worrying that it had to be an announcement —that a Labour Government would retain the post of Secretary of State for Wales.

Mr. John. P. Smith (Vale of Glamorgan): The Labour party has had that on the record for two years.

Mr. Hunt: Why was it necessary for the hon. Member for Alyn and Deeside (Mr. Jones) to put it on the record, as the hon. Member for Vale of Glamorgan (Mr. Smith) has said? I shall also quote from the *Western Mail* which states:

"The Conservatives remain opposed to devolved assemblies. We think this is wrong, if consistent. But Labour's . . . cobbled-together proposals could seriously disadvantage Wales. 'Half-baked and half-hearted' is one recent description of the overall proposals, as they stand. We agree. They need to be re-examined."

The hon. Member for Alyn and Deeside is saying not that they need to be re-examined, but that they have been misread.

Mr. Barry Jones: Read them.

Mr. Hunt: I have read them and I do not think for a moment that they recognise the importance of Wales's separate identity. The document that the hon. Member for Alyn and Deeside keeps waving acknowledges that only after the English regional equivalents have been created in the first term of a Labour Government—if one were elected—would a Labour Government proceed to establish elected regional governments in England and, in parallel, a Welsh assembly in Cardiff. They would regionalise Wales and regulate it to the same status as any region in England.

Secondly, the hon., Gentleman wanted the consultations to be more genuine than the consultations over the council tax. [HON. MEMBERS: "Poll tax."]—more genuine than the consultations on the poll tax or community charge. I had the opportunity this morning of meeting the local authority associations and I was delighted to hear from them that they believe that our proposals for a council tax are just the sort of proposals on which can be built an efficient system of local government finance in Wales. I welcome the words of the Welsh Consultative Council on Local Government Finance. The hon. Gentleman may feel that the consultations were not genuine, but he created some of the problems by refusing to join the consultations. The other Opposition parties joined the consultation and I had interesting discussions with them, but the hon. Gentleman never came through the door of consultation. I hope that he will do so on this occasion.

Thirdly, the hon. Gentleman asked why we were not establishing a commission. He alleged that the Secretary of State was trying, on the back of an envelope, to gerrymander Wales. I would hardly be having consultations if that were my intention. If the hon. Gentleman really believes that we need to set up a commission—I do not know who would head it—to tell us how to reorganise the local government structure in Wales, he has not been listening to his colleagues in the Council of Welsh Districts, who believe that a commission is not necessary.

The hon. Gentleman then said that unitary authorities were Labour party policy. I would hardly have believed that when I first came to the House, given the debates that took place under the Labour Government between 1974 and 1979. Yet again, the hon. Gentleman is trying to rewrite history.

Fifthly, the hon. Gentleman claimed that we would relegate ourselves to the backwaters of Europe, but the Welsh Office, under this Secretary of State and his predecessor, with other Ministers in the Welsh Office—in particular, my right hon. Friend the Minister of State, who has received the most richly deserved Privy Councillorship that I can recall—has set up links with Baden-Württemberg, and is building the links with Lombardy,

Rhône-Alpes and Catalonia. We are not relegated to the backwaters of Europe. Furthermore, the Presidents and Prime Ministers of those regions wish that they had the opportunity that the Secretary of State has to sit in a national Cabinet. They do not have a seat in their national or federal Governments.

I have this to say about an assembly and devolution. I recall, and I reread just a few moments ago, an article written in 1976 by the Leader of the Opposition. It said:

"At the height of the most threatening economic crisis of our lifetime the Government is going to spend most of Parliament's time next year tearing the United Kingdom asunder . . . Could devolution, the very policy intended to bind the unity of the kingdom, actually turn the healthy cultural diversities into ugly national demarcations?"

For once in my life, I agree with the Leader of the Opposition.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the House that there is a statement on Scotland after this, followed by a rather busy day with a Committee stage and then an order. I will try to call all those hon. Members who are rising, but I ask them to ask brief questions and to ensure that they are questions and not comments.

Sir Anthony Meyer (Clwyd, North-West): Is my right hon. Friend aware that there will be a general welcome for the broad principles that he has enunciated? Clearly, the detail will need discussion and debate. Does he share my delight at the welcome change in the Labour party, which will now apparently consult on the matter? That is as nice a change as the sudden and belated discovery of Europe by the hon. Member for Alyn and Deeside (Mr. Jones). Will my right hon. Friend accept that, at first sight, the proposals for a merger between Colwyn and Aberconwy, subject always to the review that my right hon. Friend the Minister of State will be having, seems to be very much along the right lines? The rest of the proposals will need examination and consultation. Will he also accept that there will be a general welcome for the idea of an enhanced role for the community councils?

Mr. Hunt: I join my hon. Friend in welcoming the agreement of the hon. Member for Alyn and Deeside (Mr. Jones) to enter the consultations on the future structure of local government. I must say to the hon. Gentleman, as I did over the consultations on local government finance, that he has a standing invitation to come to see me and to bring any of his right hon. and hon. Friends with him so that they can tell me what they believe should be the future structure of local government. I greatly welcome the fact that the hon. Gentleman will do that and I look forward to seeing him on that basis as soon as possible. Like my hon. Friend the Member for Clwyd, North-West (Sir A. Meyer), I greatly welcome the fact that the hon. Gentleman has changed his mind about consultations and that he will enter them in a meaningful way.

When the details of the proposed arrangements are looked into, they will strike a chord. I have sought to ensure that we recognise local communities and local identities, which is why, in certain instances, it is possible to cross existing county boundaries and why it is possible to look at the whole question of town and community councils as providing a basis on which we can move forward.

Mr. Richard Livsey (Brecon and Radnor): Although I welcome the fact that the Secretary of State has produced a Green Paper, which is a good thing from the point of view of consultation, does he agree that there is general political agreement that unitary authorities are the answer in Wales? I am extremely disappointed that he has not brought forward proposals for a Welsh assembly. Why can the President of France, the President of the United States and the Secretary of State for Northern Ireland all head countries that have administrations that may not coincide with them politically and yet they still get on with the job? Surely the Secretary of State should embrace the idea of a truly democratically elected assembly—elected by proportional representation. His post would not necessarily be abolished in those circumstances, which would abolish his main opposition to the proposal for a Welsh assembly. He is missing a huge opportunity by not having a Welsh assembly that is truly democratically elected.

Mr. Hunt: The most interesting phrase in that explanation of Liberal Democrat policy was:

"His post would not necessarily be abolished."

The hon. Gentleman recognises, as I do, the serious problems in the European comparisons that he made. He will recognise that the Presidents or Prime Ministers of, for example, Baden-Württemberg, Lombardy, Catalonia and Rhone-Alpes do not sit in their national Cabinets. That is the biggest difference. I want us to take every possible advantage of a position that has been used to good effect by my predecessors, especially by my right hon. Friend the Member for Worcester (Mr. Walker) and by his predecessor Lord Crickhowell to promote the interests of Wales. That advantage would be lost if we moved in the direction that the hon. Gentleman seeks.

Mr. Alan Williams (Swansea, West): I have long believed in the principle of unitary authorities and I welcome that part of the statement. [HON. MEMBERS: "Hear, hear."] Having enjoyed a brief "Hear, hear" from a couple of colleagues, may I ensure universal disapproval in the Chamber by putting another proposition to the Secretary of State? While he carries out his consultations on the form and powers related to a unitary authority, rather than ruling out altogether the prospect of an assembly, why does not he consider the possibility of putting the ideas to the people of Wales concurrently? While we are carrying out our discussions and he is carrying out his, the people of Wales will have a say on whether they want an assembly.

Mr. Hunt: I was not aware that, under the Labour party's proposals, the proposal for a Welsh assembly would be put again to the people of Wales. It is incumbent on those who seek to ride roughshod over the result of the referendum to put forward proposals again to the people of Wales. As I propose to comply with the result of the referendum, I hardly believe that it is necessary for me to put a re-endorsement to the people of Wales.

Mr. Gwilym Jones (Cardiff, North): May I tell my right hon. Friend that his recognition of the fact that the sterile debate about a regional assembly for Wales has produced no new ideas has received the warmest response in Wales because most of the people of Wales would regard such a remote body—which would cost us £1 million a week before it took any action at all—as wanton irrelevance? Instead, the proposal for single-tier councils is most welcome, especially in the capital city of Wales, as those

[Mr. Gwilym Jones]

councils will be much more cost-effective and will be closer to the people whom they should represent. Having said that, may I urge my right hon. Friend to give his unhurried consideration to the idea of expanding Wales's premier parliamentary body, the Welsh Grant Committee, to include more of the leaders of the Welsh economy, and to turning that committee into a forum which, under his chairmanship, can better discuss how Wales may continue to move forward?

Mr. Hunt: On the first point, I agree with my hon. Friend. As I believe I have made clear, the arguments that I have heard have not persuaded me that there is any case for an assembly for Wales. I believe that the people of Wales benefit from having a Secretary of State with a voice in Cabinet. The people of Wales voted strongly against an assembly in 1979. I have seen no good evidence to suggest that they have changed their view and they are wise not to have done so.

My hon. Friend's proposal for the Welsh Grant Committee is a matter for that committee, and for others, to consider but it is certainly worthy of further consideration.

Mr. Denzil Davies (Llanelli): Is the Secretary of State aware that we are not surprised to hear that he does not want a Welsh assembly, given that 12 years of Tory Government have turned us into the most centralised state in western Europe—far more centralised even than France?

I think that most people would agree with the right hon. Gentleman's proposals for unitary authorities. Does he agree that community councils, which he mentioned, will have to be strengthened if we are to have unitary authorities and that the Local Government Act 1972, which did not put them on a proper basis, needs to be changed or repealed so that they are placed on such a basis and can represent their communities?

Mr. Hunt: I certainly agree with the right hon. Gentleman that we should consider the whole question of town and community councils. I have gone out of my way to make it clear that I want such councils to be part of the consultation process and I am arranging for a copy of the consultation paper to be sent today to every community and town council throughout Wales. I very much want to hear from those councils and from those with ideas about the sort of role that they could play in the new local government structure.

Mr. Keith Raffan (Delyn): While I welcome my right hon. Friend's commitment to a system of unitary authorities, I deeply regret the fact that he has ruled out support for a Welsh assembly. He has said that he will consider the establishment of a body to co-ordinate economic strategy and other matters in Wales. Will he elaborate on that and tell the House whether, in his view, such a body would be a debating forum, what it would be allowed to discuss, how many members it would have, where those members would be drawn from and whether they would include Members of Parliament?

Mr. Hunt: My hon. Friend has made no secret of his own particular opinions about a Welsh assembly; indeed, he has voiced them in the Chamber before now.

On the second part of my hon. Friend's question, let me explain that the Council of Welsh Districts recently presented me with a proposal for a Welsh economic forum to improve collaboration and partnership between all the bodies involved in economic regeneration. I was impressed by the council's argument that there was a role for a more structured discussion on economic matters. With the training and enterprise councils now on stream, and with the establishment of new funding councils for further education—and for higher education in future—there is also a need to ensure that there is the closest possible contact between all those involved in education and training and in the business sector. I shall therefore soon be consulting the various bodies that might be involved —the development agencies, the TECs, representatives of local government and of the education world, CBI Wales and the Welsh TUC—to discuss how matters may best be taken forward. I have asked my team at the Welsh Office to give the matter high priority.

Mr. Huw Edwards (Monmouth): Does the Secretary of State agree that, during his short period in office, we have seen the most amazing transformation in the political structures of eastern Europe—a process of democratisation brought about by peaceful protest? In the light of his intransigence over the issue of a Welsh assembly, what hope is he giving to the people of Wales—the young people of Wales especially—that, in future, they will be living in a society, and in a country, which is less bureaucratic, less centralised and more democratic?

Mr. Hunt: I recognise the significance of the hon. Gentleman's point. I want to establish a very effective local government structure in Wales. I want our young people to fly high in their own land. I do not want them to move out of Wales. I want to give them every possible opportunity to stay in Wales and fly high there. I am aware of the local government structure in central and eastern Europe.

However, the hon. Member for Monmouth (Mr. Edwards) will recognise that there is no similarity between the Welsh position and the regions in central and eastern European countries, because the Welsh have a Secretary of State sitting in the national Cabinet. If the hon. Member praises the local government structure in Poland, will he please also pay tribute to the fact that I went out there and helped them to set it up?

Mr. Dafydd Wigley (Caernarfon): Does not the Secretary of State accept that the linchpin of the consensus that existed on the issue in Wales was the question of an elected assembly, a proposal put forward by the district councils, the county councils in Wales and every political party in Wales except the Conservative party? Why can we have elected democracy on a community level, on a district or county level and on a Westminster or European level, but no democratic answerability for the £5,000 million —£100 million a week—that the Secretary of State for Wales spends? Why can we not have answerability for that to the people of Wales?

Mr. Hunt: The hon. Gentleman feels enormously strongly about that issue and he puts his view to me in public and in private on every possible and conceivable occasion. I pay tribute to him for that. However, I am

accountable in this Chamber. I am accountable for the range of responsibilities that I have as Secretary of State. The real accountability lies in the mother of Parliaments.

Mr. Ian Bruce (South Dorset): Does my right hon. Friend recall that in 1974, when local government was reorganised, my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath) suggested that county names would not change when the local authority names changed? I was born in Glamorganshire whose name has changed three times and may even be wiped off the map if we do not do something positive about it. Has my right hon. Friend any proposals to encourage the use of the old county names with regard to postal districts?

Mr. Hunt: During my consultations in Wales I have discovered a strong view in certain parts of Wales that people want some historic names and titles to return. I make it clear that I will listen to those views very carefully in the consultation process.

Mr. John P. Smith (Vale of Glamorgan): I was directly involved in the widest ever consultation on this subject in Wales between 1988 and 1990 with the working party of the Welsh Labour party. Is the Secretary of State aware that I find it absolutely incomprehensible that he has today ruled out the possibility of regional government as well as the possibility of a strong Secretary of State for Wales?

Mr. Hunt: I must make it absolutely clear that I totally reject the Labour party's proposals. The Labour party proposes that, with the creation of a Welsh assembly, the role of the Secretary of State would be to scrutinise parliamentary legislation to consider its relevance to Wales and to arrange for modifications where appropriate. I had always thought that scrutiny and modification of legislation were matters for this House rather than for a Secretary of State. Labour's proposals would limit the role of the Secretary of State for Wales

"to promoting Welsh interest abroad."

Is that really an adequate job description for a Cabinet Minister?

Dr. Dafydd Elis Thomas (Meirionnydd Nant Conwy): Will the Secretary of State help me as I am having difficulty in that I am suffering from a little deja vu? Are we approaching 1992 or are we back in 1962? It appears that the Secretary of State has produced what is probably the most backward-looking document in the history of post-war Welsh politics. Does he accept that all his reference points hark back to 1979 and he is now apparently proposing to establish a Welsh economic council the like of which was established by a Labour Government back in the 1960s? Which of our esteemed colleagues in European Governments such as the Ministers of Baden-Württemberg or Catalonia are about to resign their democratic posts in order to join the United Kingdom Cabinet?

Mr. Hunt: On the hon. Gentleman's final point, in my discussions with our regional counterparts in the important motor regions they constantly said how much they envy the fact that we have a Secretary of State for Wales who sits in the United Kingdom Cabinet. They would like to sit not in the United Kingdom Cabinet but in their own federal or national Cabinet.

On looking back, I thought that I had turned my mind against looking back to the result of the 1979 referendum. Opposition parties would have us go back to before that referendum decision. I believe that we must pay attention to the result of that referendum, which emphatically rejected the idea of a Welsh assembly.

Mr. John Butcher (Coventry, South-West): As part of his consultation, will my right hon. Friend undertake to meet Welsh members of the Association of British Counties, an organisation which is dedicated to the restoration and retention where possible of traditional county names and historical counties? Will he welcome the use of county names such as Montgomeryshire, Radnorshire and Monmouth? Wherever possible, unitary authorities, which Opposition Members would welcome, should coincide also with their traditional boundaries of yesteryear.

Mr. Hunt: Of course I shall meet that body, and I should be particularly pleased if my hon. Friend came with me. The preferred option that I have put forward establishes the unitary authority not only of Ynys Môn but of Pembrokeshire, Ceredigion, Carmarthen, Brecon and Radnor, Montgomeryshire, Monmouth and several others. That is recognition of the strength of the local communities and the wish to see such a unitary authority established.

Mr. Donald Anderson (Swansea, East): Is there no humility on the Government Benches? The Secretary of State appears to be implying that the Conservative party is best equipped, as indeed occurred with the poll tax, to deal with the bungled messes of previous Conservative Governments on unitary authorities. As for his tentative proposal for a Welsh economic forum, is the Secretary of State aware that Lord Crickhowell, one of his predecessors, proposed such a body in 1979, which then went to sleep, and that much has happened since? We have had 12 years of Conservative centralisation so that now only 8 per cent. of local government revenue in Wales is from a local tax base. We have had the European dimension, and we have had quangos packed with Tory placemen. The right hon. Gentleman's idea would be rejected as both irrelevant and impertinent. If the Secretary of State is really concerned about consultation, will we have an opportunity for a full day's debate on the issue in the House before the summer recess?

Mr. Hunt: Time for a debate is certainly not a matter for me. I take up the hon. Gentleman on describing as impertinent the proposal that I have just welcomed from the Council of Welsh Districts. Perhaps he should talk to his colleagues in the Council of Welsh Districts whom I met earlier today and who put to me very strongly the need for that body. I have said that I recognise that they have a case, and I wish to examine the proposals further. However, I am not looking back. I hope that the hon. Gentleman would not think that the Council of Welsh Districts spends its time looking back, because I do not believe that it does.

Mr. Paul Flynn (Newport, West): Does not the Secretary of State observe that changes in Welsh democracy over the past 10 years have been the mirror image of what has happened in eastern Europe? In eastern Europe, the old unelected nomenklaturas of communists are losing their powers, while genuinely elected bodies are gaining powers through democracy. In Wales, the reverse has been true. Our elected councils have lost power,

[Mr. Paul Flynn]

influence and resources while non-elected quangos are getting greater power, being stuffed by representatives of the Conservative party and other card-carrying fellow travellers. Those groups are entirely undemocratic.

Will the Secretary of State observe also that the people of Newport rejected the reorganisation by the Conservative party in the 1970s because they wanted a unitary authority? They also want a unitary authority now and look forward to its coming about by a referendum of all the people of Wales in the next general election.

Mr. Hunt: The hon. Gentleman has not read the document. He does not realise what is proposed. I should have thought that, rather than urge me to set up an assembly in Cardiff to run Newport, he should welcome the fact that I propose a unitary authority for Newport.

Mr. Win Griffiths (Bridgend) *rose*——

Mr. Speaker: I call Mr. Wyn Roberts—I mean Mr. Win Griffiths.

Mr. Win Griffiths: I would not wish to have all the honours that have been bestowed upon the right hon. Member for Conwy (Sir W. Roberts).

Given the great emphasis that the Secretary of State has placed on consultation, will he guarantee, first, that if a definite view emerges from the consultation, that will be the one that he will support and, secondly, if it becomes clear during the consultation that there is a desire for a Welsh assembly, whatever might be its exact powers and authority, the right hon. Gentleman will accept that that is the view of the organisations that he has consulted and will support it himself?

Mr. Hunt: On the hon. Gentleman's first point about honours, we all note his bid to follow his hon. Friend the Member for Sheffield, Attercliffe (Sir P. Duffy) in seeking recognition. On the main burden of what he said, how on earth can I say in advance whether I would follow one of the views that emerges in the consultation or another? I very much look forward to hearing the views. I must then decide and lay proposals before the House.

Mr. Peter Hain (Neath): While I welcome the Secretary of State's option, which keeps Neath separate from the Swansea conurbation, will the right hon. Gentleman concede that in proposing an economic forum to oversee the strategic economic policy affecting Wales, he is conceding the case for a strategic view that could apply equally to transport, planning and other matters? Does he further agree that such a strategic view is best exercised not by a non-elected unaccountable quango but by an elected assembly for Wales, without which Wales will go naked into Europe as it is integrated into Europe?

Mr. Hunt: I am never quite sure what the Labour party is proposing, because one of its proposals is for Members of Parliament to sit in an assembly in Cardiff with an equal number of local councillors. That is the latest proposal for a Welsh assembly that I have received from the Assembly of Welsh Counties. I am not sure how that would sit easily with the democratic accountability of the Government in this place. However, I am delighted that, rather than spending all his time urging that Neath should be ruled from Cardiff, the hon. Gentleman has welcomed my proposals for Neath.

Mr. Rhodri Morgan (Cardiff, West): As one of the civil servants at the Welsh Office who, in 1972, wasted a dreary 12 months of his life assisting the then Conservative Secretary of State with the present unpopular two-tier structure for local government—*[Interruption.]* I take no responsibility for it. That belongs with the right hon. Member for Worcester (Mr. Walker) who introduced the two-tier structure for local government, which the Conservatives now say is wrong. However, may I give full marks to this Secretary of State for reversing the mistakes of the previous Conservative Secretary of State who devised the two-tier structure, despite the advice of the civil servants of the time? His proposal for 20 single-tier authorities—I may be out by one; the figure may be 21—is a sound idea.

Turning to the right hon. Gentleman's views about a Welsh assembly, however, there is absolutely no agreement on that matter between him and me and most other people in Wales. Wales does not want more quangos, but what is now proposed is some kind of quango that will sit on top of all the other quangos—a super Welsh quango or what one could call a llango. One reason that the right hon. Gentleman does not want a Welsh assembly is that he knows that his party could never win it.

Mr. Hunt: May I urge the hon. Gentleman to spell for the benefit of *Hansard* the new word that he has just used? I have heard about the hon. Gentleman's previous employment at the Welsh Office. Whenever I raise that subject, people tend to talk in hushed whispers and now I know why. May I ask the hon. Gentleman which one he thinks that I missed out of the 20, and may I thank him for having welcomed the proposals in general?

Mr. Paul Murphy (Torfaen): Does the Secretary of State really think that the consultation process is anything other than a sham? This afternoon he told my hon. Friend the Member for Alyn and Deeside (Mr. Jones) that he would like to consult him about these matters, yet he has also this afternoon rejected "The future of local government in Wales", which is the Labour party's proposal. How can the consultation exercise be anything other than a sham?

Does not the Secretary of State also agree that, before he mentions the remarks made by my right hon. Friend the Leader of the Opposition in 1979, he might well recall his own remarks about the poll tax during the past few years? Does he agree that the only recent example of consultation about local government reform and finance in Wales in the past few years was about the poll tax and that the last thing that we want is a re-run of that appalling crisis?

Mr. Hunt: I am delighted that the hon. Gentleman puts my remarks on a par with the previous remarks of the Leader of the Opposition. However, I regret to inform the hon. Gentleman that his right hon. Friend went much further in rejecting the concept of a Welsh assembly. I had not realised that the document to which he referred had been endorsed as official Labour party policy. If that is true, I am very worried.

If I recall correctly, the Leader of the Opposition constantly made a point with which I find myself in agreement. He said:

> "Conflicts are likely to arise every time the Welsh . . . assembly introduces any significant economic, political or social change, every time that a nationalised industry takes an important spending decision with UK-wide implications."

Those are the words of the Leader of the Opposition in the *Morning Star* on 25 February 1976, just before I entered the House. I find myself in entire agreement with them. I hope that, when the hon. Gentleman comes to see me for consultation, he will put aside some of the more rarefied proposals that he and his party have made and will engage in meaningful and genuine consultation.

Mr. Speaker: We are now to have a statement from the Secretary of State for Scotland.

Mr. Tom Clarke (Monklands, West): On a point of order, Mr. Speaker.

Mr. Speaker: I will take it after the statement.

Mr. Clarke: It is about the statement.

Mr. Speaker: Let us have the statement first and then I will take the point of order.

Mr. Clarke *rose*——

Mr. Speaker: Order. If a matter of order arises from the statement, I will hear the point of order but let us have the statement first.

Local Government (Scotland)

4.23 pm

The Secretary of State for Scotland (Mr. Ian Lang): With permission, Mr. Speaker, I should like to make a statement about the structure of local government in Scotland.

In my statement to the House on 23 April I said that there would be separate consultation on the structure of local government in Scotland. As the first stage of that process I am publishing today a consultation paper. A wide range of interests will receive copies of the paper, and I look forward to receiving comments on it.

I believe that the time is right for a move to a single tier of unitary authorities throughout Scotland and the consultation paper explains why I take this view. It describes the many changes which have taken place in local government since Lord Wheatley's commission presented its report in 1969 and since the subsequent establishment of our present two-tier system in 1975. It sets out the case for change and the case for a single tier. It also seeks to establish the principles upon which the new system should be based. It invites views on these and on a range of other issues, including how we can minimise the costs and disruption of reform. In order to allow time for these important matters to be considered properly, the consultation period will last until 31 October.

There are good arguments of principle for single-tier local government, and in my view the time is now ripe to make the change. A single tier of local government is more readily understood than two tiers, which create confusion about who is responsible for what. That inevitably clouds accountability. Avoiding the overlap also cuts out a degree of duplication and waste. It is also clear that some regional councils are seen as too large and remote from the communities that they serve, while allegiances to the old counties remain strong in some areas. A single-tier system will be simpler, clearer and more local. As the role of local government evolves, now is the time to make the change. This paper sets out the case for reform, and the principles on which it should be based.

As the paper makes clear, this is a genuine consultation exercise and it will not be rushed. I intend to consider very carefully the comments received in response to this paper before moving on to the next stage which will seek to identify the options for change, establish what the new structure should be and whether any changes in the management and organisation of the new authorities are desirable or necessary.

I have received representations arguing in favour of an independent commission to advise on structural change. My right hon. Friend the Secretary of State for the Environment has concluded that this is the appropriate way forward for the circumstances of England. My right hon. Friend the Secretary of State for Wales takes a different view in considering the needs of the Principality, as we have just heard. My approach is tailored to Scottish circumstances. If consultees wish to express views on how the next stage of the exercise should be conducted in order to achieve the best and most informed result, I should be happy to consider them, but I am not at present persuaded that an advisory commission is necessary.

I believe that the proposal of a move to single tier and the principles outlined in this paper will command widespread support throughout Scotland. All of the main

[Mr. Ian Lang]

Scottish parties now support a single-tier system for local government. Some, of course, see it only as an adjunct to a Scottish assembly. I reject the argument that local government reform is necessary only if there is to be a constitutional upheaval off that kind. I am not prepared to debase the currency of local government by treating its reform simply as a by-product of the assembly debate. I view local government reform as a major and separate issue in its own right which requires—and will receive from us—thorough and careful examination. I very much hope that all those with an interest in local government in Scotland and who ought to have local government's interests at heart will play a full and constructive part in the consultative process.

At the end of the process we intend to ensure that the new local government system which emerges is strong, efficient, and cost-effective. We intend to ensure that it is one with which the people of Scotland can identify. We intend to ensure that it will stand the test of time.

The consultation paper I am publishing today takes an important step along that road. I commend it to the House.

Mr. Donald Dewar (Glasgow, Garscadden): Perhaps I should start with praise. This document is less damaging in itself than many that have gone before simply because it says so little. If hon. Members wish to know that there are 0·02 people per hectare in the area of Sutherland district council as against 35 people per hectare in Glasgow, the document will be compulsory reading. It also contains two maps—one that gives us the boundaries of the existing district councils, and another that gives us the boundaries of the existing regional councils—just in case hon. Members and other interested bodies are unaware of them.

We learn from the consultative paper that the Secretary of State is in favour of truth, decency and honour. He wants local authorities firmly rooted in the democratic tradition, capable of discharging their functions effectively and efficiently and accountable to their electorate. Who will quarrel with that? Will the Secretary of State note that local government would be in a far better state if he and his colleagues had paid any heed to these principles in recent years? The Labour party believes that there is a case for one-tier, all-purpose authorities, but in a wider context which includes a Scottish parliament, controlling Scotland's domestic affairs.

Why is the Minister so arrogant in asserting that there is a case for democratic change everywhere but not in the way that the House deals with Scotland's business? The Secretary of State claims that he is not prepared to debase the currency of local government by taking a broader view of the need for change. What cheek, given the damaging vendetta that he has conducted against councils for so many years.

From what I have been able to gather, to make anything of the document, I suspect it will be necessary to read between the lines. Does not the Secretary of State accept that many will look with scepticism at a consultation paper that assumes that local government either must or should lose responsibility for economic planning to local enterprise companies, that housing will largely pass to Government quangos and that education will become more and more marginal as schools opt out? Does not the Secretary of State accept that that is not a view compatible with any faith in local democracy? Does he not accept that it would be wrong to use reform as a cover for stripping local government of important functions that ought to be under democratic control?

I gather that there is only one reference in the document to boundaries. Is it significant that it refers to the four cities being reborn as unitary authorities? Does that represent the Government's thinking, at least at the preliminary stage? Does the reference to joint arrangements, covering services such as the police, fire, water and sewerage, commit the Government to the high-risk exercise of joint boards, and does that rule out the threat of, for example, a national police service?

Will the Secretary of State note that there is strong support for the principle of an independent body to review the facts, sift through the arguments and set out the options? The Labour party believes that the Wheatley precedent is a good one and is in no way undermined by the fact that some of the original recommendations did not survive political debate. Does not the right hon. Gentleman realise that without such an independent element the whole exercise may be seen as partial and partisan? I remind the Secretary of State that an independent commission is supported not just by the Opposition parties in the House but by councils of every political hue.

Mr. Lang: The hon. Member for Glasgow, Garscadden (Mr. Dewar) started his remarks by giving praise, faint but discernible, and gave with approbation a number of quotations from the White Paper. I welcome his support for a number of the principles we have set out in the White Paper. I also welcome his specific and almost unqualified statement of belief in single-tier local authorities. That belief had an important qualification because he wanted to establish another tier over and above those local authorities—a tax-raising assembly based in Edinburgh. That would not make local government more local, nor would it be devolution; it would be centralisation of local government and contrary to what we are trying to do.

I believe that local government should be considered on its own merits. We should be concerned with the health and future of local government, as is demonstrated by the White Paper.

The hon. Gentleman related one or two changing roles in local authorities that I could not recognise. Whether they are Labour party policy I do not know. We are consulting on local government and we shall be interested in any proposals on the changing functions for local authorities. It is true that their role is changing into one of enabling others to deliver services rather than at their own hand.

The hon. Gentleman asked about cities being unitary authorities and I accept that that is a probable outcome, n6but I am open to consultation. I shall be interested to hear what submissions are made in the course of the consultation period.

The hon Gentleman asked me whether we were contemplating the use of joint boards for the police or a national police service. It is unlikely that we would reach a conclusion in favour of a national police service. I cannot think of any service at present delivered by local authorities that could be better delivered on a national basis.

On the question of a commission, I believe, as I said in my statement, that what is right for Scotland is not

necessarily what is right for the much more complex, diffuse and diverse situation in England. I do not believe that a commission is necessary as part of the consultation process, but I am willing to listen to any proposals on how we may seek advice on elements of our proposals as we develop them through consultation on the White Paper and future consultation.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Speaking on behalf of the Liberal Democrats——

Mr. John Home Robertson (East Lothian): And for the Scottish National party.

Mr. Kirkwood: By default for the SNP as its members are not here.

Dr. Norman A. Godman (Greenock and Port Glasgow): And for the Tories?

Mr. Kirkwood: I will not speak for them.

My party welcomes the opportunity to take part in the consultations. Will the Secretary of State categorically state that the Government believe that local government is more than just a collection of structures and functions? It has a fundamentally important role in providing local communities with an effective, democratic voice. Will the right hon. Gentleman assure me that that will not be prejudiced in the course of the consultations?

It seems nonsensical to commence consultation on determining the structure of local government when we have just concluded the consultation process on finance. No doubt after that we shall consider the functions of local government. It would be much better to have a more coherent, all-in approach to the reform of local government.

Will the Secretary of State confirm that he will take cognisance of any submissions on the system of elections for the structures of the new authorities and that proportional representation will be part of that system?

The tone of the right hon. Gentleman's statement is quite different from the statements for England and Wales. He appears to be more inflexible about single-tier authorities. If a case is made for local variations in different parts of Scotland, will he assure us that he will give urgent consideration to that approach in the course of the consultation?

Mr. Lang: I am sure that the proposals in the White Paper and my statement are not inflexible. Flexibility is the keynote to our approach. We believe that what is right for one part of Scotland is not necessarily right for another part of Scotland in terms of the size and scale of the country.

We want to establish the kind of local authority structure that best meets the local aspirations of people all over the country. We want to establish a local authority with which the people can identify and to which they can give their loyalty. I believe that the single-tier approach is the best way to remove the duplication, confusion and remoteness of local government that prevents such identification and loyalty now.

I agree that local authorities should represent a local, democratic voice. I believe that that will develop through the kind of single-tier, all-purpose authorities that we are contemplating.

The hon. Gentleman spoke of an all-in approach. Any aspect that is not specifically mentioned in the consultation paper on which he feels it is important to submit views will be welcome, either during this consultation process or later when we have refined our views more specifically. That would include the question of election, on which he touched.

I hope that the hon. Gentleman recognises that, far from being inflexible, we are anxious to have an extended consultation process during which we shall take serious cognisance of all submissions.

Mr. Robert Hughes (Aberdeen, North): In his statement the Secretary of State said that he was not prepared to debase local government. Does he realise that that comes ill from him when his Government have denigrated local government at almost every stage since they took office in 1979? If he genuinely wants proper consultations, why is he not prepared to have a proper, independent commission, as there is no way in which we can trust the Government, who made such a botch of the poll tax? Given the hostility to local government, how can we be sure that there will be a proper, independent evaluation of the submissions from local government? If local government is to be restructured, why does he not consider it in the context of an elected Scottish assembly which can properly take account of the views of the people of Scotland?

Mr. Lang: I have already made it clear that a Scottish assembly would not make local government more local, but would centralise it. An assembly would take power and integrity from local government. It is absolutely untrue to say that we have denigrated local government. We have consistently sought to strengthen it. The move to a single tier of local government will create stronger, more free-standing and more integrated local authorities throughout Scotland.

On whether a commission is appropriate, I have said that I am willing to consider representations on what sort of advisory body we should look to for further advice later in the consultation process. I see no function now for a commission such as that which is being set up for England. The Labour party's proposals in that regard would be more convincing if I had heard one Member just once promise to set up any sort of advisory commission on its proposal for a Scottish assembly.

Mr. Andrew Rowe (Mid-Kent): During the last reorganisation of local government in Scotland I wrote a short book about how community councils might work. May I immodestly suggest to my right hon. Friend that it might repay him to have a quick look at it because some of the ideas remain valid? Speaking from the south-east of England, as I do now, it is tempting for many of us to welcome any device which would diminish the number of interventions from Scottish Members in this place, but I welcome my right hon. Friend's resistance to the creation of a tax-raising assembly.

I was glad to hear him say firmly—I hope he will repeat it—that the principles that he is applying in Scotland do not necessarily apply throughout the United Kingdom. In Kent, in particular, there is a strong case for considering a two-tier local authority.

Mr. Lang: I am grateful to my hon. Friend for his support for my proposals for Scotland. I shall certainly seek to track down and learn from his writings on this matter, particularly given his former distinguished career

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in the Scottish Office. I appreciate that the circumstances of Kent are different from those of much of Scotland. I agree that what is important is that we find the right solution for each part of the United Kingdom.

Mr. Norman Hogg (Cumbernauld and Kilsyth): Does the Secretary of State realise that no amount of reshuffling the existing structure of local government will make the Conservative party acceptable to the Scottish people? Does he agree that a commission of inquiry would be appropriate because it could take account of the views of the people, the councillors who run the existing local government structure, and the many who work for local government? Why does he not seek a consensus? Is it that consensus is not part of the language of Majorism?

Mr. Lang: I certainly seek a consensus—a consensus behind the proposals that I am offering to the House today. As we have the support of the Labour Front Bench, I believe that we have the makings of a consensus for a single tier of all-purpose authorities. We are consulting widely. We are sending the consultation paper to Scottish Members, political parties, the Convention of Scottish Local Authorities, public bodies, trade unions, public agencies, industrial and commercial bodies, churches, professional bodies and others. I look forward to receiving their views and those of individuals and other bodies.

Mr. Alexander Eadie (Midlothian): Does the right hon. Gentleman realise that his arguments are weakened because he has been a member of a Government who for the past 12 years have been openly hostile to local government and local democracy? Although he has told the House that he wants to have the maximum consultation—we accept that—does not he realise that the Scottish people do not trust him and his party? They believe that any form of local government to emerge would be gerrymandered. The way to overcome that difficulty is to have an independent inquiry to make recommendations on the future structure of local government in Scotland.

Mr. Lang: The hon. Gentleman should not judge the Conservative party by the record of the Labour Government in the late 1970s, which gerrymandered the parliamentary constituency boundaries. We shall consult openly, freely and extensively, and take account of recommendations to obtain the best system that will be durable and will be good for Scotland for many years to come.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): The Scottish Conservatives and the Scottish nationalists decided to opt out of the work of the Scottish Constitutional Convention. They seem to be opting out of the work of the House of Commons as none of them is present to participate in this discussion.

Why has the Secretary of State thought it necessary to take a side swipe at the proposals of the Scottish Constitutional Convention? From the tone of his statement, I infer that no legislation on this matter will be introduced before the next election. After that, it would be much more sensible to remit the matter to a Scottish parliament.

Mr. Lang: Far from taking a side swipe at the Scottish Constitutional Convention, I never mentioned it. I do not regard it as a body that could be a valuable source of advice for this exercise. Its main concern seems to be to represent the interests of the Labour party and to string along a few Liberal Members with loose talk about proportional representation.

The right hon. Gentleman is right. We do not plan to rush the legislation. It will take a few years to legislate and to get the systems up and running. That is right, because it is important that the system should stand the test of time.

Mrs. Maria Fyfe (Glasgow, Maryhill): With regard to paragraph 21 of the consultative paper, if the majority of Scots are opposed to compulsory competitive tendering, will the Secretary of State drop that proposal from the Scottish legislation? If not, what is the point of consulting anyone about anything if he refuses to listen to the voices?

Considering the low level of representation of women in Scottish local government, will the right hon. Gentleman tell us which women's organisations he intends to consult about the proposals? If he had gone through the routine list of organisations, he would have observed that none represents even a majority of women, although there are women on particular groups such as the trade unions. I would appreciate it if he would widen his ideas about consultation.

Mr. Lang: If the hon. Lady suggests specific women's organisations, I shall be willing to consider them. They may fall under the headings that I described. She answered her own question by pointing out that women are on many of the bodies. Indeed, the Convention of Scottish Local Authorities is led by a woman.

On competitive tendering, we intend to weigh the submissions that we receive and not just count them.

Mr. Tom Clarke (Monklands, West): The timetable for consultations ends in October. What timetable do the Government have in mind for implementing their proposals? Why does the Secretary of State have so little faith in the proposals, given that there is probably wide acceptance of the case for single-tier local government? Why will he not have an independent commission? Why does the consultative paper hide behind the Wheatley commission and the Stodart committee? I was a member of the Stodart committee, and I remind the Secretary of State of its limited remit. For example, we were prevented from making a recommendation on the excellent evidence that we received from Rutherglen and Cambuslang. They could not understand why they were part of the Glasgow district, yet other areas, such as Eastwood and Bearsden, had autonomy.

Does the Secretary of State fear the response of the Scottish people? Why is he so blinkered about Europe? Why is the review separate from the review of local government finance? Does he accept that, if he is prepared to push ahead with Government thinking and disregard overwhelming Scottish opinion, that will enhance and not reduce the case for a Scottish parliament?

Mr. Lang: I do not accept that the case for a Scottish assembly would be enhanced. One reason why we are contemplating the abolition of some of the larger local authorities is their remoteness. We would not abolish Strathclyde, which covers half the country, to reduce remoteness and then create another body that covered the whole country.

I agree with the hon. Gentleman that the terms of reference of the Stodart committee were limited and restrictive. Nevertheless, much useful work was done, which remains open to us. The work of the Wheatley commission is also available to us. We can examine and scrutinise the building blocks that it established.

The hon. Gentleman referred to the timetable. I do not want to be held firmly to a timetable, because events can alter it, but we contemplate introducing legislation in the 1993-94 Session and the new system being up and running by 1996.

Mr. Mike Watson (Glasgow, Central): Why is the Secretary of State afraid of an independent commission? He mentioned in his statement the Wheatley commission of 1969, which produced the proposals for local government that we have today. Is he afraid that if he were to establish a commission he would be obliged to pack it with placemen and placewomen to ensure that he achieved the result that he wanted, as he had to do with the health boards and college governors in recent years?

Is it not sheer hypocrisy for the Secretary of State to talk in his statement and in the booklet about accountability when he and his Front-Bench colleagues are not accountable to the people of Scotland? The Conservatives have been flatly rejected in general elections for the past 36 years. Accountability exists in Scottish local government and is not one of the reasons for moving to a unitary authority.

Mr. Lang: The hon. Gentleman misunderstands the nature of the proposals south of the border. The commission would be an advisory body, and its recommendations would not be binding on the Government. The hon. Gentleman referred to advisory bodies and the advice that we may need as we proceed to the more detailed proposals. We shall consider that nearer the time, and I shall be open to suggestions.

On accountability, I believe that single-tier, all-purpose local authorities create stronger, more direct accountability than the present diffuse system of two-tier authorities that are remote and duplicate and confuse the source of services.

Mr. Harry Ewing (Falkirk, East): The Secretary of State has a brass neck talking about debasing local government after the damage that he has done in his present position as Secretary of State and previously as Minister of State responsible for local government finance. The relationship between local authorities and central Government in Scotland has never been worse than it is now.

Will the Secretary of State confirm that no argument could convince him of the need for a Scottish assembly or a Scottish parliament because he does not have faith in the people of Scotland to govern themselves and run their own affairs? Will he confirm that, although his statement is technically right, the new system of local government that came into being in 1975 was based on the Local Government (Scotland) Act 1973 introduced by the Conservative Government of 1970-74?

Much of what the Secretary of State is proposing today was proposed by my former colleagues, such as Bruce Millan. In Committee, he made it clear that Strathclyde was too big, and he submitted an amendment to divide it into four sub-regions. That amendment was swept aside by the right hon. Member for Ayr (Mr. Younger), who was the junior Minister on the Committee. The local authority variation introduced by the late John Mackintosh was also contemptuously swept aside by the right hon. Member for Ayr. It comes ill from a Tory Government to criticise Scottish local government in that way.

May I ask the Secretary of State——

Mr. Speaker: Order. The hon. Gentleman seems to be engaging in a debate. I am told that the matter will be discussed in the Scottish Grand Committee tomorrow; that will provide the hon. Gentleman with the opportunity that he wants. He has been on his feet a long time, and I think that he has probably asked his question already.

Mr. Ewing: I simply ask the Secretary of State for a commitment that he will not, in any circumstances, further reduce the number of local councillors in Scotland, whatever system emerges. Local government becomes less local as a result of such action. That is what happened following the reorganisation in which the number of councillors was halved.

Mr. Lang: I look forward to hearing part two of the hon. Gentleman's speech either tomorrow or on Thursday.

I am not willing to give the hon. Gentleman any commitment about the number of councillors, especially before the start of the consultation about that very matter.

As for what the hon. Gentleman said about the Government's relations with local authorities, his memory must be defective, or at least selective. I recall the relationship between the last Labour Government and local government, and the powers that that Government used to control it. I also recall their dramatic cuts in rate support grant.

Mr. James Wallace (Orkney and Shetland): As the Secretary of State will know, the existing single-tier authorities in the islands were examined by the Montgomery committee. The committee recommended that the opportunity, whenever it presented itself, to extend, consolidate and develop the powers of the islands councils should be taken. Why has the Secretary of State failed to take that opportunity in the document?

Mr. Lang: I am glad that the hon. Gentleman has raised the question of the islands councils. They are examples of single-tier, all-purpose authorities, and they have worked extremely effectively, even in areas with remarkably small populations. Of course we shall want to consider in our review the power and structure of the existing islands councils. If any change is deemed appropriate, the hon. Gentleman and others from the islands will doubtless make submissions, which we shall consider.

Mr. William McKelvey (Kilmarnock and Loudoun): I understand why the Secretary of State does not want an independent commission to look into the matter: he is not interested in a democratic investigation of the governing of Scotland. But why does he not give his reasons for not considering the Scottish convention's views to be widely representative? I assume that his invitations will be along broadly the same lines as those that have already been sent out by the convention.

Does the right hon. Gentleman really expect the people of Scotland to believe that he will look fairly and squarely at the matter when the present Government have not the guile or, indeed, the will to establish a Scottish Select Committee?

Mr. Lang: If the hon. Gentleman's idea of an independent, impartial and sound advisory committee is the so-called, self-styled constitutional convention, my first instincts against such a body clearly were right.

Dr. Norman A. Godman (Greenock and Port Glasgow): The Secretary of State said that he would not introduce legislation until 1993. May I point out that the exercise is, in every sense of the word, academic, as he will not be in office then?

I say this with sincere regret, but I do not trust the right hon. Gentleman when he talks about genuine consultations. The Government refuse to engage in genuine consultations with interested parties other than those led by card-carrying Conservatives.

Let me also point out to the Secretary of State—and, perhaps more importantly, to my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar)—that Inverclyde district council, as it is now constituted, would make an excellent single-tier authority. Social work departments should be part of such councils rather than being given over to specialist agencies. As I have said, however, it is all academic, because that old job lot will be swept away at the next general election.

Mr. Lang: I am glad that the hon. Gentleman, at least, is confident that his party will win the next election; he is the first Opposition Member to say so today. Nevertheless, even he felt it necessary to hedge his bets by offering his contribution to the consultation process. I assure him that that consultation will be genuine. I welcome his suggestions, which are positive and constructive, and I shall ensure that they are taken into account in the consultation process.

Mr. John Home Robertson (East Lothian): Will the Secretary of State admit that his predecessor, Lord Campbell of Croy, imposed the two-tier system of Scottish local government, which, as the right hon . Gentleman has said, has not stood the test of time? Does he accept that this Parliament must not be given another opportunity to make a dog's breakfast of local government in Scotland? If there is one tier of government that needs to be democratised, it is his Department. The only way in which we can secure a satisfactory local government structure is to have a directly elected Scottish parliament to legislate for the people of Scotland.

Mr. Lang: My noble Friend Lord Campbell of Croy did not impose the present system; Parliament decided on, and legislated for, that system.

I note that the hon. Gentleman considers that the system that was imposed—and has not stood the test of time—was proposed by a royal commission. That is the kind of commission that the Opposition seem keen to employ this time.

Mr. Menzies Campbell (Fife, North-East): The Secretary of State will know from the accompanying map, table and documents that north-east Fife occupies more than half the land mass of Fife, yet contains only about one fifth of the population. Does he accept that those factors give the local community a distinctive character, enhanced by the fact that the parliamentary constituency has precisely the same boundaries as the district council? May we take it—especially as the Secretary of State has referred with approval to the achievements of the islands councils—that his mind will not be closed to the possibility of north-east Fife's having its own single-tier authority?

Mr. Lang: My mind is certainly not closed. I hope that, at the beginning of a consultation period, that comes as no surprise to the hon. and learned Gentleman. A number of the suggestions that he has made should indeed form part of a long-term consultation process.

Mr. Thomas McAvoy (Glasgow, Rutherglen): As the Secretary of State will know, I would much prefer to deal with the reconstruction of Scottish local government in the context of a Scottish assembly. Does he realise that this process gives him the opportunity to right a wrong perpetrated by the Conservative Government in 1973, which has already been mentioned by my hon. Friend the Member for Monklands, West (Mr. Clarke)? I refer to the loss of the local councils in Cambuslang and Rutherglen, and their incorporation in Glasgow district council.

Paragraph 19·4 of the consultation paper says that local councils

"should reflect local loyalties and allegiances and be truly representative of them."

If that means anything, surely what it logically means is the establishment of a one-tier authority for Cambuslang and Rutherglen. I hope that the right hon. Gentleman will eventually recommend that, and will not take the advice of any civil service bureaucracy in the Scottish Office.

Mr. Lang: The hon. Gentleman seems keen to join those who are intent on deriding the advisory commission that led to the creation of the present system when these matters were last considered. I note the case that he has made from Cambuslang and Rutherglen, and that too will be borne in mind as part of the consultation process.

Mr. Gavin Strang (Edinburgh, East): Surely a Government who have transferred local power to the centre, destroyed the financial base of local government and intervened to prevent local councils from implementing the policies on which they were elected—as the Government did in Lothian only a few weeks ago—are quite unfit to embark on such consultation. In the circumstances, is not asking a Tory Secretary of State to present a new scheme for Scottish local government a bit like asking Saddam Hussein to present a charter for independent, self-governing countries in the middle east?

To what extent has the Secretary of State prejudged the position? What, for example, is the basis of the reports that he has already decided that he wants the four major Scottish cities to have separate all-purpose authorities?

Mr. Lang: The hon. Gentleman's idea of impartiality is that something can be fair and impartial only if it is Labour controlled. I do not find his comments of particular value as part of the consultation process.

I should prefer all-purpose unitary authorities in the cities, but the outcome of the consultation process remains to be seen. We shall also see how the boundaries will be drawn and what account is taken of the important interest of areas around the cities, which have strong local loyalties.

Mr. Robert Maclennan (Caithness and Sutherland): Does not the Secretary of State accept that, if the effectiveness of local government in Scotland is to be enhanced by a new structure, it must rest on the assent of all the political parties in Scotland and not just of his

minority party? Therefore, how does he propose to approach the question of consultation? Will he also recognise that, if he drains away authority from local government to some of the bodies described in paragraph 13 of his document—major, public sector, executive authorities—we shall not be able to strengthen the effectiveness of local government without considering its functions, particularly the functions of those powerful, unaccountable executive authorities?

Mr. Lang: The hon. Gentleman is absolutely right to identify functions as an important component of local government reform. We have made it clear throughout that we are approaching the exercise with a view to considering the funding, functions and structure of local government. Indeed, the document refers extensively to the functions of local government. We shall consult widely and I have listed the bodies to which we shall send the consultation document. I expect that much interest will be expressed by other bodies and individuals and by the political parties. If the hon. Gentleman suggests that the Liberal Democrats should have a veto on any change of local government, that is not acceptable.

Mr. Alistair Darling (Edinburgh, Central): Will the Secretary of State deal with the problem that some of the regional council functions do not readily lend themselves to sub-division? For example, there are 11 directors of education. Is it proposed that they should be sub-divided into 23 or 56 directors of education? The alternative is to have a Scottish parliament. Otherwise, power will be increasingly concentrated in the hands of the Secretary of State, joint boards or quangos stuffed with his supporters. That cannot be good for the democratic process and does not add to accountability.

Unless the Secretary of State deals with those problems and the need for a Scottish parliament, his proposals will join those that he has made over the past 12 years and will find themselves in the bucket.

Mr. Lang: The hon. Gentleman underlines the fact that function and structure are related. According to the size of structure, we shall have to consider the nature of functions and how they are handled. I cannot accept the hon. Gentleman's suggestion that a Scottish assembly would solve the problems of local government. It would centralise power instead of keeping it at a local level, devolved to new, strong, all-purpose, single-tier local authorities.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Is the Secretary of State aware that, although we are used to Scottish statements meekly following English statements on the same subject, this is the first time that a Scottish statement has meekly followed a Welsh statement? Not only has it caught the nationalists napping but there are no Tory Back Benchers from Scotland present.

Does the Secretary of State recognise the dilemmas that he is facing? In his statement he said that he favours a single-tier system, based on the previous county boundaries. I understand the logic of that, and there is a strong lobby for it in Ayrshire. However, the Under-Secretary of State, the hon. Member for Eastwood (Mr. Stewart), will tell him that, when he visited Cumnock, there was a strong lobby for Cumnock and Doon Valley to become a single-tier, all-purpose authority. We have also heard that Inverclyde——

Mr. Speaker: Order. The hon. Gentleman's question must relate to the Secretary of State's statement. His question refers to a subject that will be debated tomorrow.

Mr. Foulkes: I am about to finish my question, Mr. Speaker. We have also heard that Inverclyde, north-east Fife and Rutherglen and Cambuslang wish to be single-tier, all-purpose authorities. If that happens, there will be 56 directors of education, social work, planning and highways. Therefore, there is an incompatibility between making councils more local and making them efficient. Would it not be better, for the Secretary of State's safety, to leave the recommendations to an independent commission rather than have him taking unpopular decisions, especially affecting Galloway and Upper Nithsdale?

Mr. Lang: I am delighted that we are engaging the hon. Gentleman's considerable intellect in these issues, and I look forward to his considered submission during the consultation process.

As for my statement following a Welsh statement, I found the Welsh statement educational. My right hon. Friend the Secretary of State for Wales made it clear that the Welsh Office sees no need for an advisory commission and will have no truck with a Welsh assembly.

Mr. Frank Doran (Aberdeen, South): There is clearly a strong case for a unitary authority, but if the Secretary of State is given the opportunity to implement his proposals, will he pay heed to the strategic importance of the regional councils? Will he pay particular regard to the tremendous work of Grampian regional council to provide essential support for the infrastructure of the oil industry, which has brought great benefit to the country in the past few years? It is unlikely that the five district authorities that may become unitary authorities will be able to provide that degree of strategic support.

Mr. Lang: The hon. Gentleman makes an effective point in support of regional councils, especially Grampian. Clearly, that must be taken into account. I see that we are in for a fertile, positive and constructive period of consultation.

Mr. Brian Wilson (Cunninghame, North): Will the Secretary of State confirm that the absence of the entire membership of the Tory Back Benches and the Scottish National party is due to the fact that they are elsewhere, setting up an alternative Scottish convention to be known henceforth as the Blairgowrie set?

The statement allows for no independent commission. Will the Secretary of State confirm that the Stodart committee went out into the country and listened to people before making its recommendations on the delineation between layers of authority? When the Montgomery committee went out into the country and listened to people in the islands, it moderated and changed its views and made a far better report as a result.

Why, when this far more important exercise is being set up, is the Secretary of State not prepared to send an independent team to every part of Scotland to listen to what people have to say and to learn, according to regional and geographic variations? That cannot be done by a

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written exercise. Is he not prepared to learn because he is afraid that his prejudices might be interfered with? Why will he, uniquely, reduce democracy to the pillar box and shredder?

Mr. Lang: I have already made it clear that, as the consideration of the options becomes narrower and more detailed, if it becomes appropriate to have an advisory body I shall consider that possibility. The Stodart and Montgomery committees were given narrow, specific and detailed remits. We are concerned with the broad principles of the reform of local government. I am glad that they have had such an underlying welcome from Opposition Members. I believe that they will commend themselves in the country.

Points of Order

5.8 pm

Mr. Dafydd Wigley (Caernarfon): On a point of order, Mr. Speaker. On Wednesday of last week the Government were defeated on an important vote in European Standing Committee B on the question of patent terms for medicines. The *Hansard* report of the Committee's proceedings shows that the Government's motion, subsequently amended on a vote, was resolved. In view of the controversy over the reporting of European Standing Committees on other issues, may we be assured that the resolution as passed in Committee will be presented to the House and that the *Hansard* report will be corrected?

Mr. Speaker: I have not had notice of this, but does the hon. Gentleman allege that *Hansard* has misreported what happened?

Mr. Wigley: Yes, Mr. Speaker. Although *Hansard* correctly reports that the amendment was carried, it then says that the original motion was resolved. Other hon. Members who were present will testify to the fact that that did not happen.

Mr. Speaker: I should like to look into that matter before I make a ruling on it.

Dr. Norman A. Godman (Greenock and Port Glasgow): Further to that point of order, Mr. Speaker. As a member of the Committee, I can confirm that the Government's motion was amended by a vote and that the motion, as amended, was carried by the Committee. The *Official Report* does not mention that.

Mr. Speaker: I shall look into the matter and be in communication with the hon. Gentleman.

Mr. Tony Marlow (Northampton, North): On a point of order, Mr. Speaker. Today, we have had a bit of Welsh and a bit of Scottish, and I hope to further the entente cordiale by introducing a bit of French. Apparently, the French Prime Minister has sought to insult the virility of the British male because when she was last in London she did not receive enough admiring glances. I sought to table a motion——

Mr. Speaker: Order. Hon. Members' virility is not a matter for me.

Mr. Marlow: I sought to table a motion explaining that hon. Members do not fancy elderly French women, but I was told that that was out of order. How can the House stand up for half the British population when it is insulted like that?

Mr. Speaker: I think that the hon. Gentleman's motion was probably turned down by the Table Office as being "tendered in a spirit of mockery"—which is not allowed.

Mr. Harry Ewing (Falkirk, East): On a point of order, Mr. Speaker. First, may I apologise on behalf of myself and my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) for going on a bit. In my own defence, may I say that my hon. Friend was a lot worse than me.

My point of order is this. You, Mr. Speaker, are always generous during statements. If, at the end of the statement, some right hon. and hon. Members have not caught your

eye, you make it clear that you have noticed that and that, in future, if the subject is raised again, you will keep that fact in mind. As a good crawler, I have always appreciated that during your Speakership, Mr. Speaker. However, you will have noticed that during our exchanges today no Scottish Tory Back Benchers or Scottish National party Members have been present. In order to protect you, Mr. Speaker, may I draw to your attention that, in future, you should not allow absent brethren——

Mr. Norman Hogg (Cumbernauld and Kilsyth): Or sisters.

Mr. Ewing: —or sisters, to prevail upon you saying that they were not called during today's exchanges on the statement and thus try to persuade you to call them as a favour. If they are absent today, you should score them off your list.

Mr. Speaker: I think that that is a hypothetical matter. I bear in mind all kinds of things, one of which is the regularity with which hon. Members come into the Chamber. It is true that, the more frequently Members are present, the more likely they are to be called.

Mrs. Ann Clwyd (Cynon Valley): On a point of order arising out of Overseas Development Questions. I have given the Minister for Overseas Development notice of what I propose to say, Mr. Speaker.

It is totally inadequate for the Minister to give the House misleading statements on the position of Kurdish refugees. During the Gulf war, the Government made a statement almost every day about the conduct of the war. In the aftermath of the war, the Government have a responsibility to make statements to the House on what is happening to the Kurdish refugees. Much Government aid and individual help has been invested in solving that problem, but we have had no statement from the Government on the withdrawal, or the proposed withdrawal, of British and allied troops from Kurdistan. Those refugees are in a parlous position, and it is incumbent on the Government to make a proper statement to the House instead of dealing with the crisis in two minutes of Overseas Development Questions.

Mr. David Winnick (Walsall, North): Further to that point of order, Mr. Speaker. There is increasing anxiety about what the position would be once the allied troops had left. I have been trying to find out, and perhaps you, Mr. Speaker, can advise me, about the allies' precise intentions. Are they to leave by a certain date? Will you, Mr. Speaker, bear in mind that when Foreign Office Questions are taken—I believe, a week on Wednesday—for obvious reasons there will be few opportunities for Back Benchers to be called to press the Minister? In what circumstances would the Minister, whether the Foreign Secretary or the Defence Secretary, come to the House to tell us precisely what the allies will do? Are they going to leave, and, if so, what sort of safety and security would the Kurds have, bearing in mind that a notorious criminal remains in power in Baghdad?

Mr. Speaker: I do not know whether the hon. Members for Walsall, North (Mr. Winnick) and for Cynon Valley (Mrs. Clwyd) were here for business questions last Thursday when the Leader of the House said that he was giving careful consideration to whether there should be a debate on that subject.

The answer that the hon. Member for Cynon Valley received to her question on overseas matters today was a long one and it caused the hon. Member for Workington (Mr. Campbell-Savours) to say from a sedentary position that the Minister was making a statement. As he made that comment from a sedentary position, it will not be reported in *Hansard*, but it was certainly a long answer.

STATUTORY INSTRUMENTS, &c.

Mr. Speaker: With the leave of the House, I shall put together the Question on the three motions relating to statutory instruments.

Ordered,

That the Farm Diversification Grant (Variation) (No. 2) Scheme 1991 (S.I., 1991, No. 1339) be referred to a Standing Committee on Statutory Instruments, &c.

That the Farm and Conservation Grant (Variation) Scheme 1991 (S.I., 1991, No. 1338) be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Farm and Conservation Grant Regulations 1991 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Patnick.]*

Orders of the Day

Armed Forces (Re-committed) Bill

Considered in Committee.

[MR. HAROLD WALKER *in the Chair.*]

Clause 1

CONTINUANCE OF SERVICES ACTS

5.15 pm

The Minister of State for the Armed Forces (Mr. Archie Hamilton): I beg to move amendment No. 1, in page 1, line 8, leave out '31st August 1991' and insert '31st December 1991'.

The Chairman of Ways and Means (Mr. Harold Walker): With this it will be convenient to take Government amendment No. 2.

Mr. Hamilton: Amendments Nos. 1 and 2 are not substantive. The service discipline Acts will expire on 31 August 1991 unless they are continued in force before then by primary legislation or by Order in Council. As is usual, clause 1 of the Bill has been drafted to provide for the Acts to continue in force for a period of five years from 31 August 1991. That assumes, however, that the Bill will receive Royal Assent before that date which effectively means before the start of the summer recess. While I have every expectation that this will be the case, as we are now past the middle of June, I think that it is prudent to provide for the contingency that Royal Assent might come at a later date so there is no possibility of the Acts expiring in August without having been renewed. To achieve this a draft Order in Council has been laid which I hope will be approved shortly and which provides for the Acts to continue in force from 31 August until 31 December 1991. The amendment to clause 1 simply reflects the change of date on which the Acts would otherwise expire.

Amendment No. 2 makes a corresponding deferment of the date of repeal of section 1 of the Armed Forces Act 1986. That is necessary because the Order in Council extending the expiry date of the service discipline Acts to 31 December 1991 is made under that section and it therefore cannot be repealed before that date.

Dr. John Reid (Motherwell, North): We have no objection to the amendment and do not wish to be obstructive, but we should like to remind the Minister of the complex nature of the Bill. As he knows, the Bill is a series of amendments to the service discipline Acts. In Committee, further amendments to those amendments were tabled as a result of late amendments to the Criminal Justice Act 1988. Today, we find that there are amendments to the amendments to the amendments to the service discipline Acts and, while we do not object to those amendments, if the Government are still in power in five years' time, it would be easier if all four series of amendments could be tabled at the same time.

Mr. Hamilton: We shall probably still be in power in five years' time. The position has arisen because there has been some delay in bringing the Bill before the House. If it had been brought forward earlier in the parliamentary timetable, we would not have had to table the amendments.

Amendment agreed to.

Clause 1, as amended, ordered to stand part of the Bill.

Clause 2

YOUNG OFFENDERS: CUSTODIAL SENTENCES

Question proposed, That the clause stand part of the Bill.

Dr. Reid: We do not intend to oppose this clause just for the sake of opposing it. There was full debate in Committee, and I take this opportunity to express our gratitude for the manner in which Government Members worked with the Opposition in pursuing many of the points that were made.

Clauses 2 to 5 deal mainly with custodial sentences on young service offenders, and incorporate advances made in the Criminal Justice Act 1988 in protecting young people, both before a verdict is given and after the offence has been proven.

We welcome the spirit and the detail of the clauses, which in civilian life have resulted in a reduction of custodial sentencing of young people, and have achieved a balance between giving good guidance to courts martial and standing civilian courts, while allowing both to exercise discretion.

We think it proper that an obligation should be placed on military courts, as it is on their civilian counterparts, to explain as fully as possible to young offenders why a particular sentence is being passed. We regard the clauses as a constructive move forward in the discipline Acts and have no hesitation in supporting them.

Mr. Archie Hamilton: I am grateful to the hon. Gentleman for his remarks. It is certainly the case that we are trying to tie in armed forces legislation with that which applies in civilian life. The House has already legislated in respect of offences committed by young people, and we are attempting to bring the sentencing provisions in the armed forces more into line with that.

Question put and agreed to.

Clause 2 ordered to stand part of the Bill.

Clauses 3 to 6 ordered to stand part of the Bill.

Clause 7

STOPPAGES UNDER THE 1955 ACTS: PERSONAL INJURIES AND LIMITS

Question proposed, That the clause stand part of the Bill.

Dr. Reid: We welcome these helpful amendments to the service discipline Acts, and in particular the emphasis that is placed on the concept and practice of awarding compensation to the victims of criminal assault. We welcome also the precedent of giving compensation—be it of a fiscal or financial nature—precedence over fines imposed by courts martial or by civilian courts where financial circumstances prevent the offender from paying both. Again, we do not oppose the clause.

Mr. Archie Hamilton: I am grateful to the hon. Gentleman for his comments, and I commend the clause to the Committee.

Question put and agreed to.
Clause 7 ordered to stand part of the Bill.
Clauses 8 to 13 ordered to stand part of the Bill.

Clause 14

DEDUCTIONS FROM PAY IN RESPECT OF LIABILITIES FOR MAINTENANCE: THE 1955 ACTS

Question proposed, That the clause stand part of the Bill.

Dr. Norman A. Godman (Greenock and Port Glasgow): I had hoped to serve as a member of the Select Committee that considered the Bill, but for reasons best known to itself, the Whips' Office did not invite me to do so. I want to ask the Minister questions on clauses 14 and 15, which are concerned with deductions from pay in respect of maintenance liabilities.

Are clauses 14 and 15 compatible with the provisions of the Child Support Bill? I remind the Minister that clause 1 of that Bill sets out the duty of parents to maintain those of their children who are qualified children for the purposes of the Bill. It provides that where a parent is not living with a child, that duty is to be considered discharged by the making of periodic payments determined in accordance with the Bill's provisions.

Clause 4 of the Child Support Bill establishes the right of a person either having the care of a child or the absent parent to apply to the Secretary of State for a maintenance assessment. On Second Reading of the Child Support Bill, my hon. Friend the Member for Falkirk, East (Mr. Ewing) asked the Secretary of State for Social Services:

"Can the right hon. Gentleman tell me whether the Army Acts lay down that a commanding officer of a serving soldier has the right to set aside a court maintenance order if he thinks that the man concerned does not have enough income to meet it?

Is the Secretary of State aware that I have been dealing with a constituency case in which the sheriff court in Falkirk made a child maintenance order but, because the absent parent happens to be a serving soldier, his commanding officer has time and again set aside the court order, and there is nothing that the mother of the two children concerned can do about it?"—[*Official Report*, 4 June 1991; Vol. 192, c. 187.]

If that is the case, that is an appalling state of affairs. Can the Minister confirm that clauses 14 and 15 of the Armed Forces Bill are compatible with the legal provisions of the Child Support Bill?

Mr. Archie Hamilton: The purpose of clause 14 is to take into account the changes in the powers of courts to make orders for the financial relief of spouses and children, including where the parents were not married to each other.

It is in the nature of service pay that it may not be attached. Courts are therefore unable to make orders preventing a service man from receiving his pay and for it to be paid to another person. However, the 1955 Acts provide for compulsory deductions to be made from a service man's pay on the authorisation of the defence council or an officer authorised by it, where a maintenance order has been made by a court, including one in Her Majesty's dominions outside the United Kingdom.

In recent years, there have been a number of significant changes in civil law—most notably, the Family Law Reform Act 1987, which abolished the concept of illegitimacy in English law; the concept of "child of the family", most recently revised in the Children Act 1989; and other provisions of that Act which re-enacted and amended existing provisions on orders for financial relief. All have affected the powers of courts to make orders, with the result that there is a mismatch between those powers and the powers of the defence council to order deductions from pay. The amendments to section 150 of the 1955 Acts ensure that the powers of the defence council are consistent with the powers of courts to make orders.

Although the concept of illegitimacy has gone from English and Scottish law, it still exists in law in Northern Ireland—and possibly in other countries whose courts' orders would be covered by the section. In order to ensure that the provisions now work for all the relevant countries in respect of illegitimate children, clause 14 makes clear that, for the purposes of the provision, a child is covered whether or not the parents are or have been married to each other. The clause therefore has to make clear also that that sort of dictionary definition in no way affects the operation of the enactments in England and Scotland which abolish the concept of illegitimacy.

In the same Session, the Government are introducing legislation to provide for a child support agency, which will make assessments of maintenance in all cases where the claiming parent is on benefit. Provisions covering service parents will be included in that legislation to ensure that they are neither advantaged nor disadvantaged by virtue of their service.

Subsection (5) amends the provision which empowers the defence council or an officer authorised by it to make deductions from service pay where it is satisfied that the service man or woman is failing to maintain his wife or any child of his.

There is doubt that the expression "any child of his" covers illegitimate children. Though there has been conflicting legal advice on that aspect over the years, both the Army and Air Force authorities have made deductions in respect of such children where paternity has been established and admitted. The amendment adds a new subsection to make the position clear for the future—that children of parents who are, or were not, married to each other are included in the provision. By construing the subsection as if it had always been in the Act, the amendment provides retrospective authority for deductions previously made from service pay under the section in respect of illegitimate children. I can therefore reassure the hon. Gentleman that the provisions of the Bill are compatible with legislation that has already been passed.

Question put and agreed to.
Clause 14 ordered to stand part of the Bill.
Clauses 15 and 16 ordered to stand part of the Bill.

Clause 17

ABOLITION OF THE DEATH PENALTY

Question proposed, That the clause stand part of the Bill.

Mr. Archie Hamilton: I oppose the clause and urge the Committee to vote against it. I accept at once that this is a most serious matter and I do not reject the clause lightly or without thorough consideration. I am advised that its drafting is defective and that the clause would not achieve what it seeks to achieve, although that is not my main reason for objecting to it.

5.30 pm

The right hon. and learned Member for Warley, West (Mr. Archer) was right in December during debate on amendments to the Criminal Justice Bill in relation to the death penalty in civil law when he said that the arguments are different as far as service offences are concerned. Essentially, we are now dealing with offences committed in time of war. The fundamental issue here is whether there should be available to service courts the ultimate sanction for action that could imperil the lives of other service men and women who are doing their duty in defending the interests of the state, undermine the ability of the armed forces and ultimately threaten the existence of the state itself.

The clause seeks to remove that penalty from those five offences under the service discipline Acts which carry a maximum, although not mandatory, sentence of death. Those offences are: serious misconduct in action; communicating with the enemy, or furnishing supplies, or aiding the enemy having been captured; obstructing operations or giving false air signals; mutiny or incitement to mutiny; and failure to suppress a mutiny.

With the exception of mutiny and incitement to mutiny, the death sentence may be passed only when the offences are committed with intent to assist the enemy. In the case of mutiny and incitement to mutiny, the death penalty is available only where the object or one of the objects of the mutiny is the refusal or avoidance of any duty or service against the enemy or impeding the performance of any such duty or service.

We should be quite clear that we are concerned here with actions that could ultimately threaten the very existence of the state. In that respect they can be seen as akin to treason for which the death penalty is still mandatory. Until such time as Parliament agrees any change to that law, it would be premature, to say the least, to consider removing the death penalty for the service offences to which I have referred.

Sir Michael McNair-Wilson (Newbury): By what means would the death penalty be carried out?

Mr. Hamilton: It would happen only in war and I think that we are saying that it would be a field offence and likely to be carried out by firing squad.

It remains our policy that the death penalty would not be carried out in peacetime. The sentence can be imposed only by a court martial, and there are considerable safeguards governing its use.

Some people have implied that retaining the death penalty in some way casts a slur on the professionalism and dedication of service men and women. The opposite is true. We must admit the possibility of treachery, however remote and for whatever motive, by those whose deliberate actions would make the death of other service men at enemy hands more likely. I am not persuaded that circumstances outweigh our responsibility to protect, as far as possible, young men who are prepared to make the ultimate sacrifice defending others from tyranny, as some have done all too recently in the Gulf.

Mr. Terence L. Higgins (Worthing): Will my right hon. Friend spell out the safeguards that he mentioned?

Mr. Hamilton: Is my right hon. Friend asking about safeguards in peacetime?

Mr. Higgins: My right hon. Friend spoke about some safeguards, but I am not sure about what they are and in what context they apply.

Mr. Hamilton: I think that we are saying that if a court martial in peacetime passed a death sentence it would not be upheld by the Secretary of State. It is only in wartime that there is any chance of a death sentence being passed. It is not mandatory and its passing in wartime would, therefore, be up to the court. That is the only time when such a sentence would be likely to be upheld.

Mr. Denzil Davies (Llanelli): The right hon. Gentleman speaks about peacetime. Is he speaking about offences committed in wartime that are tried in peacetime, or does he mean offences that are committed in peacetime? When he speaks about wartime, is he relying on a very narrow definition of war?

Mr. Hamilton: The definition of war is when our forces are in conflict with the enemy. It is conceivable that if a capital offence had occurred in the Gulf conflict it would be being tried now. The time at which an offence is committed would determine whether it had been committed in wartime.

Mr. Merlyn Rees (Morley and Leeds, South): Does the Minister agree that no such penalty could be imposed in relation to Northern Ireland?

Mr. Hamilton: We are quite clear that what is happening in Northern Ireland will not be included in any definition of wartime. We do not regard the activities of the Army in Northern Ireland as wartime activities.

Mr. Denzil Davies: Surely the legislation does not say that. Northern Ireland is covered by the legislation, in which armed conflict is defined as taking place in wartime.

Mr. Hamilton: I give the right hon. Gentleman the undertaking that if the death penalty were passed for an offence committed in Northern Ireland the Secretary of State would use his discretion and would not allow the sentence to be carried out.

Mr. Higgins: I am sorry for persisting but I should like further clarification. My right hon. Friend says that the Secretary of State would overrule a death sentence passed in peacetime. If that will always be the case, why not legislate to the effect that such a sentence will not be imposed in peacetime?

Mr. Hamilton: At such a time we would not expect a court martial to impose that sentence. I suppose that it is open to the court martial to pass such a sentence, although strong advice would be given to it not to do so. In peacetime such a sentence would be overruled by the Secretary of State.

Mr. Simon Burns (Chelmsford): Am I right in saying that there was no declaration of war before the Falklands conflict although we were clearly at war with Argentina? Under this legislation, what would have happened at that time if any offences had occurred?

Mr. Hamilton: I do not think that a declaration of war is necessary to trigger the legislation. It is a matter of being in armed conflict and therefore the Gulf war, over which we did not declare war either, and the Falklands conflict, would apply.

Mr. Julian Brazier (Canterbury): Perhaps I can assist the Committee. The key issue is that many hon. Members, including some Opposition Members, accept that it is necessary for the sanction to remain in time of war. The legislation must be left vague because it is impossible to produce a clear definition of what is meant by being at war. Most of the major conflicts in which we have been involved since the second world war were not declared to be war. That is why the matter must be left to ministerial discretion.

Mr. Hamilton: My hon. Friend is exactly right to say that there is a great problem about defining war. We are clear about peace and peacetime activity, and in this case that includes Northern Ireland.

Mr. Menzies Campbell (Fife, North-East): The Minister is extremely generous in giving way on this important matter. The legislation is not vague; it is quite specific. However, the extent of the discretion that the Secretary of State would seek to exercise is vague. Am I right in deriving from what the Minister said that the Secretary of State's discretion would extend to determining whether what had occurred had happened in conditions which could legitimately be described as conflict, and thereafter would extend to determining whether the death penalty should be carried out? The discretion would be two-legged. First, it would be necessary to determine whether it was appropriate to exercise the discretion against the death penalty and, secondly, it would be necessary to determine whether in the particular case the death penalty should be carried out.

Mr. Hamilton: The hon. Gentleman is right. There is also the discretion of the court martial. As it is not mandatory on it to pass the death sentence, the court martial could decide that the offence did not merit the death sentence even though it took place at a time of war.

Dr. Godman: Will the Minister confirm that no member of the services serving in the Gulf conflict, given that he or she was a member of the United Nations force, could have been sentenced to death if found guilty of one of the charges?

Mr. Hamilton: We were not acting as a United Nations force, although we were acting under a United Nations resolution—the two are slightly different. Therefore, if somebody had committed one of the offences in the Gulf war, he could have been court martialled and the court martial could have passed the death sentence.

I am aware that some states, such as France, Germany, Denmark and Portugal, have abolished the death penalty for services offences. That is for them to decide. Others of our NATO allies, including the United States, Canada, Belgium and Italy, retain the death penalty. Therefore, there is no question of our being out of step with our allies on this matter. The retention of the death penalty has been given the most careful consideration within the services, and they are firmly of the view, which we support, that the death penalty should be available as a deterrent in a situation that involves armed operations, when acts of treachery could have serious implications for the outcome of an operation or war. Therefore, I must ask the Committee to oppose the clause.

Mr. Menzies Campbell: This is a difficult and anxious topic. Like some others, I start with a moral objection to capital punishment. I have always believed that it was wrong to take the life of another and that it was as wrong for the state to do that as it was for an individual. However, I acknowledge that one has to examine whether the particular circumstances which obtain in the services would justify a departure from what, for me, is a matter of principle.

I listened to the Minister with interest. I believe that I do him no disservice if I conclude from what he said that, in his judgment, the continued existence of the death penalty is for its deterrent effect. I did not understand him to argue for retribution or any similar, outmoded justifications for punishment. Therefore, one has to ask oneself whether, in the context of a conflict, the existence of the death penalty would be a deterrent to someone who was contemplating embarking on an activity that might result in a court martial and a sentence of death. I am not satisfied—this is as much a matter of belief as anything because I doubt whether either side of the argument could obtain evidence in such clear and unequivocal terms as to satisfy the other—with the notion of deterrence.

I do not seek to detract from the importance and significance of the offences to which the death penalty still applies but I am by no means convinced, by what the Minister has said or by my experience in civilian law, that the death penalty has ever been, or is ever likely to act as, a deterrent. For that reason, I will vote for the clause. If we are engaged, as the report sets out as a matter of principle, in endeavouring to equate civilian with military law, then in this area we could, without any fear, cause the penalty both in civilian life and service life to be exactly and precisely the same. I cannot conceive that any prejudice to good order, discipline or anything else of that kind might be created were this clause not to stand part of the Bill.

Sir Anthony Grant (Cambridgeshire, South-West): There is, as I hope that the hon. and learned Gentleman will recognise, a difference between offences such as those that we are debating and civil offences. It is possible that, without this sanction, members of the services could take the law into their own hands. There are examples of that having happened in previous conflicts. I hope that the hon. and learned Gentleman and the House will bear in mind that, in the heat of battle—something that some hon. Members have experienced—troops or others might exercise capital punishment without trial.

5.45 pm

Mr. Campbell: That is a possibility, but we put weapons in the hands of troops on the basis that they are properly trained and led and that they will be responsible for their actions. I find it difficult to accept the idea that the absence of the death penalty might provoke troops to take the law into their own hands in repect of a comrade whom they felt had fallen below the high standards to which they were aspiring or which they had achieved.

We got some flavour of the difficulties that the law causes in application when the Minister dealt with the differences between peacetime and what he began by describing as wartime but went on—quite rightly because wartime implies a formal declaration of war—to describe as conflict. We know that nothing in the Bill distinguishes between one situation and the other. We know only that the penalty is available. As the Minister and I know, because of my intervention in his speech, the court martial has a discretion as to whether to impose the penalty. If it

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does, the Secretary of State then has a discretion to determine whether the background against which the offence was committed constitutes peace or conflict. He then has a further discretion as to whether, in the circumstances of the case, the sentence should be confirmed and the execution take place.

All that imposes far too much discretion, first on the court martial and secondly on the Secretary of State. I believe that not because I do not think that Secretaries of State will not do their best to exercise that discretion in the most fair and judicial way possible but because I think that some cases will be very hard to decide, and that will make the exercise of the discretion extremely difficult. Like all discretions of this kind, as part of the Secretary of State's administrative responsibilities, it would be subject to no challenge.

The Bill, far from being useful in the way described in the report of the Select Committee, can lead to confusion. There is about it a lack of certainty that is inimical to the proper notion of a judicial system.

An issue such as this is necessarily one upon which people should exercise their own consciences. There will be a free vote for Liberal Democrats. I gather from the Minister's nodding head that the same is to apply to Government Back Benchers. I welcome that because it would be unfortunate if an issue such as this were to be determined not on the free and independent judgment of hon. Members, but on the notion that the contents of the Bill had to be either preserved or not.

It is difficult to achieve consistency in these matters, but it is an objective that the criminal law, whether based in civilian or in service life, should endeavour to achieve. It would be less than consistent if the House were not to accept that the clause should remain part of the Bill.

Dr. Reid: The Minister began his speech at 5.29 pm and, with five minutes of giving way, finished it 11 minutes later. The debate tonight will probably take an hour or one and a half hours. Last Monday, we discussed the vexed problem of whether we should execute dogs. The House sat until 3 am, and we had speech after speech from Ministers and from Back-Bench Members. Tonight, we are discussing whether we should execute British service men and women. That is a sad reflection not only on the Government, but on the House.

Sir Anthony Grant: Anglo-Saxon attitudes.

Dr. Reid: It may, as the hon. Gentleman says, be a reflection of the Anglo-Saxon race. As a Celt, I do not want to comment on that.

The hon. Member for Newbury (Sir M. McNair-Wilson) asked earlier how sentences were carried out. How sentences are carried out makes little difference. There is no glorious, moral and majestic way in which to execute anyone—far less anyone who has been prepared to offer his life for his country. However, as a matter of interest, the last execution arising out of the second world war, which was carried out on 4 January 1946 some months after even VJ day, was, according to the death certificate which I have, by the breaking of the vertebrae, which I take to mean hanging. There was not even the dignity of a field execution.

The question has raised some interest outside the House. On reflection, that is both understandable and curious. It is understandable because we are dealing with a matter of life and death; it is curious because the Government have argued all along that the death penalty has not been handed down for any of the five capital military offences contained in the services Acts since the second world war. In other words, for almost half a century, we have not used the death penalty for a purely military offence.

Furthermore, as the Minister told us at some length, it has been and remains the express policy of the Ministry of Defence that the five offences should not carry the death penalty during peacetime. The Government have never explained adequately to me—or to other hon. Members, I presume—why the distinction is made and how it is supposed to operate. I welcome the distinction because I welcome the fact that the Government say that they will not use the death penalty in peacetime. I welcome that on humanitarian grounds, but I am slightly suspicious that the distinction is based on humanitarian grounds by the Government because on other issues they have not been renowned for being the most humanitarian of Governments.

I am confused by the Government's logic because they have never adequately explained the distinction between war and peace in the use of the death penalty, or the definition. The distinction cannot be a matter of deterrence, which was mentioned by the hon. and learned Member for Fife, North-East (Mr. Campbell), as there is no logical reason why the death penalty should be a more effective deterrent in wartime than in peacetime. Indeed, the opposite is true, as has been illustrated by history and as was mentioned by the hon. and learned Gentleman.

The distinction cannot be a matter of justice, as wartime military courts cannot be assumed to be any less fallible than peacetime military courts. Indeed, given the conditions of war, the opposite is almost bound to be the case and it is almost inevitable that innocent individuals would stand more chance of being among those executed in war than among those executed in peacetime.

The distinction cannot be on the ground of equity. Those who argue that different standards must apply during wartime, as has been argued this evening, are, by virtue of their own argument, arguing that the sentence of execution should be related to the political circumstances in which the offence takes place and not to the offence itself.

Above all, the distinction cannot be on the ground of clarity. It has been amply illustrated in questions to and answers from the Minister, even at this early stage in the debate, that the precise difference between wartime and peacetime is completely unclear and it is completely unclear how the difference is to be defined and, just as importantly, by whom.

The Minister floundered to an extent. Without being light-hearted and without implying malevolence, I must say that he has given us a promise that is not worth the paper on which it is not written. Nothing has been defined on paper. His offer to us tonight is a bit like a cross between an offer from Don Corleone and an offer from Sir Keith Joseph. He is making us an offer that is difficult to refuse, but no one can understand it. That is not the basis on which to make life and death decisions.

The Minister's arguments in his short contribution should not be allowed to obscure the importance of the issue. There is no overpowering logic or rationale behind which supporters of the Minister's position can hide.

There is no self-evident case to put. The supporters of the Minister's position are duty bound out of obligation to the House, to themselves and to the armed services to explain and argue their case rather than just to walk into the Lobby on the assumption that the status quo is a self-evident argument. They must make up their own minds on the issue as a matter of individual conscience.

I am glad that the Minister nodded in response to an earlier question. I have been told that there will be a free vote tonight. If so, it will be a free vote on a three-line Whip. I am not sure of the distinction. I understand that there is a three-line Whip on hon. Members to turn up, but that they will then be free to vote as they see fit—unless, presumably, they are members of the Government, as the Government—[HON. MEMBERS: "No."] I take it that it will be a free vote. It will be up to the individual. That is certainly the case for the Opposition and I am glad to be reassured that it is the case for Conservative Members.

The simple fact on which every mind should be concentrated this evening is that there are still five offences, as outlined by the Minister, that carry the death penalty.

Mr. David Winnick (Walsall, North): The question of a free vote is of great importance. Labour Members know that they have a free vote and the Liberal Democrat spokesperson has said that his colleagues have a free vote. Has the Minister confirmed that Conservative Members will have a free vote? We have heard rumours, but we cannot know what Whip they are on. I understand that they are on a two-line Whip on the clause. Will the Minister confirm that Conservative Members have a completely free vote?

Dr. Reid: I think that my hon. Friend is wrong and that Conservative Members are on a three-line Whip. However, I think that the Minister has assured me that the Government have found a formula for having a three-line Whip and a free vote. I will accept his reassurance on the matter and he may wish to explain the position.

Mr. Archie Hamilton: I am more than happy to clarify the position for the benefit of Opposition Members. The hon. Gentleman asked about our whipping arrangements this evening. The Chief Whip has demanded of us that we should attend the House, but when it comes to the vote on the death penalty there will be a free vote affecting all Conservative Members.

6 pm

Dr. Reid: I am grateful to the Minister for that assurance. I think that I understand the distinction between voting for the Bill as a whole and voting for the clause.

As I was saying, the simple fact on which every one of those free-voting minds should concentrate is that there are still five offences that carry the death penalty under military law. These have been outlined, and comprise serious misconduct in action, obstructing operations, mutiny or incitement to mutiny, failure to suppress a mutiny and assisting the enemy. As the Minister said, all of those, with the exception of mutiny or incitement to mutiny, require the intention to assist the enemy.

After considering the issue, the Committee voted by a majority to abolish the death penalty, which is why the clause is incorporated in the Bill before us tonight. I agree with that decision. In discussing the issue, I do not want to enter into a full debate about the relative merits of capital punishment as a means of deterring crime or misdemeanour. That debate has been held twice during this Parliament alone, most recently on 17 December last, and on both occasions the House has made its view known by a convincing margin. I may say in passing that, during the debate on the merits or otherwise of the death penalty in civilian life, the argument has commonly been employed by those supporting the death penalty that one reason why Parliament should accept it is that there is overwhelming public support for it in civilian life. Despite that, Parliament has rejected the death penalty, and I would merely observe that that is one argument that cannot be employed tonight, because I do not believe that there is any such public demand for the death sentence as it applies to British service men and women.

It is as well to make it absolutely plain that there is no suggestion from anyone that the five offences outlined already should go unpunished—obviously not. They are serious offences and will continue to be treated as such, qualifying, even if the clause remains in the Bill, for sentences of long periods of imprisonment—possibly life imprisonment.

Dr. Godman: Will my hon. Friend confirm that there is a minimum age as regards the death penalty? I ask that because a number of Scots service men taking part in the Gulf conflict were aged under 18 years. I seek confirmation of the fact that, when the Committee debated the clause, there was some discussion of the minimum age.

Dr. Reid: The Committee spent some time considering the general question of the age at which young service men and women should be allowed to go into active service overseas. Recommendations are made in the report—although clearly they do not form part of our proceedings this evening. Nevertheless, problems could arise. There have been a number of relevant cases—particularly one famous case in civilian life. I cannot remember the names of the two young gentlemen involved, but one of them was certainly below the minimum age for execution—[HON. MEMBERS: "Craig and Bentley."] Yes, indeed. Unfortunately, the young gentleman was executed and, as hon. Members will know, there was considerable doubt surrounding the verdicts. The sort of problem to which my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) referred could, therefore, arise.

The point that I was making was that, even if the death penalty were abolished, as the clause now incorporated in the Bill suggests it should be, misdemeanours, crimes and breaches of discipline would still merit very serious punishment indeed. The most pressing issue that we must consider, however, is not whether they merit punishment if proven, because that is clear. Nor are we talking about the principle of capital punishment, as the House has already reached a view about that on a number of occasions. The question is whether it is necessary and justifiable to continue to apply different standards for our service men and women on one hand and for civilians on the other. It is my view—and it was the expressed view of the Committee—that that is not justifiable.

Following the Committee's decision, the Minister said that the Government were mildly embarrassed. The right hon. Gentleman looks puzzled. Perhaps I should have said that he was quoted in the press as saying that the Government were mildly embarrassed. That does not surprise me. Having lost the vote in Committee, the

[Dr. Reid]

Government have attempted to save face by claiming that it has all been a terrible mistake which can easily be corrected at the appropriate moment. I do not believe, however, that that should be the main source of the Government's embarrassment. The fact of the matter is plain: the Government have come here to tell the House that they must reimpose the death penalty in respect of these purely military offences in order to keep discipline in the armed forces at precisely the moment when we are welcoming our service men and women back as heroes from the Gulf.

Moreover, the Government must explain to the House —as the Minister failed to explain in his opening remarks —why we require the death penalty to ensure good order and discipline when seven of our NATO allies, including the French, who fought beside us in the Gulf, decided years ago that the death penalty should be abolished in military law. Why is the death penalty required for the British armed forces when it is not required in France, Denmark, Norway, Germany, Portugal, the Netherlands and Luxembourg?

Mr. John P. Smith (Vale of Glamorgan): Does my hon. Friend agree that there is a distinction to be drawn between the NATO countries to which he referred and Britain, to the extent that Britain is the only one that has a professional and volunteer force, whose members should not be expected to behave in an exemplary manner, as they did in the Gulf, with the threat of capital punishment over them?

Dr. Reid: My hon. Friend makes a good point, to which I shall come in a moment. Most of the countries—indeed, all the countries—that I mentioned have a conscript army. One would think that those countries would have more justification for keeping the deterrent of the death penalty than countries with a volunteer army, such as the British Army. But they do not do so. We must ask why that is. What is different about us? Why do we require the death penalty to maintain good order and discipline in the British armed forces when that is not necessary in France, Norway, Denmark, Germany, Portugal, the Netherlands and Luxembourg? Lest anyone on the Conservative Benches should attempt to give us a neolithic racist analysis by saying that it is in the Anglo-Saxon character, I should point out that Australia and New Zealand, whose people presumably come mainly from the same stock as ours, have also recently revoked the death penalty—although that may of course be the result of the infusion of Celtic blood and good sense, particularly in New Zealand.

On a matter of life and death such as this, the Government have a duty to explain exactly why we differ. Are they saying that we need the death penalty because of the lack of leadership among our commanding officers? If they are, they will have a hard time defending their assertion following the officers' performance in the Gulf. Certainly, that is not my view, or that of my hon. Friends, nor is it the view of many Conservative Members. Are the Government justifying the distinction—the necessity to retain the death penalty here in contrast to seven of our allies—on the grounds that our service men and women are any less loyal, courageous or committed than those of our allies? Or are the Government really trying to tell the British people that following the courage and determination shown by our young men and women not only in the Gulf but on many previous occasions on which they have defended their country?

The Government have a duty to be absolutely clear and specific in their argument and I do not think that the Minister was clear and specific in his opening remarks. It is no use telling us, as we have been told—not this evening, but in the past—that there is a law commission which might report or might not report, sooner rather than later, at some time in the indefinite future. Notwithstanding that fact, there is absolutely no argument against ensuring that, by the time the commission reports, the House has expressed its view on the matter. I cannot see why it is worse to have as the status quo at the time of the report no death penalty than it is to have as the status quo at the time of the report retention of the death penalty.

What are the Government trying to tell us by seeking to reintroduce the death penalty in military law? That is what they will be doing if they vote against clause stand part. Are they telling us that it is necessary to maintain discipline in the Army, Navy and Royal Air Force? Are they saying that, in the Gulf, our service men and women needed the threat of death hanging over their heads to prevent them from assisting the enemy or taking part in mutinous activity, but that the French did not? If that is what the Government are saying, it is a disgraceful slur on the reputation, integrity, courage and conviction of our forces. I do not believe for a minute that the Government and particularly the Minister of State, who is an ex-guardsman, consciously believe that, but that is the only logical and objective conclusion that can be drawn from the requirement that the death penalty should be reintroduced in our discipline Acts.

Since the end of world war two, British service men and women have been called upon to risk their lives in more than 10 conflicts. In not one of those conflicts has it been necessary to use the death penalty. It was not necessary to use it in Malaysia, Aden, Korea, Kenya, Cyprus, Suez, Oman, Thailand, the Falklands or in the Gulf. It has not been necessary to use it throughout the long and sorry history of the hostilities in Northern Ireland. In all those conflicts, the disciplinary record of the British armed forces has been quite outstanding despite their being in numerous situations where they were under enormous pressure or subjected to extreme provocation.

The Government will say that the reason for the absence of that lack of discipline is the presence of the death penalty. They claim that it is a deterrent. That is a marvellous circular argument. If the death penalty were used every week, the Government would say that that showed us how necessary the death penalty was to instil discipline and good order. If the death penalty is not used, they say that that shows that the death penalty is an effective deterrent. That is a completely circular argument.

Many Conservative and Opposition Members prefer to believe that our services have such an outstanding disciplinary record because of the professionalism, courage and, above all, devotion to duty displayed by our service men and women over the decades. Even if the Government remain unconvinced of that self-evident truth, they must conceive that our forces, through their outstanding service to this country, have earned the benefit of the doubt.

Some hon. Members have argued that the death penalty should be retained to ensure that it is available in the most

extreme cases, for example, where a maverick soldier collaborates with an enemy and in so doing severely harms Britain's interests or causes the death of many colleagues. However, to act in that case would not require the use of provisions under the services Acts. Ample provision for such a case is already contained in civilian law, as I read it, where the capital offence of treason includes within its definition being "adherent, to the Crown's enemies", a definition which satisfactorily covers an act of gross disloyalty envisaged by some hon. Members tonight.

Surely our service men and women deserve equal treatment under the law with civilians. I would go further: I believe that our service men and women already put their lives at risk by volunteering for the armed services and by joining up to defend their country. They risk their lives in war. Service men and women have shown a sense of patriotism which intrinsically deserves respect and which demands at least equality before the law in respect of subjects as important as the death penalty.

Mr. Archie Hamilton: The hon. Gentleman said that service men should enjoy equal treatment with civilians. I remind him that there is a mandatory death sentence for treason for civilians. In those circumstances, and because we are not discussing a mandatory death sentence, there would be less than equal treatment in quite a different direction from that which the hon. Gentleman suggests.

Dr. Reid: I accept the discretionary element. The Minister is saying that the risk may be wider in the armed forces, but it is not quite as deep for the most extreme cases. Several hon. Members and I have already explained that the element of discretion involved by the lack of definition is very worrying. That applies not only at the level of the courts martial, but to the incredible discretion that apparently lies with the Secretary of State with regard to the definition of the difference between war and peace and, in the last instance, in respect of whether a death sentence passed by a court martial should be commuted.

Our service men and women should have the benefits of the extension of the protection that has already been afforded under civilian law by the House in its opposition to the death penalty. In the most extreme cases, there is already adequate provision under civilian law to cope with cases for which the death penalty may well be adequate. However, soldiers, sailors, air men and women would be treated on an equal footing with their civilian counterparts.

Mr. Norman Miscampbell (Blackpool, North): In all fairness, we all voted against the death penalty for treason. It is not a proper argument to claim that it is available in this case. I will vote beside those who wish to abolish it in the Army. However, I believe that the hon. Member for Motherwell, North (Dr. Reid) accompanied me through the Lobby when we voted against the death penalty for treason.

6.15 pm

Dr. Reid: I am talking about the will of Parliament, not the will of individual Members. The will of Parliament has been expressed on those issues and it is that the law should still include a capital offence for treason. According to my interpretation of the subject, the civilian definition is wide enough to include the most extreme examples given by hon. Members to justify a much wider application of the death sentence for the armed forces.

As the hon. and learned Member for Blackpool, North (Mr. Miscampbell) hinted, I believe that the threat of execution is an anachronism. It is a cruel and barbarous throwback. It has its roots in the era of forced conscription and in the philosophy of the press gang. I do not believe that it has a place in a volunteer army or volunteer forces that operate within and on behalf of a civilian society in which capital punishment has been abolished for the civilians.

I want to draw the attention of the House to a tragic and horrifying anomaly which illustrates the inequality and injustice facing our service men and women and which the reintroduction of the death penalty in military law would reproduce. Let us consider a British soldier in Northern Ireland who is reaching the end of a long term of duty. He has been subjected to physical and psychological pressures the like of which we cannot imagine. Indeed, we could consider a soldier in any hostility or war that could be defined as war at the Minister's discretion.

Let us imagine a not unlikely scenario in which details of that soldier's patrol are betrayed by a British civilian and the patrol is ambushed by terrorists and a number of his colleagues and civilians are murdered by the terrorists. During that attack, after his long and gruelling period in the armed services, that soldier commits an act which could be defined as misconduct in action. Perhaps he panics and abandons his post. Perhaps he uses words that are likely to cause despondency or unnecessary alarm.

Under military law at the moment, that solider could be executed. However, the agent who betrayed him and the terrorists who wrought murder and mayhem on his colleagues and the civilian population could not face the same fate. They would be afforded the protection of a civilised code of penalties freely passed and backed by this Parliament. That is a protection which the Government seek to remove from our service men and women by removing clause 17 from the Bill.

Where in God's name is the justice behind that? Is not it time that we ended such a tragic anomaly? Is not it time that we paid a compliment to our services' professionalism and dedication by ending that relic of conscription and the press gang? Is not it time that we extended to our forces, who bear the burden of protecting our freedom, values and rules of civilised life the benefit and protection of those same freedoms, values and standards of civilised life? I and many hon. Members believe that that is the very least that we owe our service men and women.

Mr. John Wilkinson (Ruislip-Northwood): I support my now doubly honourable and gallant Friend the Minister of State for the Armed Forces in his determination to ensure that the clause is removed from the Bill. I pay tribute to my right hon. Friend's elevation to the Privy Council and to the very helpful way in which he always conducted himself throughout the long and detailed proceedings of the Special Standing Committee.

I greatly appreciated the sincerity of the hon. Member for Motherwell, North (Dr. Reid) both in Committee and this evening. However, my right hon. Friend is right. I regret that Her Majesty's Government have not imposed a three-line Whip on the issue, because it is of paramount importance for the armed forces, of crucial significance to the community as a whole and important constitutionally.

The great merit of the Special Standing Committee procedure is that members of the Committee have two

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bites of the cherry. They can summon witnesses and examine the merits or otherwise of the principles of the proposed legislation and the issues that it raises. They then have the chance of operating as a Standing Committee, and considering the legislation line by line and clause by clause.

Let us consider the first process first. The outcome of that deliberation and of the cross-examination of the expert witnesses from the Ministry of Defence was that, on balance, it was useful to retain the option of the death penalty for five service offences and of course—we were bound to do this—that it should remain obligatory for the offence of treason. I urge hon. Members to read paragraph 21 of our recommendations. The paragraph was very carefully drafted. I urge hon. Members also to read paragraphs 411 to 421 of the evidence session which took place on 13 February. If they do so, they will see a clear exposition of the arguments.

To summarise those arguments, the service offences are potentially of such a heinous nature that, if committed in certain circumstances, they could cause the deaths of thousands and thousands of people. They could also cause the failure of operations, the failure of campaigns and, in certain instances, they could even cause the failure of Her Majesty's forces to win a war, with all the constitutional implications that that would have for the defence and freedom of this country.

The sanctions are discretionary, except in the case of treason, and they are ultimate sanctions that would be involved only in exceptional cases. That this is so is made clear by the very fact that they have not been invoked since the second world war. Some people such as the hon. Member for Motherwell, North have argued that it is difficult to distinguish between declared war and peace or hostilities and conflict. Since the second world war, declared conflicts have been very rare, but states of hostility have been all too frequent for our armed forces. However, in peacetime, too, there can be certain circumstances in which the ultimate sanction of the death penalty could be appropriate.

I refer, for example, to mutiny or failure to suppress mutiny. We should bear in mind that not only does power come from the barrel of a gun but that our armed forces have at their disposal fearsome weapons of mass destruction, even including nuclear weapons. If members of Her Majesty's forces are not to be dissuaded or deterred from mutiny to the most effective extent possible, at least theoretically there is a greater chance that the weapons that they have at their disposal could be misused by mutineers. We know what the ultimate constitutional consequences of this could be. The very fact that we still retain a civil law of treason which has the same force in service law shows that we regard that threat as serious. The first step towards an act of treachery and treason could be an act of mutiny in peacetime.

It is not only difficult to make an effective distinction between peace and war, which was borne out in our Committee hearings, but it is legislatively clearer and less ambiguous for the law to be uniform as between peace and war, and there are very good rational reasons for so doing.

The next part of my argument reflects the arithmetical accident of the second part of our Committee proceedings to which I alluded. We had decided, in our deliberative phase on the Chairman's report, that we should draft it, as we did, retaining the death penalty as a useful ultimate sanction for members of the armed forces for the offences to which we have alluded. However, in the so-called Standing Committee procedure, by an accident—as Chairman, I was a spectator in the process—one member was in hospital, another was in China, and another was temporarily absent. The Parliamentary Private Secretary was looking for the temporarily absent colleague. As a consequence, the clause was inserted in the legislation. That had certainly not been the intention of the Committee when it deliberated the issue in a previous discussion of the Special Standing Committee report—it was an arithmetical aberration. Let us be generous—however it was perhaps fortunate. As a consequence, we have this important debate tonight.

I argue most strongly that it would be wholly inappropriate for the Committee to do anything other than reject clause 17. I wish only that Her Majesty's Government had imposed a three-line Whip to that effect.

Mr. Denzil Davies: Before I criticise the Minister of State, I congratulate him on his appointment to the Privy Council. Now that he has arrived at that august and, by its name, highly secret body, I am sorry that he is not standing up to his civil servants on the issue and recognising that it is an anachronism to retain the death penalty for such offences. I am sorry to say that the Minister of State tonight and in Committee found himself in a dreadful tangle about peace and war and about when the legislation is to be applied.

As the hon. and learned Member for Fife, North-East (Mr. Campbell) suggested, under the 1955 armed forces legislation, the key trigger point is the enemy. An enemy is defined as somebody who is engaged in armed operations against any of Her Majesty's forces. I should have thought that, under that definition, there is little doubt that the IRA is an enemy. It is engaged in armed operations against Her Majesty's forces. I hope that the Minister of State will clear up that point. If a British service man commits an act within the sections of the armed forces Acts in Northern Ireland, would he be sent to a court martial? Would that court martial be able to pass the discretionary sentence of the death penalty? On the other hand, is the Minister saying, "No, all this happens in peacetime and because of that we will not charge the unfortunate service man"? If so, he will find himself in a tangle about what is or is not peacetime. There is certainly not peace in Northern Ireland. If service men fall foul of the legislation, I do not want to see them being sent to a court martial and then sentenced to death.

The Minister should also make clear where that statement originated. I have spent a couple of hours in the Library thumbing my way through the "Manual of Military Law". I last looked at it years ago when I was at a warrant officer cadet school. It has changed a bit since then; it has got longer and more voluminous. I might not have been very diligent, but I could not find that statement of policy in the manual. The first I heard of it was in Committee, but perhaps other hon. Members have read it or seen it. When the Inland Revenue issues various exemptions or discretionary exemptions from legislation, it publishes them so that everybody can look them up. Where is this policy or law in the "Manual of Military Law"? I hope that the Minister will tell us because these are important matters. Some of us believe that the rule of

law should apply and that we should not have to rely simply on policy statements, even from a worthy and honourable Minister. I make no criticism of the right hon. Gentleman, but we should not have to rely on such so-called "policy statements".

6.30 pm

I turn now to the issue of whether we should maintain, repeal or change the clause. As the hon. and learned Member for Fife, North-East said, this is an argument about the death penalty. The House has debated the matter time and time again and many arguments have been made against the death penalty. I turn first to the argument about morality. In moral terms, I believe that it does not make any difference whether the offence is civil or military because it is immoral for the state to take a life even in the circumstances that have been described. Although I recognise that others will disagree, I believe that the House accepted the argument about morality when it decided to repeal the death penalty for civil offences.

We must also consider the theories about punishment. When I was a student in the 1950s—the House does not contain many students from the fifties these days—I remember reading an article by a gentleman called Mabbott, who was a philosophy don at St. John's college, Oxford. No doubt he got them from somewhere else, but he summarised the three theories of punishment as reform, deterrence and retribution. Those theories may fit most forms of punishment, but not capital punishment. That certainly applies to the theory about reform.

I do not know whether military law that can invoke the death penalty is a deterrent. The death penalty would probably not be a deterrent in civil law for most of the crimes and murders that are committed in Britain in the latter part of the twentieth century, and I do not believe that it is a deterrent in military law. If the unfortunate Argentinian conscripts who did not acquit themselves as they should have at the end of the Falklands war were going home to face such legislation, it did not deter them from failing to do what they should have done. Let us also consider the poor Iraqi farmers who were conscripted into Saddam Hussein's army and who gave themselves up in droves. If such legislation had been in operation for them, they would no doubt have broken every clause of it—and Saddam's legislation is no doubt even worse and more draconian. Those conscripts were not deterred by the thought that they would face the ultimate penalty at home. If such things happen, the army collapses, but a few sentences in a manual on military law or in legislation will not be a deterrent.

The third theory of punishment is retribution, which is a good old-fashioned word that means revenge. I do not say that society does not have a right to exact some form of collective revenge, as part of punishment, for heinous crimes, of which rape is a classic case. However, even revenge must have its bounds in a civilised society, and the death penalty goes too far. There is a danger that revenge itself will go too far in the heated mood of war when the realm is threatened and when the security of the state is being attacked.

When the House debated capital punishment in respect of civilian crimes, one of the powerful arguments used against it was that a jury can make mistakes. I would imagine that a court martial could also make mistakes. The courts martial that are called rapidly during a war are certainly likely to make mistakes. However, we should consider not only the possibility of mistakes, but the pressure that falls on the courts. Unfortunately, British courts have recently been under the pressure of terrorism. I do not criticise anybody for making a mistake, but we must recognise the military pressure that will exist when the realm is under attack and national security is being endangered. A time of war is not the best time to decide matters that could lead irrevocably not only to conviction but to the death of a service man or woman.

There have been many references to the law of treason. Returning again to my student days of the 1950s and 1960s, I remember reading the case of Roger Casement. F. E. Smith always used to say that Casement was hanged because of the absence or presence—I cannot remember which—of a comma in the Treason Act 1351. The argument in the Casement case centred on whether there should or should not be a comma in the legislation which, being so old, did not contain commas. Casement was hanged.

I also remember reading the case of Joyce *v.* Director of Public Prosecutions. I am sorry to say that I am referring to Lord Haw Haw. Even to a student, Lord Jowitt's judgment seemed to owe more to revenge and retribution than to the canons and principles of jurisprudence. In the emotive circumstances of a war or its aftermath, deciding such matters is extremely difficult, especially when they involve a person's life.

It appears that the draftsmen of the 1955 Acts, or the persons who instructed the draftsmen, may have recognised that dilemma to a certain extent because, as the Minister pointed out, the sanction is not mandatory; it is discretionary. We are talking about complicated offences —not about the simple offence of doing or not doing something. The legislation contains many words, with many subordinate clauses and commas. Intent has to be proved. Perhaps those who drafted the legislation, which goes back a long way, thought that the death penalty should not be mandatory because of the many different nuances. But that does not solve the problem; it simply creates a further dilemma. It is not necessarily an advantage to say that the penalty is discretionary because the court must exercise that discretion to determine a man's life or death. How does the court or the court martial decide that? A splendid plea in mitigation might result in a life sentence while a poor plea in mitigation could lead to the death penalty.

Mr. Archie Hamilton: Cannot the right hon. Gentleman accept that there would be degrees of severity in any charges coming before a court martial, which would then make a judgment on the sentence depending on the severity of the crime committed?

Mr. Davies: Yes, I accept that, but once we start talking about different degrees of severity, we get into great difficulties with the death penalty. I can also remember reading the Homicide Act 1957, which abolished the death penalty except for murder in the course or furtherance of a theft. The courts encountered all sorts of difficulties with that. The case of Craig and Bentley was mentioned earlier from a sedentary position, but we must also remember the case of poor old Gipsy Smith. A policeman jumped on the bumper of his car when he had been stealing scaffolding clips. In both cases, the Home Secretary had to decide whether to extend the prerogative of mercy. Courts martial

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will be in a similar position and will almost have to assume the Home Secretary's role when deciding whether a person is guilty. It is all very well for the Minister to talk about degrees of severity but if someone is found guilty of an offence under a particular section of a piece of legislation, sentence has to be pronounced. How does the court decide? The court martial is in an invidious position. I would not like to sit on such a court martial.

Mr. Brazier: I have been listening carefully to the right hon. Gentleman's case. Surely the last sentence that he uttered goes to the heart of the matter: he would not like to serve on a court martial. With respect, as he is not a member of the armed forces, he never would serve on a court martial. The point about this category of offence is that we are dealing with matters which are not for legal judgment but which occur in the special circumstances of a war and on which military judgments are necessary, albeit with the ultimate appeal to the Secretary of State.

Mr. Davies: The hon. Gentleman is wrong. He does not do service to the members of the court martial. They exercise a legal judgment. It is a legal court—if that is not a statement of the obvious. The military judgment is about the facts and whether the defendent comes within the legislation or not. The legal judgment is not only whether that person should be convicted but whether he should be sentenced to the death penalty. It is not fair to impose on a court martial the power which countless Home Secretaries said that they did not like to exercise when there was a royal prerogative in respect of the death penalty in civilian law.

The more that one examines the matter, the more of a dilemma it appears. I understand that the Ministry of Defence has said that in times of peace it would not invoke the death penalty. The Ministry of Defence does not want to see British service men sentenced to death. The Ministry of Defence is not a villain in this matter, but it is locked into the dilemma of the legislation. The more that one examines it and the more amendments one seeks to make, whether on policy grounds or otherwise, the more difficult the dilemma becomes.

It is not good for the Minister to say that the Secretary of State would not do this or that, or that the court would be told in no uncertain terms what was expected. Who are Ministers to tell the court what to do, even if they are Ministers at the Ministry of Defence and the court is a court martial? That is not the basis of the rule of law in this country. That is not a principle that we will die for and defend and for which our service men will fight. It is not a satisfactory case to make to the House.

Without any disrespect to the Minister, there is no way out of the dilemma. The only solution is to maintain the clause and accept the logic that the death penalty must go. I do not believe that that will affect service discipline or affect the excellence of our armed forces one bit one way or the other. The Ministry of Defence should accept that at last, and accept the clause.

Sir John Stokes (Halesowen and Stourbridge): We are debating a most serious matter, one which gives us all a great deal to think about. Perhaps I could first make a practical point. In a fairly long experience with members of Her Majesty's forces in all three services, with officers, non-commissioned officers and men, I have never once heard the subject of the death penalty raised. That is during a period which stretches back 50 years. Therefore, the excitement and intensity of the opposition to the death penalty expressed in the House will come new to most people in Her Majesty's forces.

We heard from the hon. Member for Motherwell, North (Dr. Reid) a most able and carefully argued speech. He was clearly a most useful member of the Committee, the report of which I read with the greatest interest. However, the tone of the hon. Gentleman's speech seemed flawed in one sense. He suggested that to make these dire penalties available in the desperate circumstances to which he referred was in some way a slur on the vast mass of our forces. That is wrong. No member of Her Majesty's forces would mind in the least if the law remained as it was or feel in any way that it cast a slur on them.

As someone who loves his country most deeply, as we all do here, I believe that we are discussing the most terrible potential happenings. They are quite unlike the ordinary type of crime that we come across in civilian life. We are discussing not, as some Opposition Members suggest, some theoretical debating point, but surely the essential defence of the nation in battle, often in dire circumstances. The offences with which we are dealing are serious and, as some people correctly say, treasonable. The very life and existence of the nation might be at stake. To avoid those terrible crimes being committed, the supreme penalty of the death sentence must be available to the military courts.

Mrs. Maria Fyfe (Glasgow, Maryhill): Will the hon. Gentleman give way?

Sir John Stokes: I wish to progress a little further. I have only just started. I am trying to make a short speech because I am aware that many hon. Members wish to speak. If the hon. Lady will forgive me, I shall not give way.

The death penalty for the armed forces was discussed by the Defence Select Committee. The view of the Ministry of Defence and of the services was made clear. They did not wish to change the present position on the death penalty. Surely this House, some Members of which have not served in the armed services, must pay some regard to that important point. We cannot and should not let down our fighting troops by any sign of weakness or any theoretical, liberal, pacifist or other argument. We are here to defend the nation and support our troops. We should maintain the penalties as they are and leave the position wholly unchanged.

6.45 pm

Mr. Rees: When I listened to the speech of my right hon. Friend the Member for Llanelli (Mr. Davies), I reached the pitch where I decided not to speak. He expressed cogently and with the benefit of a legal background many of the points that I had wanted to make. However, the hon. Member for Halesowen and Stourbridge (Sir J. Stokes) provoked me, in the best parliamentary sense of the term, when he mentioned pacifism.

I oppose the Government's view, but not because I am a pacifist. I spent five years at war, as my father did before me in the first world war. He was a founder member of the Labour party in a small way. Pacifism does not arise in this matter but I shall not rehearse the arguments. My right

hon. Friend the Member for Llanelli and the hon. and learned Member for Fife, North-East (Mr. Campbell) dealt with the point that there is little difference between the argument about capital punishment in the armed services and the argument about capital punishment generally. I simply wish to mention that, when we debate whether to bring back capital punishment, terrorism is always raised. I have more reason than most to detest terrorism, but I do not approve of capital punishment even for terrorists. I hold that view for very good reasons, quite apart from the moral argument. I understand that if a "terrorist" is involved in a shoot-out with the Army, people get killed. Those who live by the sword die by the sword. But whether the state should become involved in capital punishment is a different argument.

I wish to have one point made clear by the Minister before I rehearse several other points. The Minister will not be surprised to know that I am interested in Northern Ireland. With the acceptance of the Irish Government, the British Government never talk about a state of war. All Governments have done the same. The IRA obtains only 2 per cent. of the vote in Northern Ireland. It is not a national freedom army. There is not a state of war in Northern Ireland. I am concerned for the soldiers in Northern Ireland. They are there at our behest. We are passing legislation which, at least according to the definition of peace and war, does not apply to them. In response to the points made by my right hon. Friend the Member for Llanelli, I hope that the Minister will clear that point up.

I am affected by not the general argument, but two other arguments. In 1942 I was stationed with the RAF at Uxbridge, which was a good place to be. Although we thought that nothing ever happened there, my young eyes were opened because in one unit—I do not recall its number—a fair number of young men suffered from LMF, which stood for lack of moral fibre. My right hon. Friend the Member for Chesterfield (Mr. Benn) also served in the RAF. He will recall that term. A fair number—I do not know the exact number—of young men refused to fly. They were afraid. Some people—although not those who flew—called them cowards.

Sixty-odd thousand very brave young men died in Bomber Command and some—I gather mainly from Bomber Command—refused to fly. I never felt that those who refused to fly deserved capital punishment even in time of war. Those involved knew that. The only people who may think that they deserved to die are those who have never heard a shot fired in anger. That is the difference between the two points of view.

Many of the equally brave American 8th Air Force, which flew over Germany in daytime and suffered enormous casualties, peeled off and landed in Norway and Switzerland. I do not know what the Americans did about that. I am sorry that it happened, but nothing will ever bring me round to believing that those pilots should have been shot or sentenced to death. Some who take that view —I do not include the hon. Member for Halesowen and Stourbridge—have never heard a shot fired in anger.

It is easy to say, "Execute them". My father told me what happened during the first world war. People who were afraid of going over the top were executed. We should not consider doing that type of thing because I do not believe that it is part of maintaining the discipline of the Army, the Royal Air Force or the Royal Navy.

Brave young men, and these days young women, will always fight for their country and they do not need the death penalty to maintain their courage. That is a mistake and the Government are dealing with the problem in the wrong way. The death penalty is not needed in Germany or France and I, among other hon. Members, have great respect for German soldiers. They fought with great bravery during the second world war. If they do not need the death penalty, why should our soldiers, airmen and sailors need it?

It is the trouble of older men to talk of being a student, but, unlike my right hon. Friend the Member for Llanelli, I was a student not in the 1950s but in the 1930s. I was then at Salerno in an RAF commando unit and I saw the bravery of the Army at the time. It was not generalled very well, but that is another matter. A small bridgehead was formed and a number of soldiers mutinied. The case is famous and it is still being referred to by my hon. Friends. I do not know the details of the case, but it was a small area and I learnt of what was going on and, whatever else, those who mutinied did not deserve to die and they did not. I believe that my former right hon. and learned Friend, the one-time Lord Chancellor and Attorney-General, and the Member for what was West Ham, South, Lord Elwyn-Jones, served on the court martial and the question arose as to whether the mutineers should be executed. Given the questions that are asked in the House from time to time, it is just as well that they were not and they certainly did not deserve to be.

The Government are going about the matter in the wrong way. I understand the views of many people, especially in the Army. I have no concept of what it is like to be in the front line, but I respect the bravery of our armed forces and I have never had any doubt about that. However, I also know that sometimes people are afraid and that the only people who are afraid are those on the front line. People who say that they are not afraid are not telling the truth. In that respect, I hope that the Government will not try to overturn the clause.

Mr. Michael Shersby (Uxbridge): First, I apologise to my right hon. Friend the Minister of State for not being here at the beginning of the debate as I was unavoidably detained. I also offer him my warmest congratulations. I am pleased to follow the right hon. Member for Morley and Leeds, South (Mr. Rees) who spent an interesting part of his service career in my constituency.

On 17 December 1990, the House decided for the 17th time to reject the reintroduction of capital punishment for murder. In that debate, I argued that the death penalty should be reintroduced for the murder of police officers because the police and I believe it is a unique deterrent, which would protect them as they go about their difficult and dangerous job. The House listened to the debate and decided not to reintroduce the death penalty for murder.

Tonight the House is considering the different, but closely related, question whether the death penalty should be retained for very serious offences committed in wartime. That was detailed in the evidence which the Select Committee considered. It seems to me that we have a curious state of affairs. The Government overwhelmingly voted for the abolition of capital punishment for murder on a traditional free vote, and they were not prepared to retain that sanction for the murder of a police officer.

That vote has been very much in my mind in the past few hours. I am reminded of the action of my right hon.

[Mr. Michael Shersby]

Friend the Home Secretary in releasing one of the persons convicted of the murder of three Metropolitan police officers in 1966, the first year after capital punishment was abolished. The three persons concerned have spent over 25 years in prison. One is about to be released and he did not fire the weapon.

We are in danger of having double standards. If Parliament decides that we should not have capital punishment to protect the thin blue line who protect every man and woman in this country against armed criminals and terrorists, I shall find it difficult to support the retention of capital punishment for offences committed by young soldiers, sailors or airmen, who, as the right hon. Member for Morley and Leeds, South pointed out, may have been terrified during what he—or these days she—may have had to face in the heat of battle.

The House must make up its mind and decide where it stands. If we are not to have capital punishment for the murder of a civilian or a police officer, we should abolish it altogether. For the first time, I shall vote against the retention of capital punishment, because I believe that we should be consistent.

On 17 December 1990, my right hon. Friend the Home Secretary urged the House not to abolish capital punishment for the crime of treason. When I was preparing for that debate, I looked up the reason why capital punishment existed for that crime. I discovered that it was introduced as an act of mercy and as an alternative to being burnt at the stake or being hung, drawn and quartered. We are still waiting for the results of consultations with the Law Commission on whether that penalty for treason should be removed from the statute book once and for all.

If we are to abolish capital punishment for the murder of a policeman, let us get rid of it for the offences referred to in the report and for treason as well. Then, we and every police officer in the country will know where we stand.

Mr. Peter Archer (Warley, West): The House will appreciate the hon. Gentleman's courageous speech. Is he aware that, although we were told in December that the Law Commission was reconsidering the crime of treason, my information is that it is doing no such thing and that it has still not considered it?

Mr. Shersby: I am interested in what the right hon. and learned Gentleman has to say. Recently, my pen has hovered over a question paper several times with the thought that I would ask my right hon. Friend the Home Secretary what progress was being made. I desisted because, with such an illustrious body as the Law Commission, such matters are not decided overnight. However, like the right hon. and learned Gentleman, I am interested in when the Law Commission will deliberate and decide. Frankly, I think that it should do that, so that if Parliament should ever again consider the question of capital punishment, it will be able to do so with a clean slate. We would then have no capital punishment for the murder of a civilian, a police officer, a member of the armed services or for treason.

7 pm

Mr. Wilkinson: I am grateful to my hon. Friend for giving way, especially as I was unable to do so at the conclusion of my speech. He adduces the argument that we are considering the example of a poor frightened soldier who, in the heat of battle, is unwise enough to commit one of the service offences. He has argued that, therefore, we should not retain the possibility of a discretionary death sentence being invoked against him. But what about someone who takes careful, calculated, premeditated action, perhaps by inciting others to mutiny and planning it for some time or who assists the enemy in a way that could be catastrophic to his friends and colleagues, perhaps by allowing terrorists to place a bomb in a crucial installation in Northern Ireland? We should not be carried away by the emotive example of the poor soldier in battle, with whom we sympathise greatly, because we should look at the wider issues, which are crucial.

Mr. Shersby: I believe that I can reply to my hon. Friend briefly. In 1966 three armed men set about, deliberately, an act of armed robbery. They were stopped by three brave Metropolitan police officers, Detective Sergeant Christopher Head, Constable Geoffrey Fox and Detective Constable David Wombwell. Those three Metropolitan officers were shot dead by the three armed men. One of those men is still in prison, one died 10 years ago and the other is about to be released. If the death penalty is not to be available to prevent more police officers from being shot dead in cold blood—hon. Members will be aware of one or two other cases in the past three years—I do not believe that we can apply different standards in war. A war is going on in the streets of the country and our policemen and policewomen act to prevent that and to protect us.

My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) represents a neighbouring constituency to mine and, although I deeply respect his remarks, I do not believe that we can apply double standards. We must either reintroduce the death penalty for the murder of a police officer or get rid of it for certain military offences.

Mrs. Fyfe: I welcome the sentiments that the hon. Gentleman has expressed. An offence may be committed by someone who is frightened and unable to face the heat of battle, but what about someone who by a deliberate and cold-blooded act chooses to put this colleagues and perhaps his country in danger? No one is seeking to argue that that person should get away with it, but he should not necessarily suffer the death penalty as a result of a court martial. He could be put on trial and given a heavy prison sentence. Where is the need for the death sentence? No one who opposes the clause has explained why a person in such circumstances should meet his end by being hanged or at the hands of a firing squad.

Mr. Shersby: The hon. Lady has made her point well and I do not believe that I can add to it.

I have made my case and I have nothing more to say except that I believe that we should have consistent standards on what is the ultimate deterrent and penalty. The House made a decision in December and I suspect that it will make a similar one tonight.

Mr. Peter Viggers (Gosport): On several occasions during his speech the hon. Member for Motherwell, North (Dr. Reid) referred to the reintroduction of the death

penalty or, as he said, putting the death penalty back into the law. I am sure that, on reflection, the hon. Gentleman would agree that the clause relates to whether we should remove a penalty that now exists which can be used against individuals who are guilty of serious service offences. Such offences are committed not in peacetime but at a time of war or armed conflict and amount to hazarding the lives of comrades or putting the security of the country at risk. We are considering whether to change the law, but I believe that the law should stay unchanged.

My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson), who was Chairman of the Select Committee on the Armed Forces Bill, outlined the circumstances in which the Select Committee came to its conclusion. He said that the Committee was minded that the law should remain as it was.

I was the Chairman of the Select Committee on the Armed Forces Bill that was considered five years ago. We considered the retention of the death penalty and took evidence from the Ministry of Defence. Five years ago the Committee decided that the penalty should remain part of the law. It would be unwise of the House today to fail to take cognisance of the evidence put before the Select Committee this year and five years ago from the Ministry of Defence which, having considered the matter with all the seriousness it deserves, recommended that the death penalty for certain offences should remain,

The hon. Member for Motherwell, North made a good, skilful speech, as my hon. Friend the Member for Halesowen and Stourbridge (Sir J. Stokes) has already said. The hon. Gentleman almost had the Committee believing that any hon. Member who wanted the law to remain was almost guilty of criticising our armed forces.

Gosport has more armed forces personnel than any other constituency. The good people of Gosport considered the selection and election of a Member of Parliament and they were broad-minded enough to elect someone who had served in the Royal Air Force and the Territorial Army. I believe that members of the armed forces, of whom I represent so many and with whom I am proud to maintain contact, want the death penalty to be retained for extreme cases where an individual or a group has hazarded the lives of comrades, put them at peril, and hazarded the security of the country. I believe that the law should remain as it is, and that the death penalty should remain for a limited range of cases.

Mr. Brazier: All hon. Members who have spoken today have shown enormous concern for the welfare of the armed forces. I hope that the House will accept that I, too, have shown concern for the armed forces in the short time I have been here. Unlike the right hon. Member for Morley and Leeds, South (Mr. Rees) and my hon. Friend the Member for Halesowen and Stourbridge (Sir J. Stokes), I have never seen action in war, although both my father and grandfather were wounded in action.

The speech of the hon. Member for Motherwell, North (Dr. Reed) was interesting and sincere. This debate is not about impugning the honour of our armed forces—far from it. It is about keeping faith with our armed forces, the vast majority of whom have gone to war and would go again in the future with the best possible spirit.

I should like to recount an incident that did not reach the pages of history, except in an account of one lance-corporal. In the battle up the spine of the Appennines, a small village was held by a much depleted company of a unit which was part of a regiment with which I was associated some years ago in the Territorial Army. The unit was cut off for about 24 hours by a German force. During that time one of the unit's members who had deserted on two previous occasions and who had been recaptured was held down below in a cellar.

It is some years since I read the lance-corporal's account of the incident, but, if I remember rightly, as the Germans closed in on the unit the man in the cellar called out, "You stupid idiots. In a few hours' time you will all be dead and I'll be eating sauerkraut".

The position was not captured by the Germans as the unit was reinforced after a counter attack by other British soldiers. If that man had gone beyond abuse and had used a firearm to kill his commander or other crucial personnel to assist the enemy, would it be right that the Army should not have the sanction, even in principle, of the death penalty? I firmly believe that it should have that sanction.

We have had a long debate on this matter and I do not want to detain the House, but I must deal with the red herring which has been raised about treason. Several hon. Members voted in favour of abolishing that civil offence. It is being examined in the wider context of constitutional arrangements anyway. I firmly believe that, whatever the considerations on that, it is right that the armed forces should have the right to enforce the death penalty, subject always to the discretion of the Secretary of State.

I sympathise strongly with what has been said on the subject of discretion. Plainly, it is not possible to determine in the common sense concept of war when armed forces are legally at war. We have hardly ever declared war. In only a small number of the incidents in which our armed forces have been in action this century has there been a formal declaration of war. That is why it must be left to the discretion of the Government whether or not the powers are enforced.

We are not discussing a sanction which has been used in the past 40 years. Nor are we discussing whether we trust our armed forces: of course, we do. It is clear from all the speeches that the House is united in its admiration for our armed forces. We are discussing whether in exceptional circumstances the ultimate sanction should be available in cases such as the one that I described. I urge the Committee to reject clause 17.

Mr. Higgins: I join with hon. Members on both sides who have congratulated my right hon. Friend the Minister on his election to the Privy Council and I wish him well in his office.

I assure Labour Front-Bench Members that we on this side of the Committee are on a free vote. That being so, it seemed appropriate to come to listen to the arguments. I had no intention whatever of making a speech, but I have been provoked to do so not least by my right hon. Friend. Several points need to be clarified.

It is fortunate that we are having this debate following the Select Committee report which went into the matter in considerable detail. I read some of the arguments with interest. Some people take a moral line on the argument about capital punishment, but the crux is whether the deterrent effect is sufficient to outweigh the risk of mistakes. That argument remains the central point in this debate. Therefore, let us first consider whether mistakes are likely to be made.

Some witnesses expressed the view that there was less likely to be a mistake in a case involving capital

[Mr. Higgins]

punishment in military operations than in civilian ones. I find that surprising. In the heat of battle, the witnesses themselves are involved in highly emotional circumstances, so it is far more likely that they will be genuinely mistaken than the witness of a murder who is in a sense a bystander. Therefore, mistakes are more likely to be made at a court martial than in a civilian case.

The Chairman of the Select Committee asked:

"Is there a precise definition for what constitutes misconduct in action?"

Several examples were given. Then the witness added:

"There is one other thing, to be complete, if I may Mr. Chairman, and it is, if he fails to use the utmost exertions to carry the lawful orders of his superior officers into execution."

My goodness, the appraisal by someone else in action of whether someone was using his "utmost exertions" must be open to doubt. At the very least, mistakes are as likely to be made in this area as in civilian cases. We already know of a large number of civilian cases in which, if we had not abolished capital punishment some years ago, innocent people would have been hanged. The issue is, to say the least, finely balanced.

The next question is whether the penalty constitutes a deterrent. It is a greater deterrent if the penalty is certain. The less certain the penalty, the less likely it is to deter. What provoked me to intervene was my right hon. Friend's speech. As I understand it, he said that the penalty would not be applied in peacetime, but that we could not be certain whether we were in time of peace or war. We were further told that, moreover, in peacetime the Secretary of State would be obliged to overrule any decision by a court martial to impose the death penalty. I hope that my right hon. Friend will correct me if I am wrong. In other words, neither we nor anybody who might be deterred by the death penalty knows whether the Secretary of State would be so obliged because we would not know whether we were in time of war.

Again, if I understand correctly, the situation was uncertain during the Falklands war. We do not know whether the death penalty might have been imposed at that time, whether or not it was time of war or whether or not the Secretary of State would have been obliged to overrule any decision of a court martial.

My right hon. Friend was unsure what form such a death penalty might take—whether by firing squad or hanging. He thought that it would be by firing squad, although the last execution was by hanging. It is absolutely clear that, however the House votes tonight—I do not know how it will vote—the present uncertainties must be cleared up. We cannot leave the matter as it is tonight. The House should be a great deal clearer about the law than my right hon. Friend suggested in his opening remarks.

Mr. Tony Benn (Chesterfield): I have been moved to speak by the debate, but I shall be brief.

While listening to the arguments about the uncertain definition of times of peace or war, my mind went back to 1956 when I served in the House during the Suez war. I asked Sir Anthony Eden whether we were at war. We were not. We never declared war against Egypt. The following day I had a letter from an RAF pilot in Cyprus. He believed that he would be sent into action against Egypt but that it would be an act of aggression, and he asked what he should do. He knew that I had served in the air force. I replied, as I am bound to do, that he must make his decision on the ground of conscience. As I understand it, it is possible that that man would have been liable for the penalty although he had a conscientious objection to bombing a country with which we were not at war. Such are the real matters which the Minister must address.

Many cases involve, not cowardice or a lack of moral fibre, which was the phrase tossed about during the war, but a conscientious objection. William Douglas-Home, the brother of a former Prime Minister, was court martialled for refusing to bomb Caen during the war because he had a moral objection to bombing civilian targets. Those matters cannot conceivably be left to the discretion of the Secretary of State, whether or not it is peacetime and whether or not the death penalty is used.

Mr. Tony Banks (Newham, North-West): I had a conversation with a Conservative Member who also served as an officer at the time of Suez. He told me that, because he felt that what was going on was morally unacceptable, as far as he could guarantee it he wanted to make damned sure that none of his troops was caught up in it. That might also fall within the definition that we are discussing. It is a further example from the same period which affected an hon. Member.

Mr. Benn: Many examples could be given, but it is clear that it is not a straightforward question of defiance of orders in time of war. It is a very complicated matter. The Minister is asking the House to overturn a decision of the Committee and make it possible in moments of great uncertainty, when motives may be very different, to court-martial and execute a member of the armed forces. I do not believe that to be right.

Dr. Reid: I am mindful of the time, so I shall sum up as briefly as possible the case that I put earlier and respond to some of the points that have been made.

First, may I offer my belated congratulations to the Minister on joining the Privy Council. It was not because of pique that I did not do so earlier—we all get there some time. I am sure that he deserves it. Whether the Privy Council deserves him is an open question, and I would allow a free vote on that, as we are to have tonight on the death penalty.

I have suggested that the death penalty, as applicable in the armed services, is an anachronism. We are told that it is not used in peacetime on principle. It has not been used for almost 50 years during hostilities in which British forces have been involved. The terms "peacetime" and "war" are ill defined at the very least; that has been illustrated by the Minister tonight.

The discretion that the court martial and the Minister are allowed to make a decision under the terms of those definitions is equally ill defined. The death penalty is not applicable even to terrorists, or to those whose acts against our service men and women may result in the loss of their lives. It is not needed by many of our allies, including members of NATO. Even in countries other than our allies where the death penalty is retained—for example, Iraq—it does not achieve a deterrent effect.

It was argued earlier that the death penalty should be retained in principle. That is the most incredible argument. A person is not executed in principle; he is executed in practice. The theory of deterrence, whether in this example or in others, depends on the belief that the deterrent is not there only in principle. A deterrent is a deterrent only if its

use in practice is credible. To argue for its retention in principle is a departure from not only the armed services discipline Acts, but the general rule of deterrence.

We are in danger of operating double standards, because we are arguing for the retention of the death penalty, which the House has consistently rejected for acts of terrorism or for the murder of policemen. I shall give just one piece of advice to the civilians in the Chamber tonight who are prepared to vote on this matter—that applies to 90 per cent. of hon. Members: do unto others as you would have done unto yourself. The House has consistently made clear, and enshrined in law, the belief that the death penalty should not apply to civilians. It would be a double standard if civilian hon. Members voted for the death penalty to apply to non-civilians in the armed forces.

I ascribe no malevolent intentions—no wish to attack or cast slurs on the armed forces—to hon. Members who vote tonight to retain the death penalty. However, whatever subjective motivations hon. Members may have, the only logical conclusion to be drawn from a vote for the retention of the death penalty for members of the British armed forces when it is not required by many of our allies is that our troops can be expected to exercise discipline and good order only when the threat of death hangs over their heads. Whether or not it is meant as a slur, I believe that it is a criticism of our armed forces—perhaps subconscious, but nevertheless undeserved.

I believe that the death penalty is an anachronism and a barbaric instrument. Rather than countenancing the burial of one more of our service men, we would do better to bury the death penalty for the armed forces.

Mr. Archie Hamilton: May I begin by saying how grateful I am to hon. Members for their kind references to my entry in the honours list on Saturday. Acquaintances and members of my family have asked me what it means. I understand that it involves an advisory role to Her Majesty the Queen. With no disrespect to Her Majesty, I have likened it to a long-service and good-conduct medal given to members of the armed forces. I have occasionally presented such medals, and I have asked the person what he has done to deserve it. I invariably receive the same reply—years of undetected crimes. I am grateful to you, Miss Boothroyd, for allowing me to digress. That is clearly not the subject that we are discussing this evening.

Safeguards were referred to earlier. My right hon. Friend the Member for Worthing (Mr. Higgins) raised the question of mistakes. Any sentence has to go through a number of stages. First, a court martial cannot accept a plea of guilty to an offence that carries the death penalty. Secondly, the court must reach a unanimous decision. Thirdly, if the death sentence is passed—it is an optional, not a mandatory, sentence—it is subject to confirmation by a senior officer, which in this case means a major-general or above. After that, the sentence is subject to review by the defence council. The death penalty cannot be carried out until that procedure has been complied with. I accept the point made by my right hon. Friend the Member for Worthing. Mistakes can still be made, but much is done to provide as many safeguards as possible.

The hon. and learned Member for Fife, North-East (Mr. Campbell) questioned whether the death penalty was an effective deterrent, as did other hon. Members. The death sentence is like an insurance policy. Hon. Members who argue for the retention of the clause must ask themselves whether we can afford to run the risk of removing that deterrent. If the effect of such offences were small, we probably could. However, the offences involved could have a major effect on the operation concerned, such as the outcome of a war and, thus, the safety of the state. We cannot be sure of the degree of deterrence or how any individual mind might be affected. The Government believe that it is right to maintain the possibility of the death penalty as the ultimate sanction for service offences.

The right hon. Member for Morley and Leeds, South (Mr. Rees) raised the question of the IRA and the position in Northern Ireland. It can be argued that the IRA falls within the definition of "the enemy" under the defence discipline Acts. It is true that service men in Northern Ireland could, theoretically, be prosecuted for the offences that attract the death penalty. I am absolutely clear that, in the exceptionally unlikely event of the death sentence being passed in the hypothetical case in Northern Ireland to which the right hon. Gentleman referred, it would certainly be commuted by the Secretary of State for Defence.

The right hon. Gentleman also raised the question of the person who simply could not face up to the idea of fighting. Taking no action would not fall into the group of five service offences; however, an action likely to imperil the success of an operation would. Again, the death sentence is only one option that is open to the court martial. Those who "chickened out", or refused to "go over the top", would not be committing one of the five offences.

My hon. Friend the Member for Uxbridge (Mr. Shersby) mentioned double standards. As I understood it, his argument was that, if we were not prepared to agree to the death penalty for the killing of policemen, we should abolish it altogether. That strikes me as a strange argument. If he holds that view, surely my hon. Friend should hold out for the day when the House may change its mind about the death penalty for the killing of policemen. Abolishing the death penalty altogether would, as far as I can see, remove any chance of its being reintroduced for the killing of policemen. It is not beyond possibility that, at some time in the future, after a spate of police killings, the House might change its mind. If at that stage no death penalty existed for any offence, it would be very difficult for it to be reintroduced at all.

7.30 pm

The hon. Member for Motherwell, North (Dr. Reid) asked why a distinction should be made between war and peace. The offences concerned may attract the death penalty only when there is an intention to assist the enemy. By their very nature, such offences are likely to be committed only in wartime. I agree with my hon. Friend the Member for Canterbury (Mr. Brazier) that it would be extremely difficult to draft legislation that applied only in wartime. It is very difficult to define wartime—the comments of my right hon. Friend the Member for Worthing are also relevant here. It is hard to be precise about when a state of war exists.

The Government have concluded that it is necessary to retain a degree of flexibility, because it is impossible to provide for every situation that might arise, relying on the safeguards provided by the use of this extreme penalty. My right hon. Friend the Member for Worthing was also worried about the definition of a state of hostilities. Surely we know when a state of hostilities exists, even if war has

not been declared: that is reasonably straightforward. The right hon. Member for Chesterfield (Mr. Benn) raised the question of the declaration of war. It has happened rarely in the recent past. There was no declaration of war over the Falklands or the Gulf, but the existence of a state of hostilities is pretty clear and understandable to most people.

Mr. Tony Banks: On a point of order, Miss Boothroyd. I think that you know what it is. It is very difficult to hear what the Minister is saying because of the number of people who are standing beyond the Bar talking.

The Second Deputy Chairman of Ways and Means (Miss Betty Boothroyd): I was so enthralled by what the Minister was saying that I did not notice, but, if that is the case, hon. Members standing below the Bar who do not intend to sit down should continue their conversations quietly, so that the rest of us can listen to this important winding-up speech.

Mr. Hamilton: You flatter me, Miss Boothroyd.

As has been said by the hon. Member for Motherwell, North, this is no time to re-run the arguments about capital punishment. It is worth reminding ourselves, however, that in December the House voted to retain the mandatory death sentence for the crime of treason, and the crimes that we are now considering are very closely related to treason. There will be a free vote tonight, and there is no question of the payroll vote or anyone else being whipped to support the clause.

I hope that, when hon. Members on both sides of the Committee exercise their consciences, they will ask themselves whether it is sensible, if we are to change our whole attitude to capital punishment for treason-related offences, to start with the Armed Forces Bill. If it is right to remove the death sentence for treason—and that is debatable—it must surely be right to remove it initially for civilian offences, and then to review the position of the armed forces.

The hon. Member for Motherwell, North referred to our heroes returning from the Gulf—and they were heroes indeed. It goes without saying that none of those men has been charged with any of these offences, but they were doubtless reassured to know that, if any of their colleagues had transgressed—given the enormity of the result that might have followed, namely, the death of a large number of them through enemy action—the penalty was in place and provided them with protection. As my hon. Friend the Member for Canterbury said, this is a question of keeping faith with our service men. I am sure that they do not want any change in the law.

Question put, That the clause stand part of the Bill:—

The Committee divided: Ayes 124, Noes 228.

Division No. 175] **[7.35 pm**

AYES

Abbott, Ms Diane
Allton, David
Amos, Alan
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashby, David
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Body, Sir Richard
Brown, Nicholas *(Newcastle E)*
Buck, Sir Antony
Caborn, Richard
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D. N.
Cartwright, John
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cryer, Bob
Cummings, John
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Ewing, Harry *(Falkirk E)*
Faulds, Andrew
Fearn, Ronald
Fishburn, John Dudley
Flynn, Paul
Foster, Derek
Foulkes, George
Fraser, John
Garrett, John *(Norwich South)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Griffiths, Win *(Bridgend)*
Ground, Patrick
Hain, Peter
Hardy, Peter
Hayhoe, Rt Hon Sir Barney
Haynes, Frank
Higgins, Rt Hon Terence L.
Home Robertson, John
Hood, Jimmy
Hordern, Sir Peter
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Jones, Barry *(Alyn & Deeside)*
Jones, Gwilym *(Cardiff N)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Lawrence, Ivan
Leadbitter, Ted
Lestor, Joan *(Eccles)*
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
McAllion, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Meale, Alan
Miscampbell, Norman
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Pendry, Tom
Pike, Peter L.
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Randall, Stuart
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Ross, Ernie *(Dundee W)*
Rowe, Andrew
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shersby, Michael
Short, Clare
Skinner, Dennis
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Stern, Michael
Strang, Gavin
Vaz, Keith
Wallace, James
Ward, John
Wheeler, Sir John
Wigley, Dafydd
Williams, Rt Hon Alan
Winnick, David

Tellers for the Ayes:
Mrs. Marie Fyfe and
Mr. Harry Barnes.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bowden, A. *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Burns, Simon
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Rt Hon Alan *(Plymouth)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Cran, James
Davies, Q. *(Stamf'd & Spald'g)*
Day, Stephen

Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Sir Anthony
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Fenner, Dame Peggy
Finsberg, Sir Geoffrey
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
French, Douglas
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Rt Hon Ian
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lilley, Rt Hon Peter
Lord, Michael
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mayhew, Rt Hon Sir Patrick
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Sir Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Price, Sir David
Redwood, John
Rhodes James, Robert
Rifkind, Rt Hon Malcolm
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rost, Peter
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walker, Bill *(T'side North)*
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim

Tellers for the Noes:
Mr. John M. Taylor and
Mr. David Davis.

Question accordingly negatived.
Clauses 18 to 27 ordered to stand part of the Bill.

Clause 28

SHORT TITLE AND COMMENCEMENT

Amendment made: No. 2, in page 24, line 43, leave out '1st September 1991' and insert '1st January 1992'.—*[Mr. Archie Hamilton.]*

Clause 28, as amended, ordered to stand part of the Bill.
Schedules 1 to 3 agreed to.
Bill reported, with amendments.
Order for Third Reading read.

7.49 pm

Mr. Archie Hamilton: I beg to move, That the Bill be now read the Third time.

It is right that the Bill should be generally well received in the House because it makes improvements to the service discipline Acts, many of which bring service law more closely into line with civilian law. That is particularly true of the provisons in parts II and III of the Bill relating to young offenders and children at risk in service families overseas. In this way, and by the careful scrutiny given to discipline matters generally during the passage of the Bill through the House, I believe that the Acts can continue to command the respect and confidence of the service men, service women and civilians to whom they apply.

I take this opportunity to pay tribute to the way in which my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) chaired the Select Committee on the Bill with unfailing courtesy and fairness. The Committee conducted not only a thorough examination of the Bill itself, but a wide-ranging review of matters related to discipline in the armed forces. Its report makes a number of important recommendations for the future which will all be given careful consideration and be the subject of a full response in due course.

It is our responsibility to ensure that the system of discipline, on which the efficiency and effectiveness of the work of the armed forces so much depends, strikes a sensible balance between the rights of service men and women as citizens and the extra constraints which must necessarily be imposed. I am confident that the Bill will serve to ensure that the service discipline Acts continue to meet the needs of the services and command their confidence. I commend it to the House.

7.52 pm

Dr. Reid: Naturally, I am disappointed that clause 17 has been removed; it was an important part of the Bill and probably the most important part of the reforms to the service discipline Acts. However, I predict that, once the recommendations of the Law Commission on the death penalty are known, there may be a majority of Members in the Aye Lobby.

[Dr. Reid]

Despite that disappointment, I promised earlier that we would not be obstructive about the discipline Acts incorporated in the Bill. Therefore, we shall not raise objections and we shall not vote against the Bill. That is important because, as the Minister said, the quinquennial review gives us the opportunity to reappraise the service discipline Acts and procedures in the light of practical experience, and in the context of changes in the civilian law and in public opinion and perception. Such reappraisals are important and debates such as this provide a vital opportunity to conduct them. Therefore, I should not like the debate to pass without making one or two comments.

Discipline and order are integral parts of the quality of the armed forces, whether in peacetime or during hostilities. Of all forms of discipline applicable to our armed forces, by far the most efficient, effective and prevalent is self-discipline. We should like it to be recorded at the outset that, although we have spent time in Committee and on the Floor of the House discussing breaches in rules and regulations, and the punishment and penalty for those breaches, such measures are applicable only in a small number of cases involving service men and women. For the vast majority of such cases, the best, and often the only, discipline necessary is that which springs from the service men and women's own determination, commitment and dedication, for which we give them credit.

Where the service discipline Acts have to be applied, it is important that they are seen to be practicable, efficient and, above all, fair. We in Parliament have no less a duty to our service men and women—simply because they voluntarily place themselves under the jurisdiction of military authority—than to civilians. It can be argued that, precisely because service personnel voluntarily accept the sacrifices that such a military regime entails, it is our duty to scrutinise the Acts and the Bill to a greater degree than other legislation, if that is possible.

I believe that, with one or two significant exceptions, the Select Committee acquitted itself well. The starting point for our deliberations was the premise that, wherever possible, forces law should approximate as closely as possible to civilian law. Therefore, it is right that the legal advances incorporated in two major Acts—the Criminal Justice Act 1988 and the Children Act 1989—should be enshrined in the Bill and extended to the services.

Therefore, we welcome the provisions in parts II and III of the Bill which extend the obligations of explanation to courts martial and standing civilian courts where young offenders are involved and impose a greater burden of consideration on military courts in relation to custodial sentences and young offenders. Part II also allows for compensation payments and ensures that they are given precedence above fines. It enhances the scope for the imposition of compensation payments. We also welcome those advances.

Part III reflects the growing concern about the protection of children felt throughout the country in recent years. I believe that there has been wide agreement in Committee and throughout the House that the general thrust of the changes—largely drawn from the Children Act, but modified to take account of service life—will be beneficial to all involved.

Those factors represent the major thrust of the changes in the Bill, and the Opposition support and welcome its provisions. The problem is that the Bill does not go very far. There are a number of issues integral to and related to discipline, order and morale that the Opposition would like to have seen addressed. Thankfully, most of those issues were addressed in Committee and, in some cases, progress was made. That shows the particular benefit of such an ad hoc Select Committee, rare—some would say, peculiar—though it may be, and I hope that such a procedure will continue in future.

I have been advised that the appropriate time for commenting on the wider issues related to the Bill, but not specifically covered by it, is during the debate on the continuation order. Therefore, I shall hope to speak then. Meanwhile, the Opposition will not vote against the Bill which, no doubt, will proceed on its way through the House with alacrity.

7.58 pm

Mr. Wilkinson: I take this opportunity to thank, not only my right hon. Friend the Minister of State, but the officials and service men of the Ministry of Defence, who greatly assisted Select Committee members with their inquiries and were hospitable and informative when they made field visits in this country and in Germany.

Like the hon. Member for Motherwell, North (Dr. Reid), I believe that this form of parliamentary procedure is an admirable legislative mechanism. Unlike the normal Standing Committee procedure, it enables hon. Members to take the advice of those professionally engaged in the relevant activity—in this case, the maintenance of good service discipline, order and morale.

I had the privilege of chairing the Committee. The report that we produced will summarise all the points that I could make on Third Reading, so I shall not make them now. I am pleased that my right hon. Friend the Minister and his Ministry will respond to the recommendations that we made, which we believe speak for themselves. That said, I wish the Bill godspeed and a satisfactory Third Reading.

8 pm

Mr. Menzies Campbell: I join in congratulating the Select Committee and its Chairman on the production of a report that is of great assistance to those right hon. and hon. Members who have an interest in the matter but did not have the privilege of serving on the Committee.

It is clear from any reading of the notes of evidence that the cross-examination was, from time to time, robust. However, it was obviously undertaken with the best intention—that of eliciting the most accurate, helpful, and up-to-date information. The notes of evidence make interesting and illuminating reading, giving as they do a clear insight into the thinking of many of those within the Ministry of Defence who are most directly concerned with service discipline matters.

I want to touch on a matter that probably would not fall under the continuation order, but relates to the consolidation of existing service discipline legislation. It is axiomatic that ignorance of the law is no excuse. It has always seemed to me to be a necessary part of that axiom that the law should be readily ascertainable and easily understandable. For the moment, that cannot be said of the myriad bits of legislation in which provisions relating

to service discipline are to be found. It is notable that one of those who gave evidence to the Committee strongly expressed the opinion that it would be in the interests of all if, at an early date, some consolidation and revision of that legislation were to take place.

I hope that the Minister understands the importance of that comment. Such action may not lie entirely within his power. Other Departments may have a more direct influence on the speed with which such consolidation and revision can be achieved. However, there is little point in creating a code or structure of service discipline of which we can be proud if we cannot be proud of the circumstances in which it can be understood and readily ascertained. That is one of the Committee's most important recommendations, and one which bears precisely and strongly on the Bill.

There is nothing more that I can usefully add, except that I shall not endeavour to delay the progress of the Bill, which seems entirely right and proper. It may not go far enough, but as far as it does go, it represents a comprehensive piece of work by those responsible for it. As it embodies some of the principles and changes to service law that the passage of time has made necessary, the sooner that the Bill passes through the House, the better.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Armed Forces (Discipline)

8.3 pm

The Minister of State for the Armed Forces (Mr. Archie Hamilton): I beg to move,

That the draft Army, Air Force and Naval Discipline Acts (Continuation) Order 1991, which was laid before this House on 7th June, be approved.

The purpose of the order is to continue in force the Army Act 1955, the Air Force Act 1955, and the Naval Discipline Act 1957, which together provide the statutory basis for discipline in the three services, for a further four months from 31 August, which is the date on which they would otherwise expire unless renewed before then either by primary legislation or by Order in Council. Under the Armed Forces Act 1986, no Order in Council may extend the Acts beyond 31 December 1991.

Over the past few months, the House has had the opportunity to consider service disciplinary procedures in depth during its consideration of the Armed Forces Bill. The first purpose of the Bill is to make provision for the Acts to continue in force for a further five years from the date on which they would otherwise expire. The House will be aware that, unless renewed by Act of Parliament or by Order in Council, the three service discipline Acts will currently expire on 31 August 1991. While I have every expectation that the Armed Forces Bill will be enacted before the summer recess, the order will simply ensure that there is no possibility that the Acts will expire without having been renewed. This is a prudent measure, and I invite the House to approve the order.

8.4 pm

Dr. John Reid (Motherwell, South): As I indicated earlier, we will not vote against the order, but we have some misgivings about it. We believe that there have been missed opportunities in Committee, not specifically in respect of the Bill, but of provisions that could have been added but which were missing from the start.

I was taught as a small boy that there are sins of commission and sins of omission. If the Bill has avoided any great sins of commission, it is guilty of sins of omission. That has been rectified to some extent by the work of the Committee and the report that it issued. I pay tribute to the hon. Member for Ruislip-Northwood (Mr. Wilkinson), who unfortunately is not in his place, who said earlier that the Committee made a number of recommendations and that he looked forward to the Minister's responding to them.

In one or two instances, the Committee was wise enough to suggest a deadline by which a response was expected. It was also flexible enough to suggest a timetable in respect of longer-term items—though it may find that the response comes not from the Minister of State for the Armed Forces but from myself or from one of my hon. Friends, as we may be in power by the time that such a response falls due.

The changes that the Bill makes are welcome, but it does not go very far. A number of important issues are perennially raised in the House, and are raised quinquennially in Committee, but the Bill fails to address them. To be fair to the Government—as the Minister knows, I always try to be fair to them—a number of those issues would be difficult, if not impossible, to incorporate into the form that the Bill takes. Some are a matter of

[Dr. John Reid]

regulation, administration or administrative practice, rather than of service law proper. However, other aspects could have been incorporated into the Bill and such omissions can be accounted for only by Government obstinacy or prejudice—or, in some cases, a combination of both.

Thankfully, those faults in what count as the higher echelons of the Conservative command structure did not always infect the foot soldiers in Committee, so on occasions we were able to make more advances in Committee than we could with the Government. However, even then we were unable to make much more progress than in previous years. In other instances the Government foot soldiers on the Committee, even when liberated by the absence on occasions of their Minister, could not be enticed in the direction of progress.

The Committee's recommendation that the Ministry of Defence should reconsider its opposition to ethnic monitoring of service personnel was a major step forward, and it is one which my party has urged for some time. Ensuring that our armed forces reflect the ethnic diversity of society at large is an aim which is based on the principle of racial equality and on the practical necessity of the recruitment and retention of service personnel in difficult demographic circumstances.

I am the first to admit that the Government have already made some move in the direction of combating racial discrimination and harassment, and of encouraging ethnic recruitment to the armed forces, and I pay them credit for that work.

It is ludicrous that the Ministry of Defence, which monitors the religious composition of the Ulster Defence Regiment in the north of Ireland—for the best of reasons, I hasten to add—and which maintains a system of ethnic monitoring for its civil servants, trenchantly refuses to extend ethnic monitoring to the armed forces. The Ministry should not have been allowed for so long to evade that responsibility for the armed forces. I hope that the Committee's recommendation will be expeditiously acted upon.

The Committee also recommends that the Ministry of Defence should consider how best to identify instances of racial harassment and keep records. In the past the Ministry has shown some willingness to tackle that problem, but, in the absence of statistical information, the MOD was fighting with one hand tied behind its back and it was impossible to judge to what extent the Ministry's actions were effective. The recommendation, if implemented, will free the Ministry from that self-imposed handicap and allow it to confront racial discrimination with the necessary vigour and determination. I am sure hon. Members agree that there is no place in the British armed forces for racial prejudice or discrimination.

We strongly support the proposed measures to protect the youngest of our service men and women, although such protection is no reflection on their courage or commitment. We entirely agree with the Committee's conclusion that there should at least be a presumption that those aged under 18 should not be sent on active service overseas unless there is some overriding requirement for their particular skills in the defence of the country. We expect some practical proposals on that by the time of the defence estimates. The Minister will be pleased to know, given what is assumed to be the current timetable, that he will still be Minister of State for the Armed Forces by the time those estimates appear. A Government statement at that time will prove that the Ministry of Defence is capable of making some sort of announcement in this area, if not in others.

We entirely concur with the view that the terms of enlistment and, in particular, the terms of compulsory retention of recruited minors should be re-examined. We desperately need to get away from the Ministry's attitude and weltanschauung of trying to solve the problems of personnel retention in a volunteer service by methods that are applicable to a conscript service. The Committee was wise enough to set a timetable and will expect practical proposals by the time of the next continuation order. The Minister may not be lucky enough to announce such proposals.

The armed forces' attitude to homosexuality has been a vexatious issue for every quinquennial review Committee, especially because it is not just homosexual activity but homosexuality itself which is forbidden by service law. Any service man or woman who is found to be homosexual, even if non-practising, is liable to be discharged from the service. The Committee's recommendation, accepted somewhat surprisingly by both sides of the Committee, that homosexual activity of a kind that is legal under civilian law should not constitute an offence under service law is a small but significant mark of progress. The proposal would not prohibit discharge from the service, but at least it decriminalises homosexuality and prevents some of the ignominy of current procedures under which files are sent to the police for what is regarded as an offence under service law but which is no longer regarded as an offence under civilian law. That is a small step, but the Minister and Conservative Members are to be congratulated on being prepared to take it in the face of traditional prejudice. Measures carry a great deal more authority outside the House and have much more effect when it can be shown that there has been consensus, a non-partisan agreement, on the importance of issues and the necessity to move forward with them.

As is obvious from the Committee report, everyone recognises that the present policy, even with the small improvement that I have mentioned, causes great distress. More importantly from the point of view of the services, everybody recognises that the policy causes the loss to the services of men and women of undoubted competence and good character. The report says that that is beyond dispute.

The problem is to find a way forward which avoids that loss and which allows for the nature and circumstances of the armed forces which, I accept, are different from those in civilian life. If we do not find a solution, personnel will continue to be lost to the armed forces and people will be open to blackmail and will suffer unnecessary distress. That view was shared by most if not all members of the Committee.

The conflicting requirements of this issue will be resolved only by a deeper and wider examination. Even though it is not recommended in the report, we urge the Minister to consider the establishment of an inquiry composed of lay and legal people as well as military personnel to clarify the issues, to compare practice among our allies, and to present options for progress. That would be a meaningful step from the little progress that we have started.

Two other matters need attention. The first is the composition of courts martial. It is a cornerstone of British justice that an accused is entitled to trial by his or her peers. The most glaring exception to that, apart from the special courts that have been established from time to time in the north of Ireland, is courts martial at which the weighing of evidence, the arrival at a judgment and the passing of sentence is the exclusive prerogative of the officer class of the British armed forces.

I mean no disservice when I say that, despite considerable progress, more than half our officers have social backgrounds that are utterly alien to those upon whom they sit in judgment. Fewer than one fifth of the officers have experienced the service background of those whom they judge, because they have not come up through the ranks. They may be well placed by training and background to understand the legal side of the proceedings and to dispense legal judgments, but are they well enough placed to understand the social background and to dispense justice at courts martial composed exclusively of officers? The attributes that are necessary to exercise leadership are not necessarily the only qualities that are necessary to achieve equity and justice in the armed forces.

Before the Minister takes fright and reaches for his revolver, I should explain that we are not suggesting anything as revolutionary as rank and file courts. For the reasons that we have already given, we believe that many courts martial would benefit from the presence of a senior non-commissioned officer. We are not suggesting that it should be obligatory, but only that courts martial should have the ability to co-opt an NCO as a supplementary member. Such a member could bring a particular background, both social and armed services, to bear on what are often complex problems.

Furthermore, such an option would enhance the quality of courts martial. I cannot, for the life of me, understand the Government's objections to this proposal, although I have listened with great care to their objections. I am reluctantly forced to the conclusion that there is no rational decision behind their refusal, but that, for all the fine words of their leader, somewhere, hidden away, the spirit of class rule is alive and well, even if temporarily dormant, and living in the Ministry of Defence. I have no doubt that, in the course of time, as with so many other attitudes embraced by the Government, this one will be washed up on the shores of history as the anachronism that it is.

My next subject—forces representation—is again a hardy annual on which the Government deploy circular arguments. We are told that there is no demand for forces representation. When we ask the simple question, "How do you know, as there is no representative body?", we are told that the forces are consulted by questionnaire. We then ask whether there is a question about forces representation and are told that there is not, but there is a space where members can put suggestions on forces representation if they so wish.

That is what used to be called inertia selling. Inertia selling of encyclopedias and pornographic material was outlawed some years ago. I cannot understand why the Ministry of Defence still accepts inertia selling in this case, when it is left to those who need representation to bring the issue forward, in the absence of any representative body. Some form of representative body, perhaps circumscribed by rules that prevent it from taking industrial action, perhaps akin to the Police Federation, would be of undoubted benefit not only to service men and women but to the armed forces as a whole. Although we have been considering a Bill on discipline, morale is, and has been for many years, central to discipline.

Dr. Charles Goodson-Wickes (Wimbledon): Would the hon. Gentleman accept that his argument about the representation of soldiers in a staff federation or something similar has a direct analogy with membership of a political party inasmuch as any member of the armed forces can be a member of a political party, but, by convention, takes no active part in the political activities of the party?

Dr. Reid: Yes, I accept that analogy. However, there is a problem, which will be obvious from the evidence. No one can tell me what constitutes activity, either in the membership of a political party or in a trade union.

In Committee, I asked whether service men and women were, for example, entitled to be members of the British Medical Association if they were doctors. I was told that they are allowed to be members, but not active members. I cannot find out what constitutes activity. Is it attending meetings, or accepting a post? It would be easier to circumscribe by definition an organisation that was set up for a specific purpose. One cannot do that with a specific party or the BMA, because such bodies have a membership that goes much wider than the armed forces. However, the activities of a federation exclusively related to the armed forces could be circumscribed. It is much more difficult to circumscribe, let alone define, the activities of members of the armed forces who belong to an organisation.

Dr. Goodson-Wickes: I think that I can help the hon. Gentleman in relation to the BMA. Service men can be members of the BMA and there is a BMA services committee. Knowing the way that the hon. Gentleman addresses these matters, I am sure that he will agree that we are talking about convention and common sense. There is no problem with membership of bodies such as the BMA.

Dr. Reid: I did not mean to ascribe a subversive motive to anybody working in the BMA. I was asking how one defined what constitutes activity within the BMA or a political party.

This issue is important because of its context. Representation will become more important because morale will become more important. Morale is becoming more important because the armed forces are going through traumatic changes. Eventually, we shall find out what "Options for Change" means for the British armed forces. We have had one or two teasers and I am sure that, somewhere in the Ministry of Defence, there is a strategic analysis on which policy is based. But then I have always been optimistic about the world, even if I have been pessimistic about the intellect.

Irrespective of which Government are in power, there will be substantive changes to the armed forces in the next few years. My worry is that they are being tackled in a rather piecemeal and cost-driven way. We may end up not only with a smaller budget for defence but with a redistribution of resources within that budget that is not based on strategic criteria and, because of a lack of a full review, omission of any consideration of the quality of life for service personnel. In other words, what is missing is the

[Dr. Reid]

three elements of fighting power, as defined in the British military doctrine: the conceptual element, the material element and—this is my worry—the morale element.

If, as I believe, the Government are not paying nearly enough attention to what one does with 40,000 soldiers, sailors and airmen, three quarters of whom do not own their own homes and will not get a council house and will not be retrained, and if we leave Hong Kong, Belize and perhaps even Germany, what will be the raison d'etre of the forces and their personnel? In these difficult circumstances, a representative body for armed forces personnel might be useful because it could tell us of their main reasons for insecurity, their fear and their concerns in a period of dramatic change.

Therefore, as a matter of principle and practice and of concrete assistance in the present circumstances, the Minister and the Government should have shown more sympathy towards the idea of a staff federation. That idea has been rejected; I hope that it will not be rejected indefinitely.

I have described the main points that the Opposition would like to have been included in the order and that were not included. However, the provisions in the order, as far as they go, do not present any great difficulties for us, so we do not intend to vote against the continuation order. It makes sense as a fall-back position and none of us would benefit if the discipline Acts for the three services were to fall in the absence of the continuation order.

8.29 pm

Mr. Tony Banks (Newham, North-West): I want to raise a number of issues before we consider whether the continuation order should be approved. I want to raise disciplinary matters that were covered in the Select Committee report on the Armed Forces Bill. My hon. Friend the Member for Motherwell, North (Dr. Reid) raised the questions of racial harassment and of racial discrimination. If the Ministry of Defence refuses to identify cases of racial harassment and if it does not monitor them, it can pretend that racial harassment does not exist in the armed forces. We all know that the contrary is true.

I remember that we had difficulties in getting the Metropolitan police to start taking seriously the incidence of racial harassment in Greater London. They felt that it was a problem that was best left covered for a variety of reasons—some good, but most bad. Racial harassment was generally seen as being a matter of disputes between neighbours and nothing really racial. It took us a long time to convince the Metropolitan police that they needed to begin to become involved in monitoring racial harassment cases. Now that they do monitor such cases, their clear-up rate and the way in which they apply their forces are highly commendable. There is still a long way to go, but we have managed to get somewhere. The same pressure should now be put on the Ministry of Defence. Although the Ministry has accepted in certain respects the need for the ethnic monitoring of recruitment, it must take matters a lot further. Racial harassment and racial discrimination are linked, so it is important for the Ministry of Defence to examine cases of racial harassment.

On Friday, I went to the Theatre Royal, Stratford to see a play called "Black Poppies". It originated from a group of black actors who worked for the royal national theatre workshop and is based on the real experiences of black service men in our armed forces. Some 40 hours of tape recordings were taken from those who were either current or former service men and a play was devised from that. It was a powerful play. One can often get powerful messages across through the arts, so it is a great pity that the play has finished its run. It was highly successful and played in the east end of London to large black audiences who recognised the validity of what was being said. The important point is that the play was authentic. It did not involve someone adapting the news or using poetic licence to try to push a particular point. It was based on the personal experiences of black service men. It was powerful theatre and presented a powerful argument.

The run finished on Saturday and I very much regret that I cannot ask the Minister to come at my expense to the Theatre Royal, Stratford in my constituency to see the play. If he did, he would get as angry as I did on Friday when I realised that discrimination and harassment take place in our armed forces. People who volunteer for our professional forces find themselves abused, attacked and treated in a way in which no human being should be treated. I understand that the racism is often institutionalised. Officers, especially non-commissioned officers, are clearly involved. The stories in the play were so true that they put across a powerful message.

It is important that the Ministry of Defence takes the matter seriously. I am disappointed that, when it responded to the report, it did not say more about what would be done. It was not an official response, but a response in the course of discussions. I am disappointed and I am sure that those who served on the Select Committee were also disappointed.

The obverse of racial harassment is racial discrimination in the armed forces. The two issues are inextricably linked. There is no ethnic monitoring in the armed forces. I asked a question about that recently. The matter intrigued me, perhaps because I am a generally nosey person. I asked what the highest rank achieved by a black service man or woman was because I was impressed to see that General Colin Powell had made it right to the top in the United States. The Minister replied that the Ministry did not know the answer because it did not use ethnic monitoring. One does not need to operate ethnic monitoring to find the answer. It is pretty self-evident whether someone is black and it would not take long to work out the answer by examining the armed services. The fact is that the Government simply do not know and they do not appear to want to know, which is wrong for a number of reasons.

The main reason is that if there is to be ethnic monitoring of recruitment, one cannot see whether recruitment is successful if one does not continue to monitor the person right the way through the armed forces. Why, for example, do black people leave the armed forces? I should have thought that the Minister of Defence would have wanted the answer to that question which is central to its considerations of further policy. The only way to answer that question is to monitor ethnically. If there is no ethnic monitoring, someone who leaves is recorded merely as another serving officer who has left. Many do leave. If we do not know whether it was a black individual who left, we cannot know whether the ethnic monitoring of recruitment is working. There should be a debriefing process in the Ministry of Defence and people

should be asked why they are leaving. The answer may be, "Because I cannot stand the racial harassment and the racial victimisation" in the regiment or platoon. The Ministry cannot at present take the necessary remedial action.

If the Government are saying that they are not prepared to have ethnic monitoring, they are saying that the problem of racial harassment and victimisation in the armed forces does not exist. Any senior serving officer to whom one talks will say that he does not allow it to exist. But it seems to exist at a level at which some of the most senior officers are unaware of the problem, as is the Minister. I assume that if he was aware of the problem, he would take dramatic steps to deal with it.

The matter of women in the services is also covered in the report. I want to link that point with the courts martial which were also mentioned in the report. A dramatic case hit all our newspapers last week. It concerned two young people who were court martialled for being found together in quarters in which they should not have been together. I was surprised. I recently asked whether all courts martial were held in public. That shows my level of knowledge, although I believe that the only way to acquire knowledge is to admit ignorance. I did not realise that all courts martial were held in public. The two young people had committed no crime in terms of the civilian world. They would not have been in a civilian court, yet because of the disciplinary procedures of the armed forces, they found themselves at a court martial. They then found that they were subject to something much worse than a court martial—trial by media and by newspapers. The headlines in the tabloids and in the more serious newspapers were appalling. I will not mention those two young people's names because they have suffered enough. Indeed, I suspect that both their lives are ruined as of this moment. The Minister should take such matters into account.

The matter arose specifically from the publicity surrounding the non-touching rule as it affected serving officers in the Gulf and what would be done when Wrens were serving on battleships in the Gulf. One knew that this incident would be regarded as a good story by those swollen-nosed hacks who frequent Wapping but one did not really expect to see the sort of copy that actually appeared in *The Sun*, which I must put on record. The report is headed

"Wren's Nude Romp with Lt".

The House will note the sexist nature and language of that headline. It did not refer, for example, to a "nude lieutenant's romp with Wren." The story read:

"A randy Wren was caught naked with a dashing navy lieutenant".

You see, Mr. Deputy Speaker, the woman is randy whereas the lieutenant—the man—is dashing. One can see from the headline and from the opening words that the blame lies entirely with the woman.

I do not propose to titillate hon. Members; I am sure that they will have seen the story in the newspapers. The newspaper showed pictures of the young woman concerned, and those pictures are remarkably clear. I do not know where those concerned got them from, but they looked like studio portraits. That was not the case with the pictures of the so-called dashing lieutenant. I have sympathy for him as well because I would not like to be stuck on a ship somewhere in the Gulf away from my good lady wife—although I hasten to assure her, should she ever get round to reading *Hansard*, that I would be utterly loyal to her. The fact is, however, that the picture of the dashing lieutenant is incredibly fuzzy. It would be difficult to recognise such a dashing lieutenant or, indeed, such a dashing lieutenant's wife—that picture, too, is remarkably fuzzy. I do not criticise. I congratulate those concerned on their good fortune, but one is bound to contrast their pictures with that of the Wren. The newspapers were trying to take advantage of that story to sell their disgusting tabloids and to titillate their readers—to make the incident seem salacious and disreputable and to make it look as though it was the woman's fault.

The couple were found naked in bed "without reasonable cause". It seems to me that, if one is going to be in bed, one might as well be naked. Indeed, being naked seems to me to be the most reasonable cause one could have for being in bed if one has someone else with one.

I have described the preposterous language used. The effect of it was that those two people—especially the Wren—have had their lives ruined. That is absolutely disgraceful. They should have had the option of having the court martial heard in camera. I understand why it is necessary at times to hold a court martial in public. Otherwise, all sorts of accusations might be made about behind-closed-doors deliberations and kangaroo courts. I may well be the sort of Member of Parliament who makes such accusations. But we are talking about a case in which two people found themselves charged with an offence which in civilian law would attract no penalty whatever, and in which there was no question of national security being affected. That being so, why could not the couple opt to have the court martial held in camera? That would have spared them the humiliation of undergoing the trial-by-newspaper that we have witnessed in the past few days. I hope that the Minister will contemplate that when we next consider revising matters of discipline within the armed services. If he does not, the incidence of such cases will increase.

I am a fairly naive and trusting sort of chap. I cannot tell whether the Army or the Ministry of Defence deliberately connived at the glare of publicity given to the two service people, on the ground, perhaps, that it had been argued on television and in the newspapers that the wives of serving officers about to embark on ships on which Wrens would be serving were worried about the impact on their menfolk. Those two young people may have been sacrificed to satisfy the partners of serving officers that in any future case exemplary treatment would again be handed out. Perhaps the argument is that, if those young people have their lives destroyed, it is merely a price that they will have to pay and that their case may act as a deterrent. Perhaps I am being over-cynical at this point but that argument was put to me when I argued that the case should have required a degree of understanding, flexibility and feeling from the Ministry of Defence, which should have prevented the two young people from being exposed to the sort of coverage that they got for doing something that we know is very natural. I hope to God that they do not extend such rules to Members of Parliament. If they do, an awful lot of hon. Members are likely to be very embarrassed indeed.

My last point arising from the report concerns homosexuality in the armed forces—a subject to which my hon. Friend the Member for Motherwell, North referred. As my hon. Friend said—and it needs to be emphasised time and again—even if a man or a woman is not a practising homosexual, he or she can still be committing an

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offence. I do not know how the necessary information is obtained. I do not know how someone discovers that someone else is a non-practising homosexual in the armed forces. Perhaps the information is discovered in a letter from a loved one. Are letters read?

Dr. Reid: Perhaps I may assist my hon. Friend. The man or woman in question may not be ashamed of being a homosexual and may tell his or her commanding officer. That is the most simple way.

Mr. Banks: There is no reason why such a person should feel ashamed of being a homosexual. Nevertheless, he or she would be pretty ill-advised to tell a commanding officer unless that commanding officer was similarly disposed. A commanding officer who was told would then be privy to information that he or she might not wish to keep to himself or herself on the ground that, if it emerged at a later date that he or she had been informed by such a person—who might perhaps have stopped being a non-practising homosexual and become a practising homosexual—that officer would be in difficulty. I would strongly urge any practising homosexual member of the armed forces not to go and tell a commanding officer because, apart from anything else, that would put the commanding officer in a very difficult positon.

When homosexuals have been dismissed from the armed forces—something that I utterly deplore—it usually happens without the publicity surrounding the two heterosexuals in the case to which I have referred in detail.

Sexual orientation should not be used as a ground for disbarring people from the armed forces. The Spartans almost made a virtue out of homosexuality; indeed, that was probably one of the qualifications to become a Spartan and "Spartan" is still regarded as a by-word for a fighting force. One is assured that most Spartans were practising homosexuals. The idea was that they were more likely to die fighting for the person whom they loved if that person was standing next to them than if that person were sitting safely at home. Clearly, we can no longer prove the point, but it appears that the fighting ability—perish the thought; I do not like talk about fighting ability—of a gay man or lesbian woman is in no way impaired by his or her sexual orientation.

In the report the Stonewall group makes it quite clear that other NATO countries do not treat homosexuals in their armed forces in the same way as we do. My hon. Friend the Member for Motherwell, North made the same point with regard to capital punishment. If other armed forces, whose fighting quality, discipline and so on are at least as good as ours, can do without capital punishment and without criminalising homosexuality, surely we can advance tentatively into the latter part of the 20th century and accept that we can do exactly the same. The report states that the armed forces

"are no more lenient of lesbianism than of homosexuality in men."

That is very strange because lesbianism does not exist as a criminal offence thanks to Queen Victoria who could not possibly believe that two women could get up to such an act. I have news for Queen Victoria: there are a lot of lesbians in this country and, I suspect, a number in the armed forces. It is difficult to accept that there can be a disciplinary service offence that does not exist as a criminal offence in civilian life.

At the moment, there is discrimination against gay men and lesbian women in the armed forces. I imagine that they have to put up with an awful lot. I listen to, rather than understand, the arguments advanced by the Government and by MOD officials for not allowing homosexuality in the armed forces. They obviously believe that the heterosexuals in the armed forces would be put at risk. I would have thought that the threat was more the other way; if a barracks was aware that a male soldier was gay, he would be in a very difficult and unpleasant situation. Homosexuals in the armed forces probably need more protection than the discrimination that they endure at the moment.

When the Minister replies, I hope that he will tell us what the Government think about those issues. If the Government are not prepared at this stage to act on some of the issues that I have raised, at least we can have some idea whether sympathetic consideration is being given to those points and particularly to ethnic monitoring in the armed forces and to courts martial in camera for certain offences. I cannot believe that at this stage the Government are going to shift their position on homosexuality in view of the degree of homophobia in the House and in the country in general. That is hypocritical and unnecessary, and it has no basis in human rights. It should have no place in the Army or in the other armed forces. I hope that the Minister will consider favourably some of the points that I have put to him tonight.

8.51 pm

Dr. Charles Goodson-Wickes (Wimbledon): I was particularly anxious to be called in this debate because I had the privilege to be nominated as a member of the Select Committee on the Armed Forces Bill, but unfortunately the Gulf war intervened and I was able to be present at only the first sitting.

At the outset, I offer my congratulations to my right hon. Friend the Minister of State for the Armed Forces. He compared his appointment to the Privy Council to gaining a long service and good conduct medal. By a curious quirk of discrimination, he was not eligible in his military service for that award, but I welcome him to the Privy Council for what must have been some of the most onerous months of service that any Minister of State in peacetime has had to endure in that office.

I pay tribute to the work of the Select Committee on the Armed Forces Bill. The spirit in which it conducted its deliberations was entirely what one would expect from the all-party attitude of common sense. The hon. Member for Motherwell, North (Dr. Reid) referred to at least two issues that were not addressed by the Armed Forces Bill and I want to elaborate on some of his arguments.

I want first to consider age limits in different circumstances. I have researched that issue and the question is more complex and interesting than might first appear. Enlistment ages for males become identical for all three services during this year. However, there is a variation in the minimum age to fulfil an operational role, ranging from 16 years six months in the Royal Navy through 16 years 8 months in the Royal Air Force to 17 years in the Army. Historically, the British Army has been an amalgam of two independent elements—the home-based forces for Europe and those engaged in protecting overseas interests. In the modern world, clearly that distinction is much less relevant.

The Army has the youngest minimum age for services overseas at 17 years three months, compared with 17 years six months for the RAF and the Royal Navy has no set rules, although there is a handful of trained personnel under the age of 17. I apologise for wearying the House with those statistics, but they are important because they were the limits applied during the Gulf campaign and the ages are related to other factors such as the school leaving age and the length of training programmes.

The matter became one of public concern when a 17-year-old Royal Fusilier was killed in action in tragic circumstances. It was pointed out that had he and the 200 or so other 17-year-olds serving in the Gulf been present in Northern Ireland, they would have been limited to duties within barracks and would not even have been out patrolling the streets—an anomaly if ever there was one.

Interestingly it seems that before 1916 there was no minimum age, although a letter of consent was expected from parents. That did not deter a number of adventure-seeking youngsters and their military employers in the past and I doubt whether I am alone in the House in claiming a grandfather and a great uncle who served throughout the Boer war as teenagers no matter what their stated ages may have been.

In the two world wars, the minimum age was generally 19 although it dropped to eighteen and a half in 1918 and 1944 respectively as the need for extra manpower became acute. Only in 1963 when national service ended did the all-regular Army adopt seventeen and a half as the minimum age.

How is the House supposed to react to paragraph 28 of the Select Committee's recommendations which says:

"there should at least be a presumption that under 18 year olds should not be sent on active service overseas, unless there is some overriding requirement for their particular skills . . . or unless the threat to national security is such as to necessitate the conscription of minors"?

It is very difficult to endorse that statement given that people are maturing ever younger. Would it not be sensible, practical and more simple to settle on the guideline of 17 years six months for all purposes? That should clearly be a convention rather than a legality, as commanding officers must be left the discretion to take into account, for example, a particular individual's maturity and the very special qualities required for service in Northern Ireland.

It cannot be sensible for a fully trained soldier to be expected to kick his heels for up to a year and be denied the opportunity of putting his skills into practice. I met several 17-year-olds in the Gulf and will never forget a 17-year-old member of a tank crew saying that he had grown up more in the previous three months than at any time in the rest of his life. I suspect that he spoke for all of those of his age when he said how much he would have resented, as a professional soldier, being left behind. He and his comrades were subsequently tested in action. The House will agree that they passed with flying colours.

Although the Select Committee calls for consolidation of the three service Acts—this point was made by the hon. and learned Member for Fife, North-East (Mr. Campbell)—the House may consider that a more worthwhile objective would be to standardise firstly recruitment ages for males and females and secondly a common age for operational service worldwide. I speak as a member of the Joint Committee on Consolidation, &c., Bills.

On the second issue, as someone who would have voted for the Sexual Offences Act 1967 in relation to homosexual acts committed in private between males over the age of 21, I endorse the specific exclusion of legalising such activity in the armed forces and the continuation of homosexuality being considered a service offence. It has always been recognised in the widest possible forum that homosexuality in the special working conditions of the services undermines command and discipline and gives rise to perceptions of favouritism. There is nothing inherently discriminatory about that, as any sexual liaisons—whether homosexual or heterosexual, as referred to by the hon. Member for Newham, North-West (Mr. Banks)—are forbidden within units.

An analysis of the figures over the past four years shows that 335 men left the three services after homosexual incidents. About 85 per cent. of them—the House should consider this point—were dealt with on administrative grounds; in other words, without any formal disciplinary charges being laid. Contrary to public perception—I speak with some experience, having served as a medical officer and having been involved in managing such cases—the figures reflect the enlightened and humane attitude adopted by the authorities. Such cases are always handled sensitively, and commanding officers, physicians and padres, for instance, are routinely consulted.

Furthermore, the point raised about female homosexuality is very different. I doubt very much whether lesbianism should be tolerated in the armed forces merely because it is not a civilian offence. Anyone who reads the figures in the Select Committee's report will see that, in absolute numbers, more females than males were discharged from the Army in the past four years, which clearly represents a disproportionately high number of women in such cases.

I welcome the fact that the Committee was able to consider all aspects of service life and discipline. It is no reflection on the deliberations of members of the Committee that much of their work was done for them, inasmuch as the performance of the armed forces in the Gulf campaign, superimposed on the much-protracted and very delicate role that they had to play day to day in Northern Ireland, indicated that most things in the armed services are done exceedingly well, which makes our armed forces still the most respected throughout the world.

9.1 pm

Mr. Menzies Campbell (Fife, North-East): The hon. Member for Wimbledon (Dr. Goodson-Wickes) excited the admiration of many of us by the promptness with which he volunteered for active service in the Gulf. The whole House was relieved and glad when he came back unscathed. I wish that I could voice the same admiration for some of his remarks. The country and the House have an obligation to protect young people in the armed forces from themselves. I had the good fortune to visit our forces in the Gulf before the conflict as part of an expedition that was mounted by the Ministry of Defence to allow hon. Members and members of the other place to visit the Gulf.

I was particularly impressed by an 18-year-old in the Royal Engineers. I thought that he was astonishingly mature. He understood, rather surprisingly, quite a lot of the international political elements involved. Indeed, he said to me, "A resolution must be put through the Security Council this week, Sir, because next week the Yemen may

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have the chair." He clearly understood not only what he was doing day to day but the international political backcloth against which those matters were played out. I happened to remark upon that young man's maturity and good sense to the adjutant of the unit with whom I was having lunch. He said, "You should have seen him before we left Germany. When there was a suggestion that he might not be able to join us, there were tears streaming down his cheeks."

One is lost in admiration for such bravery and commitment. It is a measure of the loyalty that individuals feel to their own regiments or units. However, we have a duty to protect people against such enthusiasm. Any age limit will be arbitrary. A 17-year-and-364-day-old individual may be very much more mature than an 18-year-and-one-day-old individual. The same applies to fixing age limits for people to go into public houses and consume alcoholic liquor. They are essentially arbitrary and will mean that people will qualify who, on a whole series of other criteria, should not. There was considerable apprehension among the public about the notion that 17-year-olds might have to risk or even give their lives, as was plainly demonstrated in the unhappy incident to which reference has already been made.

The Government should give serious consideration to that matter because our armed forces enjoy a great deal of public support, enthusiasm and admiration as a result of their professionalism and commitment in the recent conflict and, in some cases, that public support might be prejudiced or even fractured if it was thought that unnecessary reliance was being placed on individuals of only 17 years or so. This is by no means an easy matter, but I hope that the Government will act on the Select Committee's recommendations.

The Select Committee's recommendation on homosexuality—that the legal position in terms of the committing of a criminal offence should now be the same within the services as in civilian life—is entirely sensible and the Government should pay it serious consideration. Ultimately, that recommendation should find its way into legislative change. As the climate of opinion in the country changes, it is increasingly difficult to maintain that there is something so special, so significant and so different about the armed forces to justify an individual in the services being treated differently from a civilian on a question of criminal law. If that is conceded—and the logic is overwhelming—it is only a short step to the linked conclusion that to cause people to be administratively discharged simply because they acknowledge homosexuality is no longer tenable. Some people outside the House would have wished the Committee to go further, but I hope that the Government will give serious consideration to its significant recommendation.

I might have mentioned many things in this debate, but they have been more than amply covered by the hon. Member for Motherwell, North (Dr. Reid) and I do not propose to replicate what he said. However, I would not go quite as far as the hon. Gentleman on the question of the creation of a staff association or some form of representation. It is difficult for me to conceive of the armed forces going down that difficult road.

As with the preceding debate, this debate has shown the House's continuing support for our armed services, together with its proper concern to ensure that discipline is both adequate and relevant to the changed and changing role that they have to play. For that reason, I have no doubt that the continuation order will command the support of the House.

9.8 pm

Mr. David Winnick (Walsall, North): I should like to preface my remarks by paying tribute to the work of our armed forces in the Gulf. About this time last year a criminal dictator was planning the invasion of a neighbouring country. That invasion took place on 2 August. He worked on the assumption that he could get away with his criminality and aggression, but the events which occurred afterwards demonstrated that he could not do so. Whatever shortcomings have arisen from the outcome of the war, I am very pleased about what happened. We all have our own views about whether we should have completed the task, and I am aware of the feelings of the large majority of the British people. I believe that, together with our allies, we acted rightly and as we should in a totally justified conflict.

Before the House passes the continuation order, and as part of our consideration of discipline in the armed forces, it is important that we consider the way in which injured soldiers are treated. I have referred in previous debates to the case of one of my constituents, Grenadier guardsman Sean Povey, who lost both legs at the same time as two of his colleagues, John Ray and Adrian Hicks.

Of course, it is right that there should be a code of discipline in the armed forces. Indeed, it is difficult to imagine how the armed forces could operate without such a code. I assume that when people enter the armed forces they are notified as soon as possible of the appropriate codes of discipline. That is not in dispute. However, discipline should be accompanied by justice. Members of the armed forces should be able to feel that if in the course of their duties they are seriously injured they will receive compensation.

It is perfectly true that the three Grenadier guardsmen received the best medical treatment. I am sure that all that could be done was done. There was no doubt in my mind at any stage and I am sure that no hon. Member doubts that everything possible was done medically. I am also sure that the guardsmen received the sympathy they deserved. As we have already been notified, there will be a pension arrangement.

One of the injured Grenadier guardsmen has already been discharged. There are two others, one of whom is my constituent Sean Povey. The Minister has confirmed that no blame can be laid on the three guardsmen. He made that clear when I raised the matter a fortnight ago today in an Adjournment debate.

The three young guardsmen were on a training exercise in Canada. As part of the exercise, they were digging a trench and as they dug a buried shell exploded and the tragedy occurred. They lost their legs and suffered other injuries. The Minister will put me right if I have misunderstood the situation, but the Ministry of Defence position is in essence this: that the guardsmen were not responsible for what occurred, but that nor was there neglect on the part of the Ministry of Defence. Therefore, as no one was responsible, no one had liability, so there can be no compensation.

Clearly, a legal case of that kind can be built up. I accept that the Ministry of Defence has acted on legal advice, as we have been notified. But the question for the House is simple: is this justice? Is this the way in which a model employer, as the Ministry of Defence should be, should act? We are discussing discipline. As I said earlier, the code of discipline which applies to the armed forces should be accompanied by rules on other factors, including the way in which soldiers are treated. In the circumstances that I have described, I should have thought that it was right to raise the case of my constituent, and I hope that I am in order in so doing.

The Minister said that the case could be pursued through the courts. I accept that. But I ask the House to imagine the mental distress of the three people who have been crippled for life, who——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I have let the hon. Gentleman have a good run on this. I fully understand his deep anxiety on behalf of his constituent, but the matter does not arise under this order.

Mr. Winnick: As always, I accept your ruling, Mr. Deputy Speaker, as I must. My point is that we are discussing discipline which, I assume, applies to all aspects of Army life, including what happens when injuries occur. That is all part of the service men's life, and discipline as such cannot simply be seen in isolation. I shall not add much more. Perhaps with your patience, Mr. Deputy Speaker, and hopefully keeping myself in order, I can finish what I intended to say.

The three guardsmen now have the added mental distress of not knowing what any outcome in the courts would be. If the case is to be pursued, how can anyone know what will happen in the courts? It is extremely unfair that, in addition to the serious injuries that they will suffer from for life, they do not know whether their case will succeed in court.

I hope that this is related to discipline, but is the Minister willing to place in the Library a full copy of the board of inquiry report on the tragedy as I have seen only a brief summary?

Mr. Deputy Speaker: Order. I well understand the hon. Members deep concern for his constituent, but these matters do not arise under the scope of the debate provided for by this order.

Mr. Winnick: I shall conclude my remarks; and it is only right and proper that you, Mr. Deputy Speaker, should keep us in order if we stray from the subject.

I put it to the Minister that the case will continue to receive attention from hon. Members on both sides of the House. The fact that more than 200 hon. Members have signed motions on the subject and the fact that the Leader of the House said during business questions that he has discussed the case with the Secretary of State for Defence, who recognises the deep feeling shared by hon. Members, demonstrate that the matter will not go away.

As on Thursday, I plead with the Minister, because I know that he is aware of the questions put by myself and other hon. Members, to show some understanding, sympathy and compassion towards the three soldiers and to ensure that, having suffered such terrible injuries, they receive the compensation and justice to which they are entitled.

9.16 pm

Mr. Harry Cohen (Leyton): May I apologise to those on the Front Benches and to the House for missing the opening speeches of the debate? I had an unavoidable meeting elsewhere in the House and the previous debate ended a bit sooner than was expected.

I want to use the debate on the renewal of the disciplinary order to discuss the issue of homosexuality in the armed forces. I shall return to that shortly.

I also wish to raise the question of racial harassment, bullying and discrimination in the forces. Clearly, they should be disciplinary offences. I know that they are at the moment, but under current procedures the bullies are not being caught and records of such offences are not being kept, so the problem is not properly being taken into account.

This point was made by the Select Committe on Defence in a recent report. It said:

"It might therefore be better to record all incidents of bullying or assault where the victim was from a racial minority; . . . it would show whether members of racial minorities are bullied disproportionately to their numbers and would allow comparison over time."

The Committee recommended that

"MoD consider how best to identify incidents of racial harassment in the Armed Forces and keep records accordingly."

The Committee also considered racial harassment and discrimination against ethnic minorities in their employment. It said how difficult it was to

"demonstrate that there is equality of opportunity".

Therefore, the Committee recommended that

"MoD reconsider its opposition to the ethnic monitoring of Service personnel."

I ask that that should be done.

I shall not refer to the Gulf war—that has been done in other debates—but one aspect of it was that the head of the United States' armed forces, General Colin Powell, was a black service man. If he had been a member of the British armed forces, it would have been surprising if he had risen above the rank of sergeant. There is a strong suspicion that discrimination goes on in the armed forces and that the Ministry of Defence has been lax in not sorting out the problem long before now by, as the Select Committee said, keeping proper records. Otherwise the racists get away with it without being properly disciplined. That leads to the suspicion that the Ministry of Defence does not care when it comes to interpreting that part of the disciplinary order.

Earlier this year I asked a number of parliamentary questions about homosexuality in the armed forces. The answers I received revealed that, last year, 76 lesbian and gay members of the armed forces were dismissed as a result of their homosexuality or homosexual behaviour. That is the largest number of dismissals since 1987 and reversed the trend of the past two years when fewer numbers had been dismissed.

Of that 76, 40 were dismissed from the Army, 11 from the Navy and 25 from the Royal Air Force. Six of the 76 were dismissed with disgrace following court martial. All were sentenced to imprisonment ranging from 90 days to 18 months. I remind the House that they were sentenced for behaviour that is not criminal in civilian life. Those cases meant that, for the first time, lesbian behaviour was criminalised.

Mr. Tony Banks: It never has been a criminal act.

Mr. Cohen: My hon. Friend is right, but it has been criminalised by the disciplinary orders. That is wrong.

Homosexuality among members of the armed forces should be decriminalised. The Select Committee on Defence made that recommendation when it said:

> "We recommend that homosexual activity of a kind that is legal in civilian law should not constitute an offence under Service law. We look to the Government to propose an appropriate amendment to the law before the end of the next Session of Parliament."

I hope that the Minister can tell us that will be the case.

The same standards and regulations should apply equally for heterosexual and homosexual members of the armed forces. That point was made by Stonewall in its submission to the Select Committee. It argued that MOD current policy is severely flawed because it exposes service personnel to the risk of blackmail and therefore endangers national security. That is the converse of the argument that MOD still uses. It is less likely that members of the armed forces would be blackmailed if homosexuality were out in the open.

Stonewall also said that the current attitude results in the loss of good service men and women, which wastes the money spent on them and disrupts military efficiency. It also said that that attitude makes it much more difficult to ensure that effective AIDS prevention education is given to gay members of the forces. I have made a similar point in previous debates on disciplinary orders.

The hon. and gallant Member for Wimbledon (Dr. Goodson-Wickes), who served in the Gulf, said that if one allowed homosexuality in the forces one would get favouritism. I do not believe that that would happen on a large scale. Any favouritism would occur in a minority of cases only and it could be dealt with by effective management systems, which should already be in existence, when promotions are made. If sexual relationships equal favouritism in the workplace, such relationships should be outlawed for both heterosexuals and homosexuals. I do not see hon. Members rushing to do that, especially those who speedily employ their wives as secretaries or in some other post that is covered by their office costs allowance. Hon. Members are probably the worst abusers when it comes to favouritism. The numbers involved would not be great and proper management systems should be able to cope properly with that.

My hon. Friend the Member for Newham, North-West (Mr. Banks) referred to the case reported last week of the naval lieutenant and sub-lieutenant who were found in a bunk at sea. I do not want to go into the details of the case, but I want to discuss the sentence. Both admitted to charges under the Naval Discipline Act 1957 and each was fined £750 and severely reprimanded. Compare that with the treatment of all those who were thrown out of the services in disgrace and imprisoned for their homosexual behaviour. Yet this couple were fined £750 each.

Mr. Tony Banks: That may have been the penalty imposed by the courts martial, but does my hon. Friend agree that the penalty that those two young people have subsequently paid is far greater than the mere monetary fines of £750? They have become notorious in the popular press and their employment prospects are limited—indeed, severely damaged. They have paid a double penalty. Double jeopardy is not something of which any hon. Member would approve.

Mr. Cohen: I accept that both officers have been disgraced and humiliated, and so paid that extra price. That is presumably why the fine of £750 is so light—actually, it is heavy. It is light relative to the price that homosexuals pay. Homosexuals are thrown into prison and humiliated, and their prospects, too, are severely damaged. As the answers to my questions show, their penalty is far worse than that in this instance. I am not arguing for increasing sentences for this couple or other couples found in the same position. Far from it, I should like to see lighter sentences in such circumstances. Most important, the same sentences should apply to those of homosexual orientation who are found in similar circumstances.

During the passage of the Criminal Justice Bill the Home Office Minister was keen to impress on the House through press releases and in statements that there should be equality of sentences for heterosexuals and homosexuals. He said that that was Government policy. It may be Home Office policy, but clearly it has not filtered through to the Ministry of Defence. When the Minister replies, will he say whether that is the Government's policy across the board or whether the Ministry of Defence is a law unto itself and that that policy does not have to apply to it? The answer will show whether the Ministry of Defence is backward in that respect—indeed, one of the most backward Defence Ministries in the whole of Europe.

I agree with Stonewall. Homosexuality in the forces should be decriminalised. It should not be a disciplinary offence. It should not be an offence for military personnel, if it takes place off duty and outside service premises, naturally providing that it is with consent. In no circumstances should it be an offence.

It is also argued that the Ministry of Defence should set up an independent review to examine military regulations on homosexuality in the armed forces and to draw on the experience and policies of our NATO allies. Nearly half our NATO allies permit lesbian and gay membership of their armed forces. The Ministry of Defence is behind the rest of Europe, and is dragging its feet.

Mr. Bob Cryer (Bradford, South): Before my hon. Friend leaves the subject of discipline, does he have any thoughts about trade union representation in the armed forces? The Select Committee report covers the subject of homosexuality in the armed forces. I have raised the matter on several occasions, so it is nice to have a wider spread of support.

Mr. Cohen: I have spoken in debates on discipline orders about trade unionism in the forces. I support the right of members of the armed forces to belong to a trade union. That is their fundamental right. It is a human right—everyone should be allowed to join a trade union.

I do not wish to deal further with that point. My hon. Friend implied that he supports that view. I hope that in the future we will be able to persuade a Labour Government to allow members of the forces that right. That would counter the arguments about favouritism. I believe that the extent of favouritism is negligible, but trade union representation would counter that. I doubt that the Government will allow trade unionism in the forces, because they are totally opposed to it in civilian life.

I urge the Government to act on racial abuse and to ensure equality between members of the armed forces, whatever their sexual orientation. If they do not, I hope

that we will soon have a Labour Government who are prepared to consider these matters and make sensible changes. It would not cost money, but it would enhance basic freedoms and human rights.

Mr. Winnick: My hon. Friend said that it was unlikely that the Government would show much enthusiasm for trade unionism in the armed forces, in view of the attitude that they have adopted for civvy street. Does he agree that what happened at GCHQ demonstrates that in no circumstances would the Government allow military personnel to belong to a trade union, unlike some of our allies who accept and encourage trade unionism?

Mr. Cohen: One of the abiding scandals of the Government is that they abolished trade union rights at GCHQ. I was one of the rebels; I broke with discipline on the first vote on that matter. I voted against the Government when my party thought it tactically best to abstain. I thought that that was a mistake. The Opposition Deputy Chief Whip, my hon. Friend the Member for Jarrow (Mr. Dixon), is listening. I assure him that I am not in the habit of breaking with discipline, but it showed my feelings about the Government's outrageous behaviour in regard to GCHQ.

Mr. Winnick: An association of the type that we have been discussing would probably be able to pursue claims made when soldiers were seriously injured. Individual soldiers, such as my constituent Sean Povey, would not find themselves without an association to speak for them. I hope that such an association will eventually be formed to assist those in the armed forces.

Mr. Cohen: Indeed. A trade union is needed to represent individual soldiers who are treated particularly badly—and there are plenty of them. Those who feel that they have been discriminated against on racial grounds —they may even have been physically abused—cannot secure justice under the present system. But it is not only those who are currently serving in the armed forces who cannot obtain decent treatment from the Ministry of Defence. We need only think of the nuclear test veterans who, in the course of their duties, were exposed to nuclear fall-out. The fact that they cannot obtain proper compensation is another of the abiding scandals that should be hung around the necks of defence Ministers.

Mr. Tony Banks: Paragraph 43 of the Select Committee report clearly demonstrates the hypocrisy of the Government and, in particular, the Ministry of Defence. The Committee said that it considered the present position unsatisfactorily vague. The implication is that certain activities will not preclude someone from membership of the armed forces, and that each case will be considered in terms of the existing circumstances. We all know what that means: anyone who was ill advised enough to make an open secret of his trade union involvement—the same might apply to homosexuality—would put himself in grave danger of total discrimination.

Mr. Cohen: My hon. Friend has made his point very well. I am reminded of all the struggles that trade unionists have had to undergo just to be recognised. Employers hammer such people as soon as they place themselves on the line by demanding a right of association in their own best interests—or even for their own defence. The Ministry of Defence is now probably the worst employer when it comes to failing to recognise trade unions.

The problem has even been recognised in the United States. I watched a television programme called "The A-Team" over the weekend. "Hannibal" and his colleagues were fighting for the right of a few workers on the land to form a trade union; their employer was determined to crush them and treat them like slave labour. The United States culture now accepts that union membership is legitimate, and a proper way for workers to defend themselves.

Mr. Cryer: Would it not have been helpful for the nuclear test veterans to have been given trade union representation? Might that have not persuaded the Government to adopt a sympathetic point of view in relation to people who have given, and are giving, their lives for their country? The Government actually arranged for a Back Bencher to talk out the Bill proposed by my hon. Friend the Member for Sunderland, North (Mr. Clay), in a deliberate, organised effort to stop any initiative from being launched in the House to help people who are suffering a cruel fate.

Mr. Cohen: Yes, my hon. Friend is absolutely right. The Government's record on nuclear test veterans is squalid. I have been in the House when Tory Members have been getting a bad press, such as during the Gulf war and on other occasions, and they have demanded that the BBC and ITV show programmes that put them in a better light. I do not ask the BBC or ITV to put the Labour party in a better light but they have a duty to record properly what has happened in the House in relation to nuclear test veterans. Tory Members' efforts to block compensation for ex-service men and their families should be the subject of television and radio programmes. The Government should be brought to public account for their squalid behaviour and the way in which they have treated those who have suffered because of service to their country.

I have spoken for longer than I intended but I have made the two points that I wished to make on racial harassment and, specifically, homosexuality in the armed forces. I endorse what the Select Committee had to say and hope that there will be a change of policy on those issues in due course.

9.41 pm

Mr. Bob Cryer (Bradford, South): I wish to make three points on the many and varied aspects of the order, which is simple and straightforward.

First, the Ministry of Defence allowed or caused—it is not clear which—medical supplies to be wasted at the conclusion of the Gulf hostilities. A voluntary reservist, who was carrying out a public service and was not subject to the disciplinary procedures of full-time service men and women in the Gulf, gave me the information. Despite the excuse of the Ministry of Defence that the shelf life of those supplies had expired, my information was that that was not true, and that the medical supplies that were wasted and poured away by the ton could have been used on our casualties, had they occurred. Mercifully, they did not.

Although the Secretary of State wrote back to me saying that the problem was caused by the shelf life, tons of material was simply poured away by men and women in

[Mr. Bob Cryer]

the armed forces who did not go out to the Gulf for that purpose but for the best of motives. As the House knows, I was among those who disagreed with them and opposed the precipitate move to war in the Gulf. However, that reservist volunteered to assist and was appalled at the waste of resources, especially when everyone knew of the deprivation and desperation and the fact that thousands of people were starved, injured, wounded and suffering the outrages of war.

The medical supplies could have been used, but were deliberately destroyed in an outrageous act of wanton vandalism for which no one has yet been brought to book. Even if the shelf life of the medical supplies had expired, there was no need to dismantle tons of medical supplies, count them all and then repack them to send them back to the United Kingdom. That was simply to occupy the troops once the hostilities had ceased. Such is the mind-boggling mindlessness that occurs in the armed forces to keep men and women needlessly occupied.

Secondly, I usually raise in an annual debate the right of trade union membership. The Government are torn between whether to halt the headlong rush to federalism in the European Community, led by Jacques Delors, or to go along with it, saying that we should get the best out of it. We have heard those arguments and platitudes year after year as the Government have succumbed to every Common Market demand. The Single European Act, our capitulation to the exchange rate mechanism and other moves have occurred against the background of the Government's accepting the policies. It is against that——

Mr. Speaker: Order. What is the relevance of that to our debate?

Mr. Cryer: I was just about to embark on the very sentence. The relevance is that at least one Common Market country fully accepts trade union rights for its armed forces, and other Common Market countries have varying degrees of staff representation and trade union rights, albeit restricted ones. Some countries have trade union rights for their armed forces but withhold the right of service personnel to strike.

I am in favour of trade union representation in the armed forces for a variety of reasons, some of which have been mentioned. One reason is the disgraceful way in which nuclear test veterans have been treated by this Government. If the Government say that we must be prepared for 1992 and we must get in at the middle of "Europe"—although they really mean only a section of Europe in the middle of the economic Community—they may find themselves with things around their neck of which they are not in favour, such as a degree of trade union rights for members of the armed forces.

I support trade union rights, but I think that we can have them irrespective of our membership of the EEC—it is that for which we should be battling.

Mr. Winnick: Does my hon. Friend agree that if the Government are to resist—as they obviously will—any such association in the Army, they will have to demonstrate that they will treat soldiers in a proper and fit manner? That is particularly true of soldiers who, in the course of their training, are seriously injured, such as the three Grenadier guradsmen who were well treated medically and in terms of pension rights, but have not been paid one penny in compensation. We should compare their position to that of civilians. A worker in the channel tunnel lost both his legs in July 1989 and was awarded damages in the High Court of more than £370,000. However, my constituent, one of the three Grenadier guardsmen, will not receive—unless the Government relent—one single penny compensation.

Mr. Cryer: My hon. Friend makes a graphic and telling point.

I shall dwell for a few minutes on nuclear test veterans. Such people willingly served their country and participated in unusual and, for this country, unique tests, without adequate protection. They received damaging doses of radiation, but the Government have simply turned their back on them.

My hon. Friend the Member for Sunderland, North (Mr. Clay) introduced a private Member's Bill when he was lucky enough to come in the first 10 in the ballot. His Bill was framed around similar legislation in the United States, where the Government have not turned their back on American nuclear test veterans and have introduced a system of compensation. The British Government deliberately blocked my hon. Friend's Bill and connived to stop legislation for people who are fatally injured and have given their lives for this country. Those people did not make a conscious decision to do so at the time because they were not given the proper information. They were not given adequate protection and were exposed to danger.

In ordinary, civilian terms, those veterans suffered because of negligence, as my hon. Friend the Member for Walsall, North (Mr. Winnick) said. The accident in which they were involved could reasonably have been foreseen given the state of scientific knowledge at the time. However, the information was not revealed to the troops and that act of negligence should lie at the door of the Government, who should acknowledge it.

My next point relates to discipline and the position of Army, Navy and Air Force personnel with regard to nuclear weapons. I believe that it is the perfect right of any member of the armed forces to refuse to take part in the deployment and use of nuclear weapons. They have a right of conscience so to refuse without any disciplinary consequences. We forget that nuclear weapons would involve the environmental destruction of our planet and of humanity on a scale that we have never experienced before. The Minister may say, "In certain circumstances, we must be able to use nuclear weapons. That threat is the whole purpose behind nuclear weapons. If we use them we have failed, but we must have the right to use them." I do not accept that people have that right. I deny the right of any Front Bench, on either side of the House, to invoke mass extermination as a means of conducting international affairs.

Mr. Ken Hargreaves (Hyndburn): Rubbish.

Mr. Cryer: The hon. Member for Hyndburn (Mr. Hargreaves) says that I am talking a load of rubbish, but nuclear weapons involve the threat of mass extermination. One hundred and forty one nations have said, "We will have no nuclear weapons." The Ministry knows that we are a signatory to the non-proliferation treaty, and if the Government are really serious about a peaceful future and about preserving the planet, they must obey that treaty.

The Government were keen enough to support the United Nations when that suited their book, over the Gulf

—so they should support also the non-proliferation treaty. They must honour and abide by the two review conferences, which declared that nuclear nations such as the United Kingdom must renounce the deployment and potential use of nuclear weapons.

To do so would not be to leave ourselves naked and defenceless. It would be to agree with the majority of the nations of the earth, which, thank goodness, do not follow this nation in manufacturing and deploying nuclear weapons. If they do, our planet and humanity will be doomed—and I deny that path for this nation or any other.

I welcome the non-nuclear commitment made by 141 nations. Our armed forces should have the right to say, "No, we will not participate in the extermination of mankind and womankind." The disciplinary Act should therefore reflect that serious and important qualification on every single occasion.

9.51 pm

Dr. Reid: With the leave of the House, I will comment only briefly to give the Minister some time in which to respond.

This has been a good debate. Apart from anything else, it has gone beyond the formalities and mechanics of discipline and into a large number of areas and even into common sense. Very often, we do not see the wood for the trees. There is great merit in having, not a technical debate, but one with some common sense. I am reminded of the cavalryman who was upbraided by his senior officer because he was wearing only one spur. When asked why, he gave what I think was an excellent answer—that he reckoned that if he got one side of the horse moving, the other side would probably follow. So, although he was in breach of regulations, he probably had more common sense than some of us.

My hon. Friend the Member for Leyton (Mr. Cohen) had a good run around the houses. He made only two mistakes. The first was to remind us publicly that he had broken party discipline on a number of occasions, and the second was to admit to watching "The A-Team"—neither of which bodes very well for his future, if we get into government.

The hon. and learned Member for Fife, North-East (Mr. Campbell) and my hon. Friends the Members for Leyton and for Newham, North-West (Mr. Banks) returned to the question that occupied us a great deal tonight—that of homosexuality. I will not add to my earlier remarks, except to comment on what my hon. Friend the Member for Newham, North-West called the "dashing lieutenant" and the "randy Wren". That incident strengthens to some extent the Government's case, because they can claim with some consistency, "It is not just homosexuals we are thinking of but heterosexuals—and where there is any physical contact or favouritism, they must suffer the full weight of discipline as well."

In other ways, the Government's cause is weakened. If the same law is applied, every heterosexual who is capable of ending up in the same position as the "dashing lieutenant" and the "randy Wren"—even if not practising —would find themselves dismissed from the service, whereas mere homosexuality, let alone homosexual activity, is an offence.

The hon. Member for Wimbledon (Dr. Goodson-Wickes) spoke from considerable experience. I was interested in what he said about under-18-year-olds. The hon. Gentleman said that he was told by a 17-year-old that a few weeks in a tank in the Gulf had enabled him to grow up more than during the previous part of his life. I am 44, and if someone had stuck me in a tank in the Gulf I would probably have grown up more in those few weeks than in the previous part of my life. Such experience is no rationale for allowing under-18-year-olds to go into battle.

I agree with the hon. Member for Wimbledon that there should be consistency between the services, but there must also be consistency about the age at which people are allowed to go on active service overseas in defence of their country and the age at which they are entitled to participate in other adult activities such as voting or going into a public house. The inconsistency about that worries the public.

My hon. Friend the Member for Walsall, North (Mr. Winnick) showed considerable ingenuity in his speech and in two interventions by raising a case which could have been out of order in the debate. We share his deep regret at the accident to his constituent and fully understand why he is pursuing the issue of compensation.

Some hon. Members spoke about racial discrimination and ethnic minorities. No doubt they are aware of the two useful recommendations in the Select Committee report.

I thank the members of the Committee for their assistance to me and to my colleagues. I thank the Committee Clerks and the MOD witnesses who were subjected to what has been called robust questioning. They showed the sort of stoicism that is displayed by service men and women. Finally, and most importantly, we thank the service men and women on whose behalf we have been holding these discussions. I reiterate that, although we are debating breaches of discipline, penalties and punishment, they arise only in the minority of cases because the vast majority of British service men and women operate to a standard of discipline that is a credit to them all, their own self-discipline. For that we thank them.

9.56 pm

Mr. Archie Hamilton: This has been a wide-ranging debate and many of its topics have been raised before in armed forces debates. Some of them are old chestnuts.

The hon. Member for Motherwell, North (Dr. Reid) spoke about ethnic monitoring. We have taken the view that in-service monitoring could be divisive in a close-knit community such as the armed forces. While we continue to have reservations about the applicability of monitoring to the armed forces, the Select Committee has asked us to reconsider our opposition and we are looking at the practice of other employers.

Monitoring of entrants to the services shows a low percentage of people from ethnic minorities. We reckon that ethnic minorities form 5·7 per cent. of the 15 to 24-year-old age group from which we hope to recruit. Applicants from ethnic minorities form about 1·6 per cent. and entrants are about 1·1 per cent. By any national comparison the percentages are far too low and we are not happy about that.

I do not know what can be achieved by some sort of monitoring of people who are in the services. Should it be done voluntarily, in which case members of the ethnic minorities in the armed forces might decide not to fill in the form? I do not think that we should force them to do so. Alternatively, perhaps senior officers could submit a return

[Mr. Archie Hamilton]

showing the ethnic origins of people in their units. It is not easy to see how that could be done, and I suspect that if it were it would show the same percentages as those that can be produced from an examination of entry forms.

It is much more important to address the problem by improving recruitment in areas where there are concentrations of ethnic minorities. That can be done by advertising and by other means to increase the numbers of people who are joining the services.

Mr. Tony Banks: There is no need for the Minister to reinvent the wheel. If he wants to know how to increase the number of ethnic minority recruits and, more important, how to retain them, he should talk to the Metropolitan police, who have experienced these problems. It is not good enough for him to say that he is dissatisfied with the low level of recruitment from the ethnic minorities. Has he ever asked the reason why? It is that they are put off by the stories and the knowledge of the racial harassment and discrimination in the armed services. That is not my prejudice but the experience of black people.

Mr. Hamilton: That is the hon. Gentleman's story. I do not know, and we make inquiries about, why such people do not join more readily. The answer is not as simple as he suggests.

Several hon. Members have referred to the deaths of two young service men in the Gulf conflict—a matter of great regret and sadness. I assure the House that we shall consider carefully whether service men under 18 should be sent on active service overseas, and we shall report our conclusions to the House in due course.

We have always taken as our criterion whether service men are well trained. If we feel that they have reached their peak of efficiency in doing their job, we feel that we can send them off and ask them to fight. I regret that the hon. and learned Member for Fife, North-East (Mr. Campbell) is no longer present. He made the point that any age limit is arbitrary. As to maturity, some of us take longer to come to maturity than others. It is not necessarily age related. We have also to take into account that if younger trained service men are removed from a unit, the ability of that unit to fight is reduced. However, we shall look at the matter to see whether we can do anything.

The issue of homosexuality was raised, as it invariably is, by Labour Members. Only they could seriously suggest that homosexuals should be allowed to serve in the armed forces. It is extraordinary that they believe that that would work. It is a long-standing policy that both homosexual activity and orientation are incompatible with service in the armed forces. The main reason centres on the need to maintain discipline and morale. The services are hierarchical, close knit, overwhelmingly single sex and young communities. Units can work to full effectiveness only on the basis of mutual trust and the expectation of equal treatment among each rank. The formation within these units of sexually motivated relationships are potentially very disruptive of discipline and morale, particularly when they cross rank boundaries.

It is worth making the point that very young service men must have the permission of their parents to join. I believe that such permission would be less forthcoming if parents thought that there was any risk that senior ranks of homosexual non-commissioned officers, and indeed commissioned officers, might use the advantage of their rank to coerce young service men into activities in which they would not otherwise want to take part.

Our practice is that the majority of service personnel who are required to leave the services on grounds of their homosexuality are administratively discharged—a point brought up by my hon. Friend the Member for Wimbledon (Dr. Goodson-Wickes). Therefore, there is no question of such people having a criminal record on account of their homosexuality. Prosecution under the service discipline Acts occurs only in a minority of cases and will always be considered where there are grounds for believing that a civil offence has been committed. On conviction, dismissal from the service will almost certainly follow.

We will carefully consider the Select Committee's recommendation that homosexuality, which is no longer an offence under civil law, should not constitute an offence under service law. I should make it clear that there is no specific service offence of committing a homosexual act or of being a homosexual, but a homosexual act that would not be an offence under civil law may be used as the basis for a prosecution for certain offences unique to service law, including conduct prejudicial to good order and discipline, and disgraceful conduct of an indecent kind. I can give no undertaking on timing; it is a complex area of law. The recommendation would put homosexuals in a more advantageous position than heterosexuals and lesbians. I do not want to make changes that affect the public perception of our position on homosexuality on which there must be no doubt.

The hon. Member for Motherwell, North also raised the question of the composition of courts martial. He suggested that it might be better if courts martial contained one non-commissioned officer or similar person because he thought that in some way better justice would be served. Courts martial and civil courts are not directly comparable. Unlike civil courts operating with juries, courts martial are essentially disciplinary courts which consider matters of fact and of law, and which decide both finding and sentence. Although only about 20 per cent. of the members of courts martial rise from the ranks, they know their men far better than their equivalents did 30 or 40 years ago. The conditions in which they operate, such as in Northern Ireland or on board ship, ensure that junior officers especially are as in touch with their men as are senior non-commissioned officers.

No call for the idea has come from members of the forces. The most recent major study in the forces, which was carried out in 1985, concluded that it would not improve the quality of justice and would not give the appearance of its being improved. A court martial may consider service offences such as flying offences in which the qualifications and service knowledge of the court would be essential in deciding the facts of a particular case. It is right that the judicial role should remain with those who are ultimately responsible for discipline. I have no anecdotal evidence, but I know that in the United States other ranks have the right to have one of their own on a court martial. Only 1 per cent. of them exercise that right.

The Labour party, as one has come to expect in these debates, raised the question of trade unions. We take the view that the active involvement of trade unions or professional associations could run counter to the principle that service personnel should not engage in any activity that might conflict with their service duties. In the

past, we have resisted a precise definition of an unacceptable trade union activity, mainly because the criteria drawn up would inevitably be more restrictive than those presently allowed. However, we will study carefully the recommendation of the Select Committee that appropriate regulations are codified. We will consider whether we can provide more detailed guidelines.

We believe that we already have an efficient and well understood communications system with all members of the armed forces through the chain of command. That is further supplemented by regular attitude surveys with those remaining in and those leaving the services. In addition, teams from each service visit a number of units each year to answer questions and to listen to the concerns of regular service men at first hand. The question of greater representation by trade union or staff federation is never a significant factor in the investigations. I therefore endorse the Select Committee's view that no other form of representation is required.

The hon. Member for Newham, North-East——

Mr. Tony Banks: North-West.

Mr. Hamilton: The hon. Gentleman raised the question of racial harassment. The Select Committee accepts that compiling statistics on bullying would be subject to difficulties. However, we will give careful thought to the recommendation that we consider how best to identify and record incidents of racial harassment in the armed forces. The hon. Member for Newham, North-East——

Mr. Banks *rose*——

Mr. Hamilton: I am not giving way.

Mr. Banks: On a point of order, Mr. Speaker. The Minister is foolish not to give way. I realise that in his speech which someone has written for him it probably says that I am the hon. Member for Newham, North-East, but I happen to be the hon. Member for Newham, North-West. That is all I wanted to say. Get on with your speech, Sir.

Mr. Speaker: The point of order was for me.

Mr. Banks: Of course, Mr. Speaker. I did not want the Minister to take time out to get a drink because he did not deserve such a break.

Mr. Hamilton: I apologise to the hon. Member for Newham, North-West (Mr. Banks). I am grateful to him for putting me right. I am also terribly grateful to him for asking me to the Theatre Royal, Stratford to see the play about the maltreatment of blacks in the armed forces.

The hon. Gentleman raised a difficult problem. We hear of people who have left the armed forces and say that they were discriminated against during their time in the forces. It would be much more useful if they complained at the time. If they did, such allegations would be investigated by senior officers, and there is no doubt that any form of bullying or racial discrimination or harassment would be seriously investigated and dealt with. We cannot do anything if black service men leave the services and then say that they were discriminated against, because at that stage it is impossible to obtain evidence of what has gone on. If people want to help, I can only encourage them to bring the matter to our attention earlier. If there is evidence—and I do not know whether there is—of racial harassment in the services, we can deal with it only if complaints are raised at the time, rather than later.

I share the hon. Gentleman's concern about the publicity involving the Royal Naval officer and the Wren in a recent case which came before a court martial. Having said that, I do not think that there is any reason to change the no-touching rule. It is absolutely right to have such restrictions on board ship. If we do not, we shall have serious difficulties.

The hon. Gentleman asked about holding the case in camera. Either side can apply for a case to be held in camera on the grounds that it is necessary or expedient in the interests of the administration of justice to do so. I am afraid that I cannot comment further on that case.

The hon. Member for Walsall, North (Mr. Winnick) referred to a matter that he has been raising for some time —the case of the three guardsmen who had their legs blown off and were badly injured while digging a trench in Canada. The hon. Gentleman goes on endlessly about the fact that they receive no compensation but ignores the fact that they are being quite well looked after under the arrangements that we have—the pension from the armed services and the DSS war pension. Former Guardsman Hicks also receives the mobility supplement and clothing allowance, although that does not apply to the other two guardsmen as they are still in the Army and will not be discharged until as much as possible has been done for them in medical terms.

I think that I am right in saying—within a few pounds —that the total amount that Guardsman Hicks receives is £8,984 a year. That sum is tax free and index linked, and the equivalent lump sum would be about £200,000. That is a significant amount.

The guardsmen have made very good recoveries indeed —especially Hicks, who is looking for a job at the moment. I think that he has applied for unemployment benefit in the mean time and I sincerely hope that he will get a job. He is not debarred from sedentary jobs such as those that many of us have and he could receive serious earnings on top of that money—already the best part of £9,000 a year, tax free and index linked, for the rest of his life.

Mr. Winnick: I am not the only hon. Member who has raised the case. The Minister will know that a number of his hon. Friends are doing so—rightly in my view. Is the Minister aware that the three guardsmen themselves are not satisfied? It is all very well for him to mention the sum in question, which is not in dispute, but the guardsmen do not feel that justice has been done. If they did, they would not have contacted hon. Members. Moreover, they would not be in contact with their solicitors and would not now be considering taking the case to court. The three young men—Sean Povey is only 21—have lost their legs and suffered other injuries and they feel that they are entitled to compensation in addition to the pension. Like other hon. Members—more than 200 on both sides of the House have signed the motion—I believe that they are absolutely right to press their case.

Mr. Hamilton: It would be a funny old world if we paid compensation—large lump sums of taxpayers' money—to people just because they were not satisfied with the pension arrangements made for them.

Mr. Winnick: Having lost both legs?

Mr. Hamilton: We have to assess whether £9,000 a year, tax free and index linked, is a reasonable settlement—it will never be that generous—in the light of the injuries that those young men suffered, and taking into account the fact that they are more than able to get a job giving them earnings in addition to that money.

The hon. Member for Motherwell, North had the cheek to suggest that the Ministry of Defence was a complete shambles and that we might end up with a smaller budget and no defence strategy whatever. Coming from the Labour party, that is pretty cool. If anyone can tell me what Labour party policy is on anything or how much Labour's defence budget would be if there were ever a Labour Government, that person is much cleverer than I. Labour Members have given no information about their defence policy. They are lying very low. Before they start hurling stuff at us, they should reveal what Labour's policy is likely to be.

Question put and agreed.

Resolved,

That the draft Army, Air Force and Naval Discipline Acts (Continuation) Order 1991, which was laid before this House on 7th June, be approved.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committee on Statutory Instruments, &c.).

ROADS AND BRIDGES (SCOTLAND)

That the Erskine Bridge Tolls Extension Order 1991, dated 12th May 1991, a copy of which was laid before this House on 17th May, be approved.—*[Mr. David Davis.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committee on Statutory Instruments, &c.).

COMPANIES

That the Companies (Fees) Regulations 1991 (S.I., 1991 No. 1206), dated 20th May 1991, a copy of which was laid before this House on 20th May, be approved.—*[Mr. David Davis.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committee on Statutory Instruments, &c.).

AGRICULTURE

That the Home-Grown Cereals Authority Levy (Variation) Scheme (Approval) Order 1991, dated 2nd May 1991, a copy of which was laid before this House on 13th May, be approved.—*[Mr. David Davis.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith pursuant to Standing Order No. 102(9) (Standing Committees on European Community documents.).

DATA PROTECTION

That this House takes note of European Community Document No. 8460/90 on protection of personal data; and considers that any Community legislation should so far as possible be based on the approach set out in the 1981 Council of Europe Convention on data protection.—*[Mr. David Davis.]*

Question agreed to.

Empty Properties (Liverpool)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. David Davis.]*

10.15 pm

Mr. David Alton (Liverpool, Mossley Hill): I am grateful for the opportunity to raise the issue of empty property in Liverpool. At the outset, I want to thank the Under-Secretary of State for the Environment, who will reply to the debate, and the hon. Member for Hyndburn (Mr. Hargreaves) who introduced a Bill about empty houses last year. He hopes to catch your eye later, Mr. Speaker, to raise some points in addition to those that I will make. I am also grateful for the presence of my hon. Friend the Member for Southport (Mr. Fearn) who has raised the issue of empty properties in Merseyside and the Liverpool area on a previous occasion.

I want to begin by putting the debate in context. At present, throughout the United Kingdom there are about 700,000 empty properties, of which 586,000 are in the private sector, 92,000 are owned by local authorities, 19,000 are owned by housing associations and 30,000 by the Government. In the north-west region, 74,657 private properties are standing empty; 24,563 are owned by local authorities, 2,560 are owned by housing associations and 2,571 by the Government.

I want now to contrast the position in Liverpool with that in other cities. In Newcastle, there are 6,790 empty properties. In Manchester, there are 10,760. In Birmingham there are 10,900 and in Sheffield 8,810. Regrettably, this is another of those league tables of which Liverpool is top. According to Mr. Peter Bounds, who is the chief executive of Liverpool city council, at the moment there are 5,733 local authority properties standing vacant in the city of Liverpool. The council admits that some of those have been empty for as long as four years.

In addition, 7,000 properties in the private sector are vacant, and 931 are owned by housing associations. Liverpool city council confirms that if tenants had been living in properties which it owns and which are vacant at present, about £4·5 million of rent would have been collected in the past 12 months alone. That might have helped to offset the £70·99 double poll tax that Liverpool community charge payers are now being forced to pay in lieu of uncollected poll tax. It might also have been a modest contribution to the staggering £800 million city debt which currently burdens the ratepayers of Liverpool.

Massive interest charges, which must be met by Liverpool people, may benefit Swiss and Japanese moneylenders, but they cripple the local administration so much that it has no resources to run local services or to maintain, manage or let properties efficiently. The result is that properties stand empty. They are unrepaired and increasingly vandalised. That, in turn, makes them even more difficult to let.

Trapped in that vicious circle, what has Liverpool done? It has resorted to the unimaginative and costly remedy of demolition. In the past 10 years, Liverpool's Labour council has demolished 12,000 properties. The outstanding debt on the properties that have been demolished is still £23·9 million. That is money still to be paid on properties that have now been pulled down. In the past five years, 6,878 properties have been pulled down in Liverpool—properties that were standing empty. The outstanding debt on those properties is £13·5 million.

Last year alone, 694 properties were demolished at a cost of £376,000 and with outstanding debts of £1·25 million left as a continuing burden to the community charge payers of Liverpool. The council intended to demolish a further 3,500 properties with outstanding debt charges of £8 million. Although the number of properties to be demolished is likely to be reduced to about 1,000, it is an unimaginative, costly and scorched earth approach to the problem.

When I was first elected to Liverpool city council in 1972, the council decided to build an estate called Netherly. Within 12 years, that estate has been so badly neglected, so badly maintained and managed that, with 48 years of debt charges still outstanding, the council had to pull down many of those dwellings—dwellings that had been standing vacant for the previous four or five years.

The hon. Member for Ealing, Acton (Sir G. Young), who is the Minister in the Department of the Environment, knows of a case in my constituency because I have raised it specifically with him. In the St. Andrew's Gardens complex, which is also known as the Bullring, several hundred properties are currently vacant. From the discussion that I held last Friday with housing corporation officials in Liverpool, I know that there is a welcome new Housing Corporation initiative aimed at the Bullring which will involve volume builders, housing associations and the local authority. I hope that Ministers will give it a positive response. Otherwise, the properties will continue to stand empty and blight this area, which is in the very heart of the city, for many more years to come.

When Archibishop Derek Worlock recently carried out a pastoral visitation to that community, he expressed grave disquiet at the appalling conditions in which he found his cathedral parish now living. He has registered his fervent wish that the remaining community be kept together and a housing initiative be taken as a matter of urgency.

One example from that Bullring area, which I have already drawn to the attention of Ministers, is a graphic illustration of the scale and nature of the problem. A gentleman called Michael Stetch lives in a property in Gill street. It is in a corporation complex which, within the past 10 years, has had more than £30,000 spent on improving and modernising it. Within five years, Mr. Stetch decided to take up the right to buy under the Government's right-to-buy legislation and purchased one of the flats. Within another two years the city council decided not to fill any vacancies that occurred in blocks because it decided to demolish them. These are properties on which £300,000 of public money has been spent. The property that is owned by Mr. Stetch, which was bought by that tenant under the right to buy, has now been put in a demolition programme. All the other properties in his block are not being relet and have been left vacant. Now his home is to be compulsorily acquired by the Department of the Environment and demolished. That is the economics of the mad house. I hope that the Government will look at that staggering waste of public money.

There is waste in the private sector, too. The Government must treat the issue comprehensively. In Liverpool, in addition to the 5,500 empty council properties, there are 7,000 empty properties in the private sector. Recently, I wrote to a company in Birmingham, J. Saville Gordon Group plc, concerning a property at 122 Salisbury road, Wavertree. The property had been empty for several years. Its owners, a very large property agency, admitted to me in its reply that it had forgotten that it owned the property, and said that it was grateful to me for drawing the matter to its attention. In fairness, it then said that it would put in hand the rehabilitation and renovation of the property. Although I am grateful for the agency's candour, one must still be critical of the fact that a large property company could so easily forget that it even owns such a property as part of its portfolio. Criticism also stems from the detrimental effects of its empty dwelling on the nearby community.

Every empty property represents a curse on the community. Empty homes become derelict homes and tinder boxes that are easily and regularly set on fire, or they become a target for vandals. Empty homes are a breeding ground for vermin and a public health risk. Empty houses are used as rubbish tips, or as a convenient dumping ground. In a city where some districts have now not seen a refuse collector or a bin man for 13 weeks that means that they are often piled high with rubbish. Children then use them as local playgrounds. They risk contracting deadly diseases such as HIV or hepatitis B from the syringes that have been dumped in the properties. Empty houses are a catalyst for creeping dereliction and decay, which gradually erodes an entire terrace or neighbourhood.

I should like to quote from letters that I have received from constituents who can express far more eloquently than I can the problem of having to live next door to or in the same street as an empty property. Only this week, I received a letter from Mr. B. McKeown of 33 Cromer road, Liverpool 17. The Aigburth area, where Mr. McKeown lives, is a pleasant suburb. Despite all the caricatures that have appeared in the national media in the past few days, many parts of Liverpool are pleasant areas in which to live. However, despite the fact that Aigburth is a desirable residential district, it none the less contains vacant dwellings that cause the sort of problems that are described in Mr. McKeown's letter, which states:

"The nature of my concern is that this empty house has become a target for local vandals and its condition is deteriorating from day to day. Already there are virtually no window panes intact at the back of the house and the front windows are beginning to be 'put in'. There is open access to the yard of the house and the back door appears to be open . . . something needs to be done to get the property properly secure in order to prevent any of the potential hazards for local residents that neglected derelict buildings entail. I refer to possible drug and solvent abuse on the premises, physical danger to curious children (from broken glass and fittings etc.), potential violence and sex crimes against children and adults, 'bolt-holes' for burglars, increased incidence of house break-ins for the immediate neighbours, fire hazards, damage to neighbouring property from vandals. The list is endless."

I could replicate that letter with many more examples. My secretary, Mrs. Barbara Lewis, has taken nine letters from our files, dated 23 April, to show the range of letters that I sent on just one day to different departments in Liverpool about properties such as 70 Gladstone road, another on the corner of Cecily street and Wavertree road, and others in Royston street, and in Edge lane in Edgehill. There are many such properties in different parts of my constituency and throughout Liverpool as a whole. They are a bane to the people who have to live alongside them.

I have been given details of a particularly bad example by Councillor Mrs. Cathy Hancox who has complained about a property at 90 Ashbourne road in Aigburth, Liverpool 17. That case was so bad that it was considered by Liverpool city council, which resolved that the property was

[Mr. David Alton]

"(a) an environmental eyesore and is detrimental to the immediate residents.
(b) the site is used for drug activities and anti-social behaviour; and
(c) as a result of (a) and (b) residents in the immediate area are living under a great deal of stress and emotional trauma."

Inevitably, the council found that the legislation was inadequate to force that property to be put back into proper use. Again, I could replicate that experience with examples from many parts of my constituency. They provide just a glimpse of what it is like for those who are unlucky enough to live next to such properties.

There is one reason above all others why this issue should be tackled head on. The fact that 700,000 properties stand vacant in our country today is an affront to the 150,000 homeless people in Liverpool and the 2 million families that Shelter says needs homes.

On 27 December 1990, *The Guardian* reported that the Minister had come to the same conclusion. The report stated:

"The Government is believed to be considering legislation to make up to 100,000 empty private homes available to the homeless.

A Department of Environment analysis is believed to have concluded that nearly one in six of the 600,000 empty properties in the private sector are empty for no justifiable reason."

That is a conclusion with which I concur. I hope that the Minister will be able to tell us tonight how that initiative is doing.

During the 1970s I served as the housing chairman of the Liverpool city council and as chairman of its special working party dealing with homelessness. For the past decade I have also been a trustee of Crisis, formerly Crisis at Christmas, which is the biggest charity in Britain dealing with homelessness. The Minister will know that this year we have allocated £1·96 million to 250 projects. Although Crisis welcomes the Department's £96 million London street homeless initiative, we expressed disappointment that only £3 million has so far been specifically targeted for other cities such as Liverpool and Manchester.

Stuart Craig, the director of Crisis, said:

"Our grants announced today will do much to help those who are living the nightmare of homelessness. But to ensure that people in the future do not have to suffer the same fate the Government must make the provision of cheap and affordable housing its number one priority."

Large numbers of Liverpool people drift to London and become homeless. Centrepoint in Soho says that over 10 per cent. of the homeless young people whom it saw last year came from the north-west of England, primarily from Liverpool and Manchester. It says:

"For too many of the young people we see, they have been homeless in their own area before moving to London and they have no option but to move to London where they presume they will have a greater opportunity of finding employment and accommodation. All too often, of course, they end up either on the streets or in emergency shelters.

Centrepoint would also be keen that homeless people from Liverpool wishing to return home could have access to housing in their 'home area'."

What can the Government do? Clearly, they can match the problem of homelessness and the drift to London by trying to put back into use the great resource of empty homes in areas such as Liverpool. They could draw up a register such as that suggested by Shelter, so that we can identify the empty properties in the country. They could take punitive action against those, whether in the public or the private sector, who deliberately and wantonly leave properties empty and allow them to become derelict eyesores and breeding grounds for vermin. Such houses are often festering, dangerous, broken-backed properties. Instead, they could provide somewhere for people to live. These are simply and clearly home truths, with which I hope that the Minister will agree. I hope that he will address some of the points that I have raised tonight.

10.31 pm

Mr. Ken Hargreaves (Hyndburn): I am grateful to the hon. Member for Liverpool, Mossley Hill (Mr. Alton) for allowing me to take part in this short debate. The position in Liverpool that he described is a scandal. The Labour council is a disaster for all the people of Liverpool. But it is especially disastrous for the poorest members of the Liverpool community, many of whom are trying to bring up children in bed-and-breakfast accommodation where family life is impossible. That that can be allowed to happen is bad enough, but that it can be allowed to happen when there are more than 5,000 empty council properties in Liverpool is disgraceful. It shows that the Labour council in Liverpool does not care or is completely incompetent—or both. Whichever it is, the position is a disaster for many Liverpool families who deserve better.

Unfortunately, under a Labour-controlled council, the position in Liverpool will not improve unless my hon. Friend the Minister intervenes. Therefore, I ask him to examine closely the Empty Property and Community Aid Bill, which I introduced in 1988, with the support of the hon. Member for Mossley Hill. The Bill would help Liverpool enormously because it would ensure the maximum possible use of houses left empty for many years.

The mere existence of large numbers of empty properties is evidence that new initiatives are needed. The Bill would require local authorities to register all empty residential property and provide the Secretary of State for the Environment with an annual statement of their strategy for bringing back into use any empty properties that they own. Councils would be obliged to allow community groups such as housing associations and other voluntary bodies to use empty properties in their possession for housing homeless families unless the council can give a good reason why the properties should remain empty.

Clearly, there can be no reason why 5,000 properties in Liverpool should be empty. If the Empty Property and Community Aid Bill were law now, thousands of Liverpool families would have had the opportunity to be rehoused, an opportunity now denied them by the incompetence of the Labour-controlled council.

10.34 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tim Yeo): I congratulate the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on obtaining this opportune debate at a time when, once again, Liverpool is the focus of national attention. The voters of Walton are now confronted with the real face —or should I say faces—of the Labour party. The Labour party has sought to obscure one of those faces for the past two years. The hon. Gentleman rightly condemned the Labour party's past policy in the city.

I share the aims of the Bill introduced by my hon. Friend the Member for Hyndburn (Mr. Hargreaves).

The Government entirely reject the figures from Shelter which the hon. Member for Mossley Hill quoted. They are a gross exaggeration and are almost entirely without foundation in terms of the relationship that they bear to the true numbers of homeless.

I agree that we must make much better use of the existing housing stock. The existence of so many vacant properties, particularly those in the hands of local authorities, is nothing short of a national scandal. It must be addressed as a matter of urgency. As the hon. Member for Mossley Hill said, at the last count there were 100,000 empty council houses in the country of which more than 5,000 were in Liverpool. That is deeply disturbing. It is all the more unsatisfactory against the background of large numbers of empty properties in the private sector to which the hon. Member for Mossley Hill also referred.

That situation has been brought about largely by decades of hostility to the private landlord. Alas, that hostility, even though it is expressed by the Opposition alone, is enough to deter the majority of private landlords from risking the future security of their property by letting it in case of retrospective changes in legislation.

Almost 9 per cent. of the dwellings in the public sector in Liverpool are now vacant. Almost 6,000 properties are now lying vacant and are deteriorating. The reckless policies and the gross mismanagement of the Militant administration in the mid-1980s must take the main share of the blame for that state of affairs. That state of affairs has even been acknowledged by the former leader of the Liverpool Labour group, Mr. Coombes. After his resignation, he described the Labour-run council as

"the worst landlord in Liverpool, probably in the country".

He went on to acknowledge that

"The council's problems are not down to resources."

Even when the Liberals were in control of Liverpool council in the early 1980s they failed to tackle the difficulties that the city then faced. The hon. Member for Mossley Hill has already admitted that he was chairman of the housing committee for part of that time.

Mr. Alton: I was chairman in the 1970s.

Mr. Yeo: I beg the hon. Gentleman's pardon.

The policy of total municipalisation as the answer to long-standing problems of disrepair has had a further damaging impact on the state of affairs in Liverpool.

In the 1980s, the Government urged the council to follow a pluralist approach of repairing and renewing existing stock, and, where necessary, of providing new housing for rent and sale. The city council not only disregarded that advice at the time, but set out on a deliberate policy of municipal new build. By doing so it spent disastrously beyond its means and created enduring difficulties for its successors and the people of Liverpool.

If any evidence is needed of the utter folly of expecting a monopoly local authority landlord to offer an effective response to the housing needs of a great city, one need look no further than Liverpool. The council pursued that policy through the late 1980s, and that exacerbated the difficulties already faced by the city and created a financial albatross that now inhibits the efforts of the city council. It will continue to do so for some time.

There is no sign whatever that either of the Labour candidates in the Walton by-election have learnt that lesson. The real Labour candidate, as so-called, Lesley Mahmood, served as an official Labour councillor. How can we expect Labour candidates to learn that lesson when the Labour party leadership is still wedded to the idea of meeting every housing need by pouring more and more money into local authority hands regardless of how it is spent? When it comes to housing policy, the Labour party is still living in the 1950s.

The Government consider that in renewing the fabric of social housing we must provide choice and diversity of tenure. Tenants must have a measure of control over their environment and living conditions. Problems can often be solved simply through better management, especially where the greater involvement of tenants can be achieved. It is no coincidence that there are no estate management boards in Liverpool, despite its appalling problems.

The strategy developed by Labour for running Liverpool's housing in the mid-1908s involved channelling huge resources into a limited number of areas and leaving the remainder of the stock to deteriorate. Liverpool's record of managing and maintaining the great majority of its stock in recent years has been abysmal. Its rent policy has been equally disastrous, with no increases for almost eight years up to last year. The result has exacerbated the maintenance problems. Despite those low rents, it has failed to collect no less than £23 million. Furthermore, the council has deliberately chosen to work against the grain of Government policy, ignoring the role of housing associations as the main providers of new social housing and rejecting the enormous potential offered by the private sector.

The Government have responded in a number of ways. We are allocating large sums under our estate action programme to enable properties to be refurbished and reoccupied. Since the more moderate Labour administration of Councillor Harry Rimmer came to power, a large number of properties on five estates are being dealt with through the allocation of more than £35 million from the estate action programme.

As with other estate action programmes, that involves the residents of the estates in close discussions with the city council over the way in which their homes can be repaired. I am pleased to say that residents are responding enthusiastically. Even the city council is now keen to press ahead, although its financial difficulties, the result of putting into practice socialist dogma in the mid-1980s, is limiting its response.

The leader of the council, Harry Rimmer, has taken an initiative in conjunction with the chairman of the Housing Corporation, Sir Christopher Benson. The so-called Rimmer-Benson initiative proposed collaboration with several volume private house builders who would refurbish or convert blocks of vacant housing. The improved houses or flats would then either be sold or transferred to housing association ownership for rent, or rented within the private sector. There may also be opportunities for the involvement of housing co-operatives. That would address directly the problem of the many vacant properties in Liverpool.

Officials from my Department are working with Liverpool city council and the Housing Corporation to prepare a detailed assessment of the possibilities. I expect a report to go to my hon. Friend the Minister of State soon.

A further initiative offers prospects of improved housing. Hon. Members will know of the Government's policy on housing action trusts. It is based on the

[Mr. Yeo]

successful renovation of the Stockbridge village in Merseyside. The recent agreement by residents to a HAT in Hull has stimulated Liverpool to consider whether it, too, could benefit from a similar venture, taking advantage of Government finanical resources and involving the support of the residents, other housing agencies and the private sector. The city is examining the possibilities in detail and we expect to hear from it soon. I hope that it takes advantage of this opportunity.

Merseyside has a strong tradition of activity and innovation in provision by housing associations, for both new build and refurbished properties. There are many excellent housing association schemes, some on former local authority sites and others on sites provided by the private sector. The Government have maintained a high level of funding to the housing associations, both to the main approved development programme and through the Merseyside special allocation instituted by my right hon. Friend the Secretary of State some years ago.

As for private sector housing, the proportion of vacant dwellings in Liverpool is about 6 per cent. above the national average. I am glad to say that builders and developers have not deserted Merseyside during the economic downturn. Indeed, house prices have remained firm during the past couple of years. The range of housing available is impressive and includes a good proportion of cheap starter homes.

In addition, I am glad to say that some builders have taken a strong interest in the refurbishment of derelict non-residential buildings close to the centre of the city. I commend the house builders and developers who are prepared to take the risks attached to such ventures. The signs are that they are justified and that there is demand for refurbished properties close to the city centre.

I hope that when the city council comes to put in its bid to my right hon. Friend to be a pacemaker authority under the city challenge it will consider the prospects for refurbishment and redevelopment of existing semi-derelict or derelict properties in the pacemaker area. I am sure that there are prospects of residential units for social housing, extra accommodation for students and better quality housing for city centre workers. Such a step would help to bring back the population to the centre—a step which we all hope will be taken.

I am more confident about the prospects for dealing with the problems of vacant dwellings in Liverpool now that the controlling Labour group has seen the wisdom of the Government's approach to these matters and is showing signs of being prepared to work with, not against, the grain of our policies. I look forward over the next two or three years to a partnership between central and local government, the private sector and the housing association movement, together with the community, to sort out this severe problem of empty properties in Liverpool.

I was interested to hear the hon. Gentleman refer to his proposals for tackling empty properties and his suggestion that private landlords might be dealt with in what sounded like a somewhat punitive way in extreme cases. I am not attracted by that concept. There are already enough disincentives for the prospective private landlord without threatening further action against him. What we need is more carrot and less stick. That is a better way to get private homes for rent and why the Government have recently launched another initiative to promote the involvement of housing associations in the management of private property, with the aim of encouraging landlords to consider letting to homeless families and individuals.

I am most grateful to the hon. Gentleman for raising this important issue at an opportune time. I am not pessimistic about the future. I have explained that there are several initiatives which will help to improve housing in Liverpool and to decrease the number of vacant dwellings. All these initiatives have an excellent chance of success, provided that the city council does not return to its bad old ways.

Question put and agreed to.

Adjourned accordingly at sixteen minutes to Eleven o'clock.

House of Commons

Tuesday 18 June 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON UNDERGROUND (VICTORIA) BILL

HEATHROW EXPRESS RAILWAY (No. 2) BILL

Lords amendments agreed to.

Oral Answers to Questions

HEALTH

NHS and Community Care Act 1990

1. **Ms. Quin:** To ask the Secretary of State for Health if he will make a statement on the provision of training for local authority staff in preparation for their responsibilities under the National Health Service and Community Care Act 1990.

The Minister for Health (Mrs. Virginia Bottomley): Training for local authority staff is the responsibility of the employing authority. Our specific grant provision to local authorities for the training support programme this year was increased by 25 per cent. to £25 million. In addition, local authorities should be spending at least £10 million of their own resources on training.

Ms. Quin: Is the Minister aware that many local authorities, including my own in Gateshead, are expressing considerable concern that not nearly enough funds will be available to provide the training that will have to be introduced if community care is to be implemented properly? Will she have urgent discussions with the local authorities on this matter and assure us that the necessary steps will be taken to ensure that recruitment is at its proper level so that community care can become a reality instead of the pretence that it seems to be at the moment?

Mrs. Bottomley: I assure the hon. Lady that we have had close discussions on the implementation of community care. Only last week my right hon. Friend the Secretary of State introduced a check list to ensure that all local authorities and health authorities are properly prepared for full implementation. Central Government have been playing their part. In the hon. Lady's constituency, there has been a 50 per cent. increase in the amount of money that is available for training social workers and I am pleased that that is being used to train three times as many social and other community care workers this year.

Mr. Thurnham: Will my hon. Friend make sure that local authority workers are trained to make the best use of voluntary and independent groups? Local authorities should not have a monopoly on community care.

Mrs. Bottomley: This is always a difficult issue for the Labour party, given that one third of its Members are sponsored by the health unions. The Conservative party has traditionally had a high regard for the role of the voluntary sector. We envisage the local authorities being enablers and facilitators in a close partnership with the voluntary sector. That is often an extremely productive way of providing high-quality services.

Mr. Rooker: Leaving the party politics to one side for a moment, may I ask whether the Minister agrees that local authorities welcome the addition to the training programme? There is no question about that. However, exactly when did the hon. Lady warn the local authorities about the full consequences of the reforms for elderly and disabled people? Does she now appreciate that duties that were once the sole province of the district nurse are now being carried out by home carers? I refer to bathing, caring for the terminally ill at home and the application of medication. That work is now being placed on local authority social service departments and on the home care service. Will the Minister explain why those tasks have been transferred from the district health authorities to the social services departments, if not for budgetary reasons?

What will be the full consequences—[HON. MEMBERS: "Come on!"] Oh yes. These are not party political points; I apologise for that. Where was it was ever specified in guidance from the Department or in regulations that the local authorities had been warned about all the consequences of national health service reforms?

Mrs. Bottomley: The hon. Gentleman should address the content of the original Griffiths report on community care. The distinction between health care and social care is one of long standing in the provision of services. To undertake the tasks for which they are responsible, local authorities have this year been given the largest increase for 15 years in the amount that we think that they should spend. They have been given a 23·5 per cent. increase in the amount available for spending. Certainly, the implementation of community care depends on close, effective working relationships between family health service authorities, district health authorities and local authority social services departments. I urge the hon. Gentleman to look at the important check list launched by my right hon. Friend the Secretary of State last week. It addresses precisely the need to ensure that the frail and vulnerable receive a seamless service and do not fall down the gaps between different types of provision.

Mr. Rowe: My hon. Friend will be aware of how welcome the extra money has been. Can she give us an assurance that the training that is provided is consistent with national vocational qualifications? Can she also confirm that her Department is looking forward to the time when it will be easy to interchange social workers between Britain and other European Community countries?

Mrs. Bottomley: Once again, my hon. Friend identifies a matter of great importance. The establishment of national vocational qualifications within social services and health services offers additional flexibility in the

provision of care. There has been a substantial—25 per cent.—increase in the amount of money available to the training support programme. Certainly, some of that is being used to resolve the question of vocational qualifications. The subject of interchangeability of qualifications with others in the European Community is one on which I have frequent discussions with members of the British Association of Social Workers and others who represent social workers' interests.

Baby Units

2. **Mr. Madden:** To ask the Secretary of State for Health how much has been spent on special care baby units in the NHS in each of the last two years.

Mrs. Virginia Bottomley: Specific information on expenditure on special care baby units is not collected centrally. In 1988-89 and 1989-90—the latest years for which information is available—total estimated expenditure on maternity and paediatric services was £1,192 million and £1,251 million.

Mr. Madden: Will the Minister persuade the Bradford hospital trust to stop the planned closure of the special care baby unit at St. Luke's hospital in Bradford? If the unit closes, more sick babies will have to be transported across Bradford city centre, or even treated in Leeds or as far away as Manchester. Will she also press the trust to review the centralisation of maternity services which would result in 6,000 babies being born each year under one roof? Lastly, will she persuade the Secretary of State for Health to stop being a wally and accusing me of scaremongering about redundancies as we now know that in Bradford there will be 250 redundancies by next April, rather than 300 over the next three years?

Mrs. Bottomley: The hon. Gentleman is showing the thinking of neanderthal man. He takes an unreconstructed approach to how we can improve the perinatal mortality figures in Bradford. We all agree that the figures need to be improved, but we shall not do so through the reactionary holding on to jobs that is so typical of union-sponsored Labour Members of Parliament. As ever, the Transport and General Workers Union is holding on to its own. The hon. Gentleman should think of his constituents, not of his trade union. He should think of the health of the nation and the strategy for health. In his area the general practitioner list size has fallen by 500 over the past 10 years. The hon. Gentleman should look to health visitors, midwives and community services, not merely to hospital provision. The role of the district and its purchasing function is to make sure that the figures, about which we all share concern, are brought down.

Mrs. Peacock: How many low birthweight babies now survive the most crucial first four weeks of their life?

Mrs. Bottomley: Ninety per cent. of low birthweight babies now survive their first four weeks of life. We have had the most dramatic improvement in perinatal mortality figures. Indeed, we beat the World Health Organisation targets for Europe and, of course, the general targets, too. We now wish to make sure that some of the regional variations are dealt with better because although in some parts of the country the figures are excellent, others lag behind. That is the result of a complex series of matters.

NHS Trusts

3. **Mr. Buckley:** To ask the Secretary of State for Health if he will make a statement on his projections for the future activity levels of NHS trusts.

The Secretary of State for Health (Mr. William Waldegrave): I expect further significant growth in the activity of national health service trusts roughly in line with increased activity across the NHS as a whole.

Mr. Buckley: Does the Secretary of State realise that those who run, work in and use the national health service see no benefit from the introduction of hospital trusts? Does he further realise that those who work in the NHS consider that the job losses that are occurring as a result of the introduction of hospital trusts will have a direct bearing on patient care to the detriment of the service? Does the right hon. Gentleman consider all that to have been a satisfactory outcome of the implementation of the Government's hospital trust policy? Does he further consider—*[Interruption.]*

Mr. Speaker: Order. The hon. Member is about to ask a third question. I think that is enough.

Mr. Waldegrave: The hon. Gentleman is completely wrong. More than 100 new applicants for trusts are coming along, supported by many thousands of senior clinicians and managers in the health service. My constituents are served well by a trust and I know the workings of the trust well. The scares that have been handed to the hon. Gentleman to get him to join in our questions on the subject today are quite off the beam.

Mr. Nicholas Winterton: I thank my right hon. Friend for deciding that NHS trusts should make public their business plans. That decision will be widely welcomed. Will he give an assurance that the specialist department in the Department of Health will scrutinise more adequately the financial plans of potential trusts and ensure that their projections of income and expenditure are accurate and are based on fact, not on assumption?

Mr. Waldegrave: Detailed projections for a year ahead are always likely to be false, in some cases because of the allocations that are made later in the year. So there is no way in which those making proposals in July and August can exactly describe the financial situation the following year. However, I agree with my hon. Friend that we must examine all applications with great care, as we did last year.

Mr. Kennedy: As there was no reference in the Conservative manifesto to setting up trust hospitals and as the results of every local referendum on the issue have been overwhelmingly in one direction—against them—although they have been ignored by the right hon. Gentleman, does he agree that when it comes to phase 2 of the trusts, it would be sensible to learn the lessons of the first wave and allow the matter to be put to the test at the next general election, before any more trust hospitals are established?

Mr. Waldegrave: The hon. Gentleman's difficulty is that throughout the country local Liberal parties have taken a completely different line. That is not surprising, as many Liberals have supported trusts. The hon. Gentleman

tries to maintain a uniformly negative position from here, even though that position is not supported by many of his party's members.

Mr. Wolfson: Will my right hon. Friend confirm that when taking a view of trust applications, he will not always be looking merely at trusts that are currently in a good financial state but will encourage others to take NHS trust status to improve their financial position in the future?

Mr. Waldegrave: My hon. Friend puts his finger on an important point. The improved management that we obtain from NHS trusts is necessary in places where there may be problems. That is why I am delighted with the improved management at, for example, Guy's and Lewisham, because everybody knew that for many years there were problems there.

Mr. Robin Cook: Further to the point of the hon. Member for Macclesfield (Mr. Winterton), does the right hon. Gentleman recall that a surplus was forecast when he approved the application from Bradford? By last month Bradford was forecasting a deficit and by last week it had announced the closure of 13 wards, including the special care unit to which my hon. Friend the Member for Bradford, West (Mr. Madden) referred. Why were none of those service closures included in the consultation document published less than a year ago—or was that also one of the biggest lies since the ancient Greeks? If the Minister did not know when he approved that application that approving Bradford as a trust would lead to those closures, will he now halt the second wave of opt-outs until he can tell us what went wrong with the first wave?

Mr. Waldegrave: I liked the word "also". If the hon. Gentleman will think about the implication of his words, he will realise that he has just acknowledged that what he stated in his leaflets is untrue—as I think he very well knows. I am sure that the hon. Gentleman has studied the report of the Select Committee, which discussed these matters more seriously than the hon. Gentleman has done today. It is obvious that ahead of the allocations produced last December, it was impossible to produce a detailed cash flow for a hospital for the next year. What I had to adjudge—as I shall have to do again in respect of the second wave—was whether the management were capable of dealing with the problems in the hospital. Labour is getting wholly left behind on this, as on other things.

There will be a major second and third wave of trusts and that will be the pattern of hospital management for the future.

Project 2000

4. **Mrs. Maureen Hicks:** To ask the Secretary of State for Health if he plans to announce the inclusion of further nursing colleges for participation in Project 2000.

Mrs. Virginia Bottomley: We made £71 million available for Project 2000 in 1991-92 and have already agreed to implementation in a further 14 colleges of nursing this year. The Project 2000 implementation group will be meeting early next month to advise me on the allocation of the balance of funding available and I shall make an announcement as soon as possible thereafter.

Mrs. Hicks: Although Wolverhampton will not, unfortunately, be getting a child support agency, because it does not have an appropriate building ready, my hon. Friend will know—because she had the honour of opening it—that it has a first-class nursing college, the United Midlands college of nursing and midwifery. My hon. Friend will be aware of Wolverhampton's disappointment that it has not yet been included in Project 2000. Now that there is more money in the kitty, can my hon. Friend guarantee that the United Midlands college will be carefully considered on its merits so that, if it is successful, it can give more representation to Project 2000 in the black country?

Mrs. Bottomley: My hon. Friend is a great champion of that college and I much appreciated the opportunity to open it. This year, nearly £3·5 million is being spent on implementing Project 2000 in my hon. Friend's region. We are looking carefully at all the available projects and I give my hon. Friend a clear assurance that the United Midlands college will be given urgent consideration.

Mrs. Margaret Ewing: Is the Minister undertaking any analysis to ensure that an adequate number of bridging courses are available to those who wish to enhance their qualifications? Will she ensure that such courses are evenly spread throughout the country?

Mrs. Bottomley: One requirement of Project 2000 is that arrangements are made for enrolled nurses to improve their qualifications. We need to ensure that nurses at every level of qualification have a chance to improve and to continue their training. We spend in the region of £770 million on nurse training and we want it to develop across the board.

GP Fundholders

5. **Mr. Squire:** To ask the Secretary of State Health if he will make a statement on the progress of GP fundholding.

Mr. Waldegrave: As the House will know, more than 1,700 general practitioners are voluntarily taking part in the fundholding scheme, which in its first year already covers 7·5 per cent. of the population of England. I am sure that my hon. Friend will join me in welcoming the agreement reached with the representatives of the medical profession on joint guidance for hospital consultants on GP fundholding which I announced last Tuesday.

Mr. Squire: Is my right hon. Friend aware that my constituency includes one of the GP fundholders to which he refers? That practice recently began hiring a consultant —paid for out of NHS funds—to ensure that patients are seen within one month, rather than have to wait for up to a year, as they previously did after being referred to Oldchurch hospital in Romford. Will my hon. Friend congratulate that practice on its initiative and acknowledge that it makes a better use of funds, gives a faster and better deal to the patient and reduces hospital waiting lists?

Mr. Waldegrave: I am delighted to congratulate the practice to which my hon. Friend refers. It is just one example of how GP fundholders throughout the country are showing how to make better use of the money for patients. They are showing also how the NHS, which

already does extremely well for its patients, can do even better if we can improve on devolving money to where decisions should be taken.

Mr. Robin Cook: Will the Secretary of State take this opportunity to explain the claim that he made on the record that patients of fundholders bring new money with them? Will he confirm that every penny in GPs' budgets has been deducted from health authorities' budgets? Is not it a confidence trick to pretend that the same money becomes new money when laundered via GPs? He told us that 40 per cent. of GPs are expected to become fundholders. How will any number of pilot projects help health managers to plan for local needs with 40 per cent. less money in their budgets?

Mr. Waldegrave: I am glad that the hon. Gentleman, who has been rather left behind in these matters, is catching up. It is perfectly clear that all NHS money comes from taxpayers. If the hon. Gentleman has just discovered that, it is wonderful. We have allocated some of that money to GP fundholders through the regional mechanisms available to us. Every year, we win new money for the health service and I hope that we shall do so again. We have a much better record than the Labour party on that.

On the hon. Gentleman's second point, it is perfectly clear that the close working relationship between GPs and districts can be developed further. I am looking at new ways of making that co-operation even more practical and efficient.

Ancillary Services

6. **Mr. David Evans:** To ask the Secretary of State for Health what are the total savings from privatisation of ancillary services for the last 10 years.

The Parliamentary Under-Secretary of State for Health (Mr. Stephen Dorrell): Total savings from competitive tendering in England since 1984-85 now amount to £126 million a year.

Mr. Evans: I thank my hon. Friend for that reply. Does he agree that £126 million would buy one new hospital a year, 45,000 hip operations or 145,000 cataract operations? Would not the Labour party hand that money back to COHSE and NUPE? Should not people tell their grandchildren what it was like under Labour in 1978, when cancer patients who were dying were not allowed admission for treatment? Would not it be a good idea if they took note of the fact that the health service would be a hell service if it were coupled with the name of the hon. Member for Livingston (Mr. Cook)?

Mr. Dorrell: My hon. Friend is on to a good point. The Labour party is bound by two commitments: first, to abolish competitive tendering, which will cost £126 million; and, secondly, that no more money should be available to the health service. Labour Members must explain to the patients whose treatment would not be possible, despite the fact that that money is being provided to the health service, why they should wait so that the Labour party can discharge its pledges to the trade union movement.

Mr. Hinchliffe: Will the Minister give us the full picture on competitive tendering? What is it costing the Government in terms of social security payments to low-paid national health service workers because private contractors have driven wages down to poverty levels? How many NHS workers are now forced to take on two jobs to make ends meet? Will the Minister also explain the appalling standards of cleanliness in hospital wards because of private contracting?

Mr. Dorrell: What I will do is tell the House about the attitude of the general secretary of COHSE, Mr. Hector MacKenzie. He says:

"Success depends on the willingness of members . . . to push for a health service that acts in the interests of its staff."

The hon. Member for Livingston (Mr. Cook) was at the COHSE conference at the weekend. I hope that he took the opportunity to dissociate the Labour party from those sentiments.

Sir George Gardiner: Will my hon. Friend confirm whether competitive tendering is practised by the NHS in Merseyside?

Mr. Dorrell: My hon. Friend is on to an important point. Competitive tendering is practised by the NHS in Merseyside, which is clocking up savings of £6 million a year as a result. That is freeing resources which allows Merseyside to have a waiting list record that is second to none. If every other local service in Merseyside were run as efficiently as the health service, many problems would be solved.

Health Spending

7. **Mr. Salmond:** To ask the Secretary of State for Health what percentage of gross domestic product is spent on health in *(a)* the United Kingdom and *(b)* other European countries.

Mr. Waldegrave: It is estimated that total United Kingdom spending on health as a proportion of GDP will be 6·5 per cent. this year, compared with 5·8 per cent. in 1980. We do not yet have comparable figures for other European countries.

Mr. Salmond: That is hardly surprising, as such figures would show that the percentage of GDP spent on health in the United Kingdom is significantly less than that spent in other European countries—and the GDP figure is lower as well. According to the findings of various surveys, the United Kingdom spends between 50 and 70 per cent. of the amount per patient spent by France and Germany. Given those figures, how can the Secretary of State possibly deny that the national health service is suffering from chronic and debilitating underfunding?

Mr. Waldegrave: The hon. Gentleman should beware of such naive comparisons. The Netherlands, for example, includes nursing homes in its health figures. *[Interruption.]* I refer to the 1988 figures. If we did the same, our spending figures would be increased by 0·25 per cent.

In many respects, the figures are not comparable. The figures relating to output are far more important. Our perinatal mortality record is now better than that of the United States, although that country spends nearly twice as much of its GDP on health. What matters is the efficiency of the health service, not the result of crude comparisons.

Dame Jill Knight: As we are comparing Britain's health service with its counterparts on the continent, may I ask whether my right hon. Friend has read an article that appeared this week in the *British Medical Journal* and which highlighted the enormous number of complaints from Italian patients, who are required to take their own bed linen and food into hospital and have to tip lavishly to attract any attention? Is my right hon. Friend aware that doctors, nurses, medical auxiliaries and pharmacists all over France were on strike last week, protesting about the French health service and, in particular, the cuts imposed by the French Government? Does my right hon. Friend therefore agree that in health matters the grass is not greener on the other side of the channel?

Mr. Waldegrave: My hon. Friend's observations confirm that we have a health service to be proud of—recent polls show that up to 80 per cent. of people are satisfied with it, including waiting times—and we are seeking to make the service more efficient. The real questions should be addressed to the Labour party. The hon. Member for Livingston (Mr. Cook) recently tipped the wink to the British Medical Association that under Labour about £6 billion extra would be available per year. That was reported in the *British Medical Journal*, although the hon. Gentleman provided no press handouts, any more than he provided press handouts in relation to COHSE. If he wishes to deny that statement, let him do so.

HIV Screening

8. **Mr. Strang:** To ask the Secretary of State for Health whether the anonymised screening programme for HIV is being extended; and if he will make a statement.

Mrs. Virginia Bottomley: The first results of the anonymised HIV surveys have provided valuable information about the prevalence of HIV infection in England. The number of participating clinics will increase throughout England and Wales as the surveys continue.

Mr. Strang: Will the Minister confirm that "anonymised" screening is truly anonymous, and that there is no way in which a positive result can be traced back to any individual? Does she agree that the programme will provide valuable information only if it covers a wide enough spread of the population and if that spread is maintained for a number of years?

Mrs. Bottomley: The screening survey has already proved its usefulness in allowing us to plan services and the development of preventive measures. I can confirm that the testing is entirely anonymous. It is essential that we have fact, not fantasy, on which to work in dealing with the spread of HIV and AIDS which are, after all, the most serious threat to public health this century. That is why we have made it clear from the outset that special resources should be directed deliberately towards research, prevention and services.

Baby Life-saving Units

9. **Mr. Janner:** To ask the Secretary of State for Health if he will undertake an assessment of the need for, and availability of, extra-corporeal membrane oxygenator baby life-saving units.

Mr. Dorrell: Yes, Sir.

Mr. Janner: Will the Minister assure us that the ECMO baby life-saving unit in the Groby road hospital in my constituency will have enough funding to continue in existence? Is he aware that unless public funding comes through, that unique unit will almost certainly have to close, resulting in a serious, unnecessary and scandalous loss of babies' lives?

Mr. Dorrell: I am pleased to be able to give the hon. and learned Gentleman, who is my parliamentary neighbour, the assurance that that will not happen. I spoke to Mr. Field, the clinician in charge, on the telephone this morning, and he will meet Professor Peckham, the director of research and development of the NHS, on 4 July.

Mr. Butterfill: Is not it true that nearly twice as many babies died when the Labour party was last in power, whereas we have succeeded in cutting the death rate from 8·2 per thousand to 4·6 per thousand?

Mr. Dorrell: My hon. Friend is absolutely right. That is one of the health indicators that have improved dramatically in the past 12 years.

Capital Finance

10. **Mr. David Shaw:** To ask the Secretary of State for Health if he will make a statement on capital expenditure in the health service between 1971-72 and 1991-92.

16. **Mr. Charles Wardle:** To ask the Secretary of State for Health what is the level of capital investment in the national health service in 1991-92; and what was the figure in 1978-79.

Mr. Waldegrave: Capital expenditure in the national health service in 1991-92 is planned to be 60 per cent. higher in real terms than in 1971-72 and 68 per cent. higher than in 1978-79.

Mr. Shaw: Will my right hon. Friend confirm that capital expenditure today is almost double what it fell to when Labour cut expenditure in 1977-78? Does he agree that there is much more machinery, equipment and electronics in the health service than there was before, and that we now have lithotripters and magnetic resonance imaging equipment, none of which existed under Labour in 1979?

Mr. Waldegrave: One of the most disgraceful aspects of the previous Labour Government's record was their catastrophic cut in spending on the health service after the International Monetary Fund arrived in this country. The hon. Member for Livingston (Mr. Cook) usually says he voted against that, but in fact, as we discovered, he abstained. For example, we now have MRI scanners, lithotripters and mammography equipment, and defibrillators are present in every front-line ambulance. We have a better-equipped health service.

Mr. Charles Wardle: Does my right hon. Friend have on file a Trades Union Congress report criticising the Government for hospital closures and cuts in the NHS capital investment programme? Will he contrast that report, which was published in 1978 under the last Labour Government, with more recent news of more than 500 major hospital building projects being undertaken, millions more patients being treated and almost £33,000 million to spend on patient care this year?

Mr. Waldegrave: I confirm that that is so. On the 30th anniversary of the health service, the TUC made a tremendous but justifiable attack on the then Labour Government. Now, however, the hon. Member for Livingston, by nods and winks—by going to the BMA, by saying yes to every pressure group and by promising expenditure that he knows, if he took on my job, he would not be able to honour—is building up the same explosion of resentment and failed expectations as that which occurred under the last Labour Government, causing the winter of discontent and bringing catastrophe to the health service.

Mr. Campbell-Savours: Returning to the comments of Mr. Hector MacKenzie, in the context of this question does the Secretary of State think that the national health service should act against the interests of its own staff?

Mr. Waldegrave: Of course not. I know that the hon. Gentleman, who is sponsored by COHSE, would not believe that to be so, but it is an extraordinary statement not to put first that the national health service should act, above all, in the interests of patients.

Mr. Skinner: If everything has been so good with the national health service during the course of this Tory Government's 12 years, why are wards and hospitals closing, beds being shut down and more than a million people on waiting lists, and why are GP fundholders at a practice in north Derbyshire able to get their patients into hospital six weeks before others who are not GP fund holders?

Mr. Waldegrave: The hon. Gentleman may have missed the agreement that was made with the profession last week, which laid to rest such scare stories. I make no apology for the policy of closing hospitals that are no longer needed; in saying that, I am quoting the Secretary of State for Health under the last—and I mean last—Labour Government.

NHS Trusts

Mr. David Nicholson: To ask the Secretary of State for Health if he will make a statement on the preparation for improving health care in their areas made by the NHS trusts since their establishment in April.

Mr. Dorrell: The NHS trust programme is already delivering widespread improvements in patient care.

Mr. Nicholson: Is my hon. Friend aware that the myths and allegations put forward by the Opposition parties about NHS trusts are being met by the reality of success, expansion and the recruitment of consultants and other staff, not only by the Taunton and West Somerset trust in my constituency but in east Somerset, Weston, Bristol, and Devon and Cornwall? Has my hon. Friend noticed that the Devon branch of the National Union of Public Employees has welcomed the application and the plans being made by the Devon ambulance service to become an NHS trust?

Mr. Dorrell: I have noticed the attitude of the Devon branch of NUPE. I hope that the more inspired approach of that branch will be applied in competitive tendering, which we discussed earlier.

On the improvement in patient care which is attributable to the trust programme, my hon. Friend may like to observe what is happening on Merseyside. There is investment of £1·3 million in the kidney service at the Royal Liverpool university hospital and a new lithotripter has been installed so that more patients can be treated on a day-care basis. There are 84 beds for heart patients in the new building at the cardio-thoracic centre in Liverpool. There is also investment of £4·5 million at Broadgreen hospital in Liverpool to build a new 96-bed psychiatric unit. Those are examples of improvements in patient care being brought to Merseyside as a result of the trust programme.

Mr. Alton: In that case, how can the Minister justify the closure of St. Paul's eye hospital in Liverpool and the decision—announced yesterday, when I went to see the chairman of Liverpool health authority—to close a second general hospital, leading to a reduction in the number of beds available for psychiatric patients?

Mr. Dorrell: If local disagreements come to the attention of Ministers, we shall consider the cases then. I had hoped that the hon. Gentleman would take the opportunity to welcome the fact that on Merseyside we have far and away the best record on waiting lists in the NHS—they are down by one quarter compared with 1979. Since 1979, the number of in-patients treated has increased by 29 per cent. and the number of day cases treated has increased by 86 per cent. The health service on Merseyside is a success. If only other local services were so successful.

Mr. Soames: Does my hon. Friend agree that one of the most important benefits of the trust programme has been the tremendous increase in staff motivation? Does he agree that if the NHS is to be seen to be improved, staff motivation will be one of the cardinal characteristics of that improvement?

Mr. Dorrell: My hon. Friend is absolutely right. The trust programme is a means of providing staff of all levels in the health service with a greater opportunity to influence the output of the health service and the treatment of patients in their units. It gives local ownership to the service that is delivered. That is good for the staff and for the patients.

Ms. Harman: Is the Minister aware that in an interview with the *South London Press*, Sir Philip Harris, a former furniture tycoon who now chairs Guy's hospital trust, justified meeting in secret to axe jobs and services because, as he said, otherwise it would slow the whole process down? Sir Philip said:

"What we can't do is have open debate"—

Mr. Speaker: Order. No quoting, please. Paraphrase.

Ms. Harman: Does the Minister think that it is right that Guy's hospital trust should meet in secret? Does he agree with the chairman's belief that the trust should act "as a company"?

Mr. Dorrell: It is right that the health service should have the skills of effective management at its disposal. If the trust programme can recruit, through its assistance, people who are capable of delivering a more effective service to patients, that is justification enough for me.

GPs (Patient Referrals)

12. **Mr. Colvin:** To ask the Secretary of State for Health what arrangements he proposes to make to permit general practitioners whose practices are too small to

qualify for budget holding to obtain treatment for their patients outside their own districts; and if he will make a statement.

Mrs. Virginia Bottomley: All GPs will continue to be able to refer patients in line with their clinical judgment. Contracts for health services will provide a more effective way of giving practical effect to GPs' referral decisions.

Mr. Colvin: My hon. Friend's reply should show GPs that the rules are flexible enough to enable them to refer patients outside their districts for treatment at other hospitals, even though their practices may be too small for budgeting. How do this year's referral figures compare with last year's, now that there are new rules?

Mrs. Bottomley: The key point is that for the first time district health authorities have been working closely with general practitioners about where they want to refer patients. That means that it is possible to build on improvements in service, take quality into account and negotiate more effective targets for the future. Contracts have been placed to cover 95 to 99 per cent. of GPs' likely referral needs.

Medicines (Advertising)

13. **Mr. Irvine:** To ask the Secretary of State for Health if he will make a statement on the draft European Community directive on the advertising of medicines.

Mr. Dorrell: The draft EC directive is broadly consistent with existing United Kingdom legislation.

Mr. Irvine: Does my hon. Friend agree that pharmaceutical companies make a substantial contribution to the funding of postgraduate medical education? Does he further agree that the draft directive, as it stands, would considerably restrict the ability of pharmaceutical companies to continue to provide such funding? Will he do all that he can to get it across to the powers that be in Brussels that the directive represents a considerable threat to the funding of postgraduate medical education in this country?

Mr. Dorrell: I certainly share my hon. Friend's determination to ensure that such a threat does not materialise. We regard it as essential that the directive should not in any way restrict the sponsorship that the pharmaceutical industry rightly provides for genuine educational and scientific projects in the form of research and conferences.

PRIME MINISTER

Engagements

Q1. **Mr. Pike:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

The Prime Minister (Mr. John Major): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Pike: Can the Prime Minister define the term "Majorism"? Does it mean reducing inflation from the level that the Government have created? Does it mean increasing unemployment to more than 2·5 million? Or does it mean failing to invest in our manufacturing industry? What is Majorism?

The Prime Minister: The hon. Gentleman would be well advised to read the speeches that I made at Scarborough, Southport, Swansea and elsewhere. It involves extending choice and opportunity more widely, bringing quality to our public services, a strong economy with low or nil inflation, letting people spend more of their own money in their own way, maintaining firm defences and giving choice back to people, which is where it should be.

Sir Giles Shaw: Does my right hon. Friend agree that negotiating vigorously and directly with our European partners is the best way to arrive at a common approach to those political and economic issues that are in the best interests of Britain? Does he further agree that such an approach should be based on what is practical, realistic and evolutionary rather than engaging in rhetoric or working on a blueprint for federalism?

The Prime Minister: I entirely agree with my hon. Friend. A European super-state would not be acceptable to me or to the House—and in my judgment it would not be acceptable to the country.

Mr. Kinnock: Would the Prime Minister say that the large fall in manufacturing output over the past 12 months was evidence that his policies are working?

The Prime Minister: As the right hon. Gentleman is aware, the best possible future for manufacturing industry is to ensure that the economy has the lowest possible inflation and the prospect of growth again. That is where the prospects for manufacturing industry come from; without that secure base, manufacturing industry would face problems for a long time.

Mr. Kinnock: Does the Prime Minister not yet realise that by keeping on with his high interest rate policies he is making his recession deeper and longer, and causing a permanent loss of capacity in British industry? What sort of preparation does he think that that affords for the completion of the single market next year?

The Prime Minister: The single market would not have come about but for the efforts of this Government, and there has not been a great deal of support from the Opposition. There are no good prospects for any part of the economy without low inflation. We are now delivering low inflation in a way that the right hon. Gentleman's policies never could.

Mr. Kinnock: At what point, then, will unemployment have increased enough, investment have fallen enough, enough companies have been closed and manufacturing output have fallen low enough to justify the Government cutting interest rates, which are the cause of the loss of capacity that threatens British industry?

The Prime Minister: The right hon. Gentleman's prescription is wrong. He will recall that on many occasions in recent months Opposition Front-Bench spokesmen have suggested that 1 per cent. off interest rates would make a material difference. We have had 3·5 per cent. off interest rates in the past few months—and inflation has moved towards half what it was some months ago—and the figures are still coming down.

Mr. Hayes: As this Government are the first in history to spend more on health than on defence, does not my right hon. Friend find it deplorable that the hon. Member for Livingston (Mr. Cook), in his keynote speech to the Confederation of Health Service Employees, personally attacked——

Mr. Speaker: Order. The hon. Gentleman has been here long enough to know that he must ask a question that falls within the Prime Minister's responsibility.

Mr. Hayes: Should not the country know that the national health service trust in Bradford means an additional £1 million in health care for patients, and that at Guy's hospital the trust means more patients treated? The minimum wage that the Labour party offers would starve the health service of £500 million.

The Prime Minister: I believe that my hon. Friend's strictures are all correct. There is an increasing wealth of good news about the activities of national health service trusts, and the second wave of trusts in due course will bring even more good news and better service for the patients in the national health service, which is our intention.

Q2. **Mr. Maclennan:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Maclennan: Does the Prime Minister agree with the view of the right hon. Member for Finchley (Mrs. Thatcher), propounded in Chicago yesterday, that a single European currency would take the heart out of the purpose of this Parliament?

The Prime Minister: If this Parliament believed that, it would not vote for it and it would not happen.

Q3. **Mr. Quentin Davies:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Davies: Does my right hon. Friend agree that the example of Liverpool provides in microcosm the most salutary lesson of the consequences of a Labour Government?

The Prime Minister: I would most certainly agree. It is an illustration of Labour government in practice which I believe the country will observe and not like.

Sir Patrick Duffy: Is the Prime Minister aware that whatever pillars may be involved in the construction of the European temple, a defence pillar is not yet considered practical and workable within western alliance parliamentary circles and nor is it considered desirable in eastern Europe? Does he agree that nothing which might cut across NATO's rule or duplicate its military structure is desirable?

The Prime Minister: First, I congratulate the hon. Gentleman on his well-deserved honour in the Queen's birthday honours list. I entirely agree that our defence interests are such that they must be based on NATO in the future, as they have been in the past. NATO has served us outstandingly well over the past 40 years and it will, I trust, serve us equally well in the future.

Q4. **Mr. John Marshall:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Marshall: In the course of his busy day, will my right hon. Friend consider the consequences of the abolition of the dock labour scheme, which will lead to much greater activity in scheme ports such as Liverpool, giving them the chance to prosper again? Is it not significant that those who were loudest in their objections to the abolition of the scheme are now silent in its defence?

The Prime Minister: I will certainly consider the consequences of the abolition of the dock labour scheme, and I believe that they are very attractive. The House will recall that the abolition of that scheme was passed through the House in the teeth of opposition from the Labour party. Yet in Liverpool productivity has improved by at least 20 per cent. since the abolition of the scheme and will improve similarly elsewhere in the country. What we have seen in Liverpool, not only in the dock labour scheme but elsewhere, is the clearest possible illustration that the Labour party is locked in the past and has no place in the future.

Mr. Anderson: What is the Prime Minister's reply to those who argue that the Government's current troubles are due to indecisiveness at the very top?

The Prime Minister: I can be wholly decisive and tell them that they are wrong.

Q5. **Mr. Robert B. Jones:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Jones: Will my right hon. Friend confirm that the Government will resist every attempt, whether from Europe or from the Labour party, to pressurise us to have a minimum wage? Is my right hon. Friend aware that, in addition to the extra unemployment that it would create, it would particularly hit those who find it difficult to find jobs now, such as the disabled, women and ethnic minorities—a lesson which is understood by Mr. Eric Hammond, even if it is not understood by the leader of the Labour party.

The Prime Minister: I can give my hon. Friend a categoric assurance on that. The Labour party may continue with its policy of a minimum wage, but it has few friends left for it. As Mr. Hammond said just the other day:

> "It would damage workers desperately and unless Labour can win the votes of such people, they will not win and will not deserve to."

He is right on both counts. They will not win and they certainly do not deserve to.

Q6. **Miss Lestor:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Miss Lestor: Bearing in mind the previous Prime Minister's commitment to give the highest priority to children's rights, as agreed at the summit last year, the Government's failure as yet to ratify the convention on the rights of the child and the almost daily reporting of the violation of children's rights in some form or another in Britain, will the right hon. Gentleman now give a pledge to implement the Gulbenkian recommendations to appoint a commissioner for children as the Labour party has pledged?

The Prime Minister: The hon. Lady should recognise that the Children Act 1989 is the best Act for the future of children that this Parliament has ever passed.

Mr. Tim Smith: In the light of a possible rail dispute, will my right hon. Friend have another look at employment legislation and, in particular, the possible introduction of measures designed to protect the consumer and the general public against strikes called overnight and at very short notice?

The Prime Minister: I shall be happy to do so.

Q7. **Mr. Wallace:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Wallace: Has the Prime Minister yet had time to consider the letter sent to him last week by the chief executive of the Scottish Salmon Growers Association describing the present plight of the industry due to the dumping on the European market of Norwegian salmon? In the past, the European Community has been slow to deal with these matters. As the future of many businesses are at stake, what steps do the Government intend to take to inject some urgency into dealing with the crisis?

The Prime Minister: I understand the problem of the Scottish salmon industry, which we are examining at the moment in the light of the letter that we have received. I propose to discuss that matter with my right hon. Friend the Secretary of State for Scotland and then I will reply fully.

Sir Robert Rhodes James: My right hon. Friend commanded great support and confidence for his policy for safe havens for the Kurds. Is he aware that some of us are becoming deeply concerned about the possibility of the abandonment of the Kurds? Would not it be a good idea if British politicians speaking to American audiences reminded them of their responsibilities rather than talking drivel about Europe?

The Prime Minister: First, I congratulate my hon. Friend the Member for Cambridge (Sir R. Rhodes James) on his well-deserved honour bestowed in the Queen's birthday honours list. As my hon. Friend will know, our purpose in creating safe havens in northern Iraq was to provide immediate humanitarian relief in conditions of safety, and to create the confidence for the Kurds to return safely to their homes. I believe that had we not done so, many thousands and perhaps many hundreds of thousands of Kurds would have died. Happily, many of them have now returned safely home and the safe havens continue in being, for the purpose for which they were originally set up.

Q8. **Mr. Alton:** To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Alton: In the absence of refuse collection services in some parts of Liverpool for the past three months, does the Prime Minister agree that it is scandalous that Liverpool residents have been sent bills for £70·99 for poll tax unpaid by other people in that city? Does he agree that that offends against every principle of natural justice and that, in connection with the new local tax, there ought to be a provision in law to ensure a right to redress in such circumstances for citizens hit in that way?

The Prime Minister: The hon. Gentleman points out yet another example of the sheer inefficiency of the present Liverpool council, and the way in which the people of Liverpool have been extremely badly treated as a result of its activities. Residents' bills in Liverpool are undoubtedly a good deal higher than they need to be because, as the Labour leader in Liverpool has admitted, it costs four times as much to pick up litter in Liverpool as it does elsewhere. The conclusion for the people of Liverpool must be obvious—no Labour Members and no Labour council.

STATUTORY INSTRUMENTS, &c.

Ordered,

That the draft Farm Woodland (Variation) Scheme 1991 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Patnick.]*

Mr. Speaker: Ten-minute Bill motion. Mr. John Hughes.

Hon. Members: Where is he?

Several Hon. Members *rose*——

Mr. Speaker: Order. Sit down please. If hon. Members would clear the Chamber, I could see who was rising on a point of order.

Mr. David Ashby (Leicestershire, North-West): On a point of order, Mr. Speaker. May I draw your attention to the gross discourtesy of the hon. Member for Coventry, North-East (Mr. Hughes)? According to the Order Paper he is to present a ten-minute Bill, and I came to the Chamber, as did many other hon. Members, expecting to hear the Bill presented, and to hear the arguments on it, but the hon. Gentleman has not turned up. That is a gross discourtesy to the House, and I feel that the fact that it has happened should be a matter of record.

Mr. Speaker: It may be a matter of record; it is not a point of order.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. Will you bear it in mind that when you hear complaints from Tory Members about a Labour Member who has been held up—*[Interruption.]*

Mr. Speaker: Order.

Mr. Skinner: Will you bear it in mind, Mr. Speaker, that it was on the way from that posh gambling den at Lloyd's that my hon. Friend was held up in the traffic? Will you remember, too, that at 3 o'clock last Tuesday morning the Tory hon. Member for Amber Valley (Mr. Oppenheim) was not here to conduct the Adjournment debate that you kindly granted him. I never heard any Tory Members complain about his absence; they were all asleep in the Tea Room.

Mr. Speaker: Order. That is not a point of order. The hon. Member for Coventry, North-East (Mr. Hughes) is not here and we have to move on to the next business.

Several Hon. Members *rose*——

Mr. Speaker: Order. I have to say, before I take any more points of order, that it would enable hon. Members to participate in the subsequent debate if they refrained from raising with me points of order that are not really points of order at all.

Several Hon. Members *rose*——

Mr. Speaker: It is a difficult decision to make, but I will call Mr. Michael Brown first.

Mr. Michael Brown (Brigg and Cleethorpes): On a point of order, Mr. Speaker. This is a serious point, and one which I would ask you to consider. The 10-minute rule provides hon. Members with a highly valued parliamentary slot and, over the past 12 or 13 years, many of us in the House have sought an opportunity to introduce a 10-minute Bill but have failed to be successful under the system that now operates. I make no complaint about that system, Mr. Speaker, but as this is the second occasion on which an hon. Member has failed to present his Bill to the House, is not there a case for the Select Committee on Procedure to investigate whether it is right and proper for hon. Members to take this valuable slot and then not have the courtesy to be here to present their Bill to the House?

Several Hon. Members *rose*——

Mr. Speaker: Order. Let us have one hon. Member at a time. If the hon. Gentleman wishes to refer the matter to the Procedure Committee, he may do so. It is not a matter for me.

Mr. Robert G. Hughes (Harrow, West): On a point of order, Mr. Speaker. You, Sir, are the custodian of the Standing Orders of the House, one of which governs the allocation of Members to Committees. Two Members of this House stood for election under the same slogan—"MP on a workers' wage". One of the candidates in the Walton by-election is standing under the same slogan and on the same platform. If that woman, Ms. Lesley Mahmood, is elected in Walton, will you count her as a Labour Member?

Mr. Speaker: I cannot answer hypothetical questions.

Mr. D. N. Campbell-Savours (Workington): On a point of order Mr. Speaker.

Mr. Speaker: I think that the hon. Gentleman may be called, but I must first hear the hon. Member for Northampton, North (Mr. Marlow).

Mr. Tony Marlow (Northampton, North): On a point of order, Mr. Speaker. I understand that the hon. Member for Coventry, North-East (Mr. Hughes) intended to seek leave to introduce a Bill setting out some aspects of the Labour party's immigration policy. I think that that would have been of great interest to the country. I understand that, with private Members' Bills, if the hon. Member in question is not here, it is possible for another hon. Member to introduce the Bill on his behalf. Is it the same with a 10-minute Bill? I feel that the public would really like to know what the Labour party's immigration policy is.

Mr. Speaker: No, it is not in order to proceed in that way. The Bill is not an Order of the Day.

Several Hon. Members *rose*——

Mr. Speaker: Order. The trouble with some points of order is that they are not points of order at all. We would be well advised to get on with the debate, which will give hon. Members the opportunity to put serious points to the House rather than raise bogus points of order.

Mr. Patrick Nicholls (Teignbridge): On a point of order, Mr. Speaker.

Mr. Speaker: Well, what is it?

Mr. Nicholls: The Bill tabled by the hon. Member for Coventry, North-East (Mr. Hughes) has almost been presented on two occasions, and it seems reasonable to expect that, on a third occasion, it will indeed be presented. My point of order to you, Mr. Speaker, arises under the heading "Varieties of Expenditure" at page 177 of "Erskine May", which states:

"the existence of the Social Security Fund cannot be used by private Members as a means of evading the basic rule that a net charge cannot be imposed"—

[HON. MEMBERS: "Here is the hon. Member!"] As you, Mr. Speaker, will acknowledge in a moment or two, there could not be a better time for my point of order to be heard.

If leave is given to bring in the Bill, there will be unrestricted immigration and, under the terms of the Bill, there will be a direct and immediate charge to public funds for the dependants of those immigrants. My point of order is this, Mr. Speaker: can we even entertain giving leave for such a Bill to be brought in today? The rules are perfectly clear. If we are to enlarge the scope of the social security fund in that way, it can only be done following a proposal by the Crown. The measure allowing unrestrained immigration at the taxpayers' expense is a Labour measure; it has not been brought forward by the Crown. I should like to know, Mr. Speaker, whether you feel that it would be in order.

Mr. Speaker: The hon. Gentleman has shot himself in the foot by using the phrase, "If leave is given to bring in the Bill". We have not heard what the hon. Member in question wishes to say. [HON. MEMBERS: "The hon. Gentleman is here now."] Unfortunately, the hon. Gentleman was not here when the title of the Bill was read out, and we cannot go back now.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): On a point of order, Mr. Speaker. There must have been many occasions on which hon. Members should have been here to present Bills or open Adjournment debates but were not. Often there is a jolly good excuse, and we must be fair-minded. But when an hon. Member walks into the Chamber before we move on to the next business and still does not present his Bill, it becomes inexcusable.

Mr. Speaker: I think that I must hear the hon. Member for Coventry, North-East (Mr. Hughes).

Mr. John Hughes (Coventry, North-East): I apologise for being late, Mr. Speaker. Unfortunately, I was lobbied by a considerable number of Tory Members of Parliament about the Lloyd's question. I beg leave to speak to my important ten-minute Bill.

Mr. Speaker: We cannot take it now. The hon. Gentleman was not here at the time I called him. We must move on to the next business.

Several Hon. Members *rose*——

Mr. Speaker: I ask hon. Members to sit down. We have had our fun.

Mr. Gerald Howarth (Cannock and Burntwood) *rose*——

Mr. Speaker: Will the hon. Gentleman kindly resume his seat?

Mr. Howarth *rose*——

Mr. Speaker: Order. I shall give the hon. Gentleman one last chance. I should not like to ask him at this stage of a Parliament to leave the Chamber for having refused to obey the Chair. I ask the hon. Gentleman to resume his seat.

Opposition Day

[14TH ALLOTTED DAY]

Water Industry

Mr. Speaker: I have selected the amendment in the name of the Prime Minister.

3.41 pm

Mrs. Ann Taylor (Dewsbury): I beg to move,

That this House notes with alarm the level of profits made by the water companies and the huge salary increases of senior management since privatisation; and condemns Her Majesty's Government for its failure to ensure that the interests of water consumers and the environment are given greater priority than the interests of shareholders.

Although Conservative Members may not think so, this debate is important because nowhere can we see more clearly than on the issue of water privatisation the priorities of a Conservative Government. The outrage of vastly increased water bills at a time of scandalous profits and massive leaps in salaries for the top management show that the Government care little for water consumers, just as they care little for the environment. With this Government, profits come first, so that the issues that we shall discuss today are serious.

I hope that the Under-Secretary of State, the hon. Member for Banbury (Mr. Baldry), who must be most grateful to his colleagues for raising points of order until he was able to arrive and who has been left to carry the can, will understand when I say that the debate raises issues that are serious enough to warrant the attention of the Secretary of State and of the Minister of State. Perhaps I should explain to the House why they are absent.

Mr. Tim Smith (Beaconsfield): Where is the hon. Member for Dagenham (Mr. Gould)?

Mrs. Taylor: The Minister of State telephoned me yesterday to offer his apologies and to say that his absence meant no disrespect to the Labour party. He explained that he could not be present today because of an important engagement. He went on to explain that the Secretary of State could not be present because of an important engagement. In fact, the Secretary of State for the Environment is visiting the Minister of State in his constituency. The absence of the Secretary of State and of the Minister of State may or may not have been intended as a slight to the Labour party; that does not worry us. What matters is that it is a mark of disrespect to the millions of people who face hardship because of their water bills, to the families who are worried about the quality of the drinking water, and to everyone who cares about the environment.

Mr. Dafydd Wigley (Caernarfon): Does the hon. Lady accept that it would also be in order for the Secretary of State for Social Security to be present in view of the considerable hardship that she has mentioned, and the fact that there is no rebate scheme or element of income support to help those on the lowest incomes who face fixed bills which they cannot afford to pay?

Mrs. Taylor: I am grateful for the hon. Gentleman's intervention, which highlights many of hon. Members' concerns. I hope that Conservative Members, who must

[Mrs. Taylor]

have had representations from their constituents, as we have had from ours, will voice the worries and fears of many people.

Mr. Graham Riddick (Colne Valley): Will the hon. Lady tell us where the hon. Member for Dagenham (Mr. Gould) is? Why is he not here this afternoon?

Mrs. Taylor: As I am responsible for Labour party policies on these matters, it is appropriate that I am here.

Today's debate is not only extremely important, but extremely timely. In recent weeks, the profits of the water companies have been announced. We have heard of the vast increases in salaries for top management. Only today we have had the report of the Director General of Water Services which shows that the interests of shareholders predominate over the interests of everyone else. That cannot be the right priority for an industry that is so fundamental to the needs and interests of everyone.

Mr. Tim Devlin (Stockton, South): How does the hon. Lady explain the £4 million of investment that Northumbrian Water is putting in to the Teesside area which will be followed by investment all round the country on an unprecedented scale to repair old sewers and water pipes which are falling in because the previous Labour Government slashed investment in the industry?

Mrs. Taylor: I am sure that the hon. Gentleman has read the annual report published today. It shows us in detail the shortfall in investment programmes—and I will come to that point later. I am sure that the House wants to be reminded of the figures for investment under the previous Labour Government compared with the figures for investment under the Conservative Government since 1979. During the period of the previous Labour Government, the average annual investment was £1,254 million a year. During the years of Conservative Government since 1979, the average investment in the water industry has been £922 million. That is the answer to the hon. Member for Stockton, South (Mr. Devlin).

Mr. David Nicholson (Taunton): I fear that the hon. Lady's figures are grossly misleading. I have the actual figures before me. During the period of the previous Labour Government, investment at 1989 prices fell from £1·4 billion to £1·1 billion. Under the Conservative Government, investment has risen from just under £1 billion to almost £2·4 billion in the current year.

Mrs. Taylor: The hon. Gentleman has proved that he cannot read statistics either. He raises an interesting question. It is not long ago that the water industry was not considered to be part of the realm of party politics and party debate. It is not long ago that the objectives for the water industry were similar among all parties. That has been the case since the Victorian era. I remind Conservative Members that it was the Conservative Joseph Chamberlain—and I am glad to see the hon. Member for Stockton, South nod in agreement—who said of the water industry:

> "It is difficult and indeed almost impossible to reconcile the rights and interests of the public to the claims of an individual company seeking as its natural and legitimate object the largest private gain."

Much of the advance in life expectancy and many of the triumphs over disease were as much an achievement of better water supplies and better sewerage systems as an achievement of medical breakthrough. The House should remind itself of what has changed since those days.

In the past few years the Government, hamstrung by their dogma and extremism, have looked round for other industries to privatise. There was little left, so they descended on the water industry. There was a feeling in the water industry that the Conservative Government had deliberately held back investment to pave the way for privatisation.

Some callous remarks of the Ministers of the day should have prepared us for what has happened since. When answering a question about water quality and water bills, the former Secretary of State for the Environment, the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), uttered the immortal words, "Let them drink Perrier." Given that attitude, what has followed is perhaps not surprising.

Let us consider what has happened to the water industry in the past 18 months. I start with price increases. I remind the House that it was the present Secretary of State for Employment who promised during the Second Reading of the Water Bill in 1988:

> "We are determined to ensure that the customer gets these benefits . . . in the price that he pays for water".—[*Official Report*, 8 December 1988; Vol. 143, c. 525.]

Since that statement, there have been large price increases, such as in the year of privatisation. Water charges have increased by 30 per cent. on average, with every company forcing through the maximum price rises on virtually every occasion. In the past three years, the increases have amounted to more than 50 per cent. for some consumers.

Mr. Robert B. Jones (Hertfordshire, West): As the hon. Lady is clearly setting her face against the idea of price increases, and as the Labour party is committed to renationalising the water industry, where is the money to come from?

Mrs. Taylor: Many people are worried about where the money is going at present.

The price increases that I have quoted have been the average increases across the country as a whole. The position has been much worse for many people, especially where companies have overloaded their increases on to standing charges, thus often hitting hardest those who can least afford to pay more. Welsh Water has increased its standing charges by 60 per cent., presumably as part of its campaign for a flat-rate charge for every house in Wales, which is what some of my hon. Friends have called "the water poll tax". Other companies have adopted a similar approach.

I am sure that many colleagues have, like me, received letters almost daily from their constituents, especially from pensioners who keep a close record of their spending. A letter from one of my constituents shows that in the past two years the standing charges in the Yorkshire Water area have increased by 125 per cent. for sewerage and by 162 per cent. for water.

At one time, water bills were a relatively minor item of expenditure, but they are now a major problem for many families and cause grave hardship. That is why, in the past year, more than 900,000 summonses have been issued to people who could not pay their water bills.

Mr. William O'Brien (Normanton): I appreciate my hon. Friend's references to standing charges because of which it is significant to note that the people who use the least pay the most in unit costs for their water. My hon. Friend has referred to what has happened in the Yorkshire Water area in the past 18 months, but if she goes a little further back she will see that standing charges have increased by nearly 400 per cent. in the past five years. She is therefore correct to draw attention to standing charges, on which I hope that she will dwell a little further because they most affect those who use the least.

Mrs. Taylor: My hon. Friend is right. From his long interest in the water industry, I know that he will share my concern about the problems facing many households and families. Indeed, some of his constituents have had extra problems because of metering trials in their areas.

Mr. Alan Williams (Swansea, West): My hon. Friend has referred to the 900,000 people who have received summonses. Will she remind the House that the hardship that they face is not only the summons itself and the fact that very often the court costs amount to more than the one month's instalment that has been missed, but there is the far more important fact that, once summonsed, those 900,000 people will be placed on credit blacklists, as a result of which people who cannot afford to buy things outright are debarred from credit and even from rentals, and that that punishment stays with them for six years?

Mrs. Taylor: My right hon. Friend is right. The problem causes all sorts of hardship to the families involved. One of the horrors is that many of the families affected previously had no form of debt whatever and had not got into such difficulties.

Mr. Robin Squire (Hornchurch): I am grateful to the hon. Lady, especially as she has given way several times. Let there be no doubt that hon. Members on both sides of the House are worried about those who find themselves in debt. However, with great respect, the hon. Lady has not yet answered the point made by my hon. Friend the Member for Hertfordshire, West (Mr. Jones). He said that, faced with a £28 billion investment programme and a commitment to nationalise, the Labour party would have to find the money either out of taxation or, in fairness, out of prices. If she would reduce prices, where would the money come from?

Mrs. Taylor: The hon. Gentleman must bide his time. I shall come to the question of profits shortly. Before that I want to talk about some of the other burdens faced by many people, especially those who are worried about the possible introduction of metering, which could have a devastating effect on many families.

The Opposition are totally against universal compulsory metering or, indeed, any form of metering designed solely to enhance the profits of the water companies. No one should be denied access to water simply because of price, not least in view of the public health implications. Those who advocate metering as a solution should look carefully at the trials that have taken place, including those in the constituency of my hon. Friend the Member for Normanton (Mr. O'Brien). Many hardships and problems have been created by metering.

I have dealt with what has been happening to prices. In view of what has happened to prices during the past 18 months, it is perhaps not surprising that profits have rocketed. The profits for this year range from 17 per cent. for Thames Water and 60 per cent. for Southern Water, at the bottom of the list, to 185 per cent. for North West Water, 224 per cent. for Welsh Water and an incredible 369 per cent. forecast profit for Northumbrian Water. Those figures are so staggering that they need little further comment. But they must be seen as a slap in the face to all consumers.

The increased profits have been matched by increased salaries for top management. Many salaries have doubled in the two years or so since privatisation. Figures were published in *The Sunday Times* last week. Most of them were accurate, although I ought to make one correction. The chairman of Anglian Water has taken a salary cut. His salary has now fallen to £71,000 because he has gone part time. However, for chairmen and top managers that is not the end of the story. As well as huge salary increases, top management has also had very lucrative perks, not least the share options at flotation.

I have here the figures for the gains that would have been made by senior managers if they had taken up their full share option and sold at midday yesterday, which was not when prices were at their peak. Last year's accounts showed that more than 10 million shares were made available to chairmen, executive directors and others in senior management. I shall give a few examples of what that perk could have meant in practice. The chairman of Anglian Water came off worst. His share option would have realised £22,000 if it had been sold yesterday. The chairman of North West Water was given an option on 122,000 shares and would have made a profit yesterday of £74,000. He is not alone in that bracket.

Mr. D. N. Campbell-Savours (Workington): Will my hon. Friend comment on the observations of many of my constituents in Cumbria and the north-west of England who feel concerned about the figures that were published in *The Sunday Times* at the weekend? They cannot understand how the water authorities can find money to pay such exorbitant salaries and make investments in companies that have nothing to do with the water industry, while at the same time major works remain outstanding on, for example, sewer outfalls, sewage plants and the relining of sewers. People want the authorities to spend their money in those important areas.

Mrs. Taylor: People in the north-west will be concerned about the chairman of North West Water being able to make over £74,000 from the disposal of his shares. The share option that was made available to senior management should not, in the view of most water ratepayers and consumers, have been a first priority.

Not only has the chairman of North West Water had that advantage. The chairman of Severn Trent Water could have realised £69,000; the chairman of Thames Water, £71,000; and the chairman of Welsh Water, had he sold his shares yesterday, could have realised £78,300. That is all in addition to their salaries. The perks to top management may have brought them in total as much as £10 million, all in addition to their salaries.

Mr. Robert B. Jones: Has the hon. Lady evidence to suggest that any of those people have disposed of their shares, or is she uttering just a nasty little innuendo?

Mrs. Taylor: I wonder what the hon. Gentleman thought was the purpose of the share option at the time. It

[Mrs. Taylor]

is common for directors to be given such perks. I am complaining about that type of priority taking precedence over the need for investment in the water industry.

Mr. Jones *rose*——

Mrs. Taylor: I have given way once to the hon. Gentleman. [HON MEMBERS: "Give way".]

Mr. Speaker: Order.

Mr. Jones: On a point of order, Mr. Speaker. Do you agree that, when people outside the House are referred to, we have a duty to ensure that what is said is true, since it may be repeated outside? Have you had any intimation from the hon. Lady that what she is saying about people in the water industry is true?

Mr. Speaker: We must all calculate the weight we put on the freedom of speech which we enjoy here. What the hon. Lady has said is not a matter for me, and I have no idea whether or not it is true.

Mr. Devlin: On a point of order, Mr. Speaker. Is it in order for the hon. Lady to say that the perks to which she referred took priority over investment decisions when the water industry currently has a £28 billion investment programme?

Mr. Speaker: It is in order for the hon. Lady to make her own speech in her own way. Thanks to the slightly earlier start that the debate has had, it may be possible for me to call the hon. Member to speak and to make those points.

Mrs. Taylor: I appreciate why Conservative Members are so sensitive on these issues. I should not like to have to defend the situation that the Government have created.

I come to what has happened to services since privatisation. I was struck by a briefing document sent to me today by one of my hon. Friends who represents an area covered by the Severn Trent authority. It said that the briefing was to be used when citing the achievements of Severn Trent since privatisation. On turning over the briefing document, the page was blank. That represents great honesty on the part of that water company.

Mr. Martin M. Brandon-Bravo (Nottingham, South): I have not seen the briefing paper to which the hon. Lady refers, but if the reverse of the page was blank, I will tell her an item that should have appeared on it. Any company in Britain that could invest in the current year double its profits must be giving priority to investment. I doubt whether that would have happened had it remained in the public sector.

Mrs. Taylor: Severn Trent has invested a great deal of money outside the water industry on acquiring other companies.

Right hon. and hon. Gentlemen will have read reports about the problems that have arisen in the last year or so with Britain's rivers, which are now more polluted with sewage than before privatisation. The number of sewage pollution incidents has increased by 20 per cent., to 6,274. When asked to comment on that aspect, the Minister for the Environment and Countryside—who is not present today—is reported to have said that he would be asking for something to be done. The same hon. Gentleman was a Minister at the Department of the Environment at the time of privatisation, when the Government gave water companies immunity from prosecution in respect of most of the pollution incidents about which the Minister now complains.

The Government themselves must bear much of the responsibility. It will not wash for the Minister to say that something must be done. The Government drew up the rules that make it so difficult for the National Rivers Authority to prosecute water companies.

Sir Peter Hordern (Horsham): Perhaps the hon. Lady will tell the House what will be the cost of compensating the nationalised companies if Labour was to return to power—because nationalisation is a pledge in its programme? Will she also say what the effect will be on the public sector borrowing requirement, given the present capital expenditure programme of £1·25 billion a year, and total capital expenditure programme of more than £20 billion? Has the hon. Lady taken into account the impact of that on the public sector borrowing requirement? What effect does she think that such an absurd programme would have on a Labour Government's economic policy?

Mrs. Taylor: The hon. Gentleman misses the point that I was making, but I will deal with his question. Yes, we still intend to return the water industry to public ownership. Many of the Government's own statements about the public sector borrowing requirement are most peculiar, but in fact the whole of that borrowing would not have to come out of the PSBR. We had confirmation of that from the Library only today.

Pollution incidents have increased dramatically over the past year, partly due to the immunity granted by the Government at the time of privatisation. That problem is made worse because the companies are not meeting their spending targets. Figures published by the Director General of Water Services show that the combined programme for sewage treatment plants is way behind target—by £67·4 million, or 23·7 per cent. of projected expenditure. I hope that does not give any comfort to Conservative Members, because it alarms many people throughout the country.

There is no comfort to be gained either from the situation in respect of drinking water. At the time of the Water Act 1989, we were told that all would be well because of the establishment of a drinking water inspectorate—which turns out to be 20-odd civil servants in the Department of the Environment, whose job it is to collect the information that water companies give them and to visit the companies occasionally after giving an average of five weeks' notice. We have not seen the improvement that could have been made, but instead there have been several worrying incidents.

Mrs. Maureen Hicks (Wolverhampton, North-East): Will the hon. Lady give way?

Mrs. Taylor: Not for a moment. I have given way rather a lot, and I want to make progress.

One of the most alarming incidents was the outbreak of cryptosporidia in north Humberside between December 1989 and May 1990. It was responsible for 477 cases of infection. Cryptosporidia is a parasite that is often water-borne. A recent independent report by the public health laboratory service shows that that was the case with the incident in north Humberside, but we now also know

that the outbreak was caused by the bypassing of slow sand filters at the Barmby water treatment works. It appears that that was done because Yorkshire Water was taking shortcuts to avoid water shortages in the area. There is a direct correlation between the bypassing of filters and the incidence of that illness in the area. Although Yorkshire Water's actions may have protected confidence in its shares for a time, they were carried out at the expense of drinking water in the area.

Section 54 of the Water Act 1989 empowers the drinking water inspectorate to recommend to the Secretary of State that a supplier be prosecuted for supplying water that is unfit for consumption. So far, that has not been done. If the inspectorate does not recommend prosecution when it makes its first report to the Secretary of State in July, we shall be able to draw our own conclusion.

Mrs. Maureen Hicks: Will the hon. Lady give way?

Mrs. Taylor: I am sorry, but I must make progress. This is a short debate, and I have already given way several times.

The director general's report published today shows that water companies are falling behind with their investment programmes for drinking water treatment, so slippage is taking place in that area, too. Indeed, the report shows that there are investment problems in all the important areas and that the water companies never meet their investment targets on water resources, water treatment, water distribution, sewerage or sewage treatment. The only area in which expenditure is higher than planned is "management and general". Perhaps that should not surprise us because, although incidents such as that in north Humberside have taken place, and although sewage pollution is increasing, water companies have been turning their attention to other matters. A chairman of a water company now says that he spends 60 per cent. of his time on water services and 40 per cent. on diversification.

Severn Trent has spent——

Mrs. Maureen Hicks: Will the hon. Lady give way on that subject?

Mrs. Taylor: I have given way enough—*[Interruption.]*

Mr. Speaker: Order. May I give the hon. Member for Wolverhampton, North-East (Mrs. Hicks) the same message? There may be time for her to raise those matters in her own speech.

Mrs. Taylor: I have given way 11 times, Mr. Speaker, so I need to make some progress.

Severn Trent has spent £212 million on a waste disposal company. A waste subsidiary of Northumbrian Water is trying to obtain planning permission to build incinerators for industrial and clinical waste. Welsh Water is buying hotels and shares in South Wales Electricity. South West Water is part of a franchise for a television company, and other water companies have embarked on land disposal plans.

The case of North West Water and Kingswater Park is causing considerable concern to colleagues in the north-west, especially my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) and my hon. Friend the Member for Denton and Reddish (Mr. Bennett). A valuable piece of green countryside—the only piece easily available to those in the eastern part of the inner city of Manchester—is now threatened by development. In today's report, the Director General of Water Services has expressed concern that companies could

"transfer sites at relatively low values to property subsidiaries for them to develop at a later stage."

North West Water's plans seem to fit that description, and I hope that the regulator will examine the case carefully —although, of course, North West Water is not the only company that is disposing of land; Severn Trent and Thames have the highest number of disposals.

I have tried, in the limited time available, to present a picture of what has happened to the water industry's priorities under the Government since privatisation. What the industry needs, and what it lacks, are public control, public accountability and consideration of the public interest. We want to see the industry back in public ownership so that the right priorities can be guaranteed. That cannot happen on day one of a Labour Government, but, from that day on, a Labour Secretary of State will use the powers under the Water Act 1989 to instruct the Director General of Water Services and the National Rivers Authority on their priorities as a first step towards putting the interests of consumers and the environment before those of shareholders.

The public are thoroughly fed up with the excesses of the Government. All the worst fears that we felt at the time of privatisation have been confirmed, or worse. Prices have risen by at least 30 per cent.; profits have been scandalous, increasing in one instance by 360 per cent. in a single year. Top management salaries and perks have simply added insult to injury. Moreover, the so-called environmental improvements are not being achieved as they should be. The drinking water inspectorate has proved toothless; the increase in sewage pollution incidents must surely shatter any defence that the Government can mount.

No wonder the Secretary of State chose to hot-foot it to Lancashire today, and the Minister of State with him. They may be avoiding the questions today, but they will not be able to avoid them when the election comes. The scandal of water privatisation will be a nail in the Government's coffin.

4.16 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the success which the water industry has achieved in the first full year after privatisation in substantially expanding investment to improve the environment and standards of service to customers; endorses the firm and fair system of regulation that has been established to protect customers; and looks forward to the benefits from this massive investment programme and improved efficiency in the years to come.'.

The hon. Member for Dewsbury (Mrs. Taylor) began by complaining that neither my right hon. Friend the Secretary of State nor my hon. Friend the Minister for the Environment and Countryside was present. As my hon. Friend the Minister took pains to explain to the hon. Lady yesterday, my right hon. Friend is in the north-west today, attending a series of meetings with local authorities, many of them Labour controlled. Those meetings were arranged some time ago. On reflection, the hon. Lady will probably decide that her complaint was ungracious, and that that point, like so many of her others, was a bad one.

[Mr. Tony Baldry]

The House had had to endure a predictable but none the less depressing half-hour diatribe from the hon. Lady, who took the opportunity to attack the water industry and those working in it. She sought to convey the impression that nothing had been achieved in the two years since privatisation and that every challenge currently faced by the water industry had somehow been caused by that privatisation. In short, it was all good, knockabout Opposition day stuff.

If I may be candid, I do not believe that it lies in the mouth of the Labour party to criticise the water industry. Labour cut capital investment in the industry by one third in real terms when it was last in office and cut investment in sewage treatment by a half. In 1976, so desperate was the economy under Labour that it had an overnight moratorium on capital works in the water industry, followed by the stringent financial limitations and Government—imposed cuts in borrowing limits.

It was of little surprise, therefore, that in 1987 the Environment Select Committee reported:

". . . the most immediate reason why water authority effluents fall short of the present consent standards is because from the mid-1970s until the early 1980s there was a steady drop in investment by the water authorities in sewerage and sewage disposal"—

a drop which coincided exactly with the period of the previous Labour Government, so we shall take no lectures from the Labour party on enhancing water quality.

Mr. O'Brien: Is the Minister aware of the considerable time and money that was spent by local authorities in establishing ring-main circuits to prevent failures in water and in building sewage works to ensure that such works continued? That was undertaken well before privatisation. Is he aware that, following privatisation, 729 of my constituents are facing compulsory water metering, which they did not want and which is causing problems? That is what privatisation has achieved. What are the Minister's comments on the hardship that has been caused in my constituency by water meters?

Mr. Baldry: The hon. Gentleman cannot find any comment to rebut the assertion that under the previous Labour Government, and during the period of Labour's supposed stewardship, investment in the water industry declined substantially. Under the Water Act 1989, it was no longer sensible for water charges to be related to rateable values, and the water industry has been given some time to devise an alternative system.

We should all be interested to hear whether the Labour party would continue to base water charges on rateable values. We heard little about that from the hon. Member for Dewsbury, who failed to answer my hon. Friends the Members for Hertfordshire, West (Mr. Jones) and for Horsham (Sir P. Hordern) about how she would manage to finance the £28 billion investment programme. Would she do so by increasing prices or taxes?

Mrs. Ann Taylor *rose*——

Mr. Baldry: The hon. Lady failed to answer that question.

Mrs. Taylor *rose*——

Mr. Baldry: The hon. Lady did not have the courtesy to give way to my hon. Friend the Member for Wolverhampton, North-East (Mrs. Hicks) or to answer the question that was put to her, as *Hansard* will clearly show. Perhaps she would like to answer now. Does the Labour party intend to finance future investment by increasing prices or taxes?

Mrs. Taylor: I am grateful to the Minister for giving way at last. We shall not waste money on the schemes to which water investment has been diverted. That is the answer to his specific point, but he has not replied to the point that was made by my hon. Friend the Member for Normanton (Mr. O'Brien) about water metering. What is the Government's policy on water metering? Do they believe in choice? The Minister said that he was unaware of our opinion, but we have published our submission to the Director of Water Services on water charges. Will the Minister say whether the Government are likely to do the same, and will he give their attitude to metering? May I remind him of the average figures for investment under Labour and Conservative Governments? Labour spent £1,254 million a year, compared with £922 million under the Conservatives.

Mr. Baldry: I hope that everyone will read *Hansard* tomorrow, because the hon. Lady has been asked, on occasions too numerous to particularise, how a Labour Government would finance future investment in the water industry. On each occasion, she has refused point blank to answer the question.

The hon. Lady knows the Government's position on water metering because it is enshrined in the legislation. The water industry must now make its own proposals, which it will do.

Mr. Robert B. Jones: We can draw our conclusions from the point-blank refusal of the hon. Member for Dewsbury (Mrs. Taylor) to answer straight questions about where the money will come from. My hon. Friend referred to the Select Committee's condemnation of the last Labour Government's record on water investment. Is he aware that members of the Select Committee were unanimous and that Labour and Conservative Members shared in that condemnation of the Labour Government's record?

Mr. Baldry: My hon. Friend makes a good point. There could not possibly be any defence of the failure of the last Labour Government's stewardship of the water industry. The country should note that when the Labour Government sought to finance investment in the industry out of central Government funds, they lamentably failed to do so. Privatisation of the water industry has opened the way for a dramatic, sustained increase in investment.

Mr. Charles Wardle (Bexhill and Battle): My hon. Friend is aware that, unlike Opposition Members, Conservative Members welcome water privatisation, especially the greater standards of professionalism among the management. Does my hon. Friend concede that there is concern about the K factor in the pricing formula? Is he aware that, over the past three years, Eastbourne Water increased its charges to customers by more than 100 per cent? Does he think that that is an unreasonable burden to lay on current customers because of persistent underfunding by previous Labour Governments? Will my hon. Friend at least review the K factor at an early opportunity?

Mr. Baldry: My hon. Friend is right to draw attention to the fact that some of the immediate challenges faced by Eastbourne Water are due to lack of adequate investment in the past. I am glad to tell my hon. Friend that I understand that, for the next three years, Eastbourne Water's K factor will drop to 2·5 per cent. and that from 1995-96 it will be zero.

Over the next 10 years, water companies will be carrying out the biggest ever programme of sustained investment.

Mr. Campbell-Savours: Before the Minister moves on, will he deal with the important question asked by my hon. Friend the Member for Normanton (Mr. O'Brien)? The Government wish to convince the nation that they are committed to choice. Why do the constituents of Normanton have no right to choose water metering? Does the hon. Gentleman condemn the water authority for imposing that obligation on my hon. Friend's constituents? Does he believe that they should have the right to choose?

Mr. Baldry: The position on water metering is straightforward. Until recently, local government finance was based on rateable values, as were water charges. As we move from that, it does not seem sensible to continue to base water charges solely on rateable values. For that reason, water companies have come forward with an alternative water-charging system. I do not believe that water consumers have ever had a choice—nor have consumers of electricity or other such facilities—as to how they pay.

Mr. David Nicholson: I am delighted to hear my hon. Friend make the position clear. I am beginning to receive representations from constituents who are paying water rates on the basis of an antiquated rates system. The bulk of them have their water rates based on rateable values set 17 years ago, but, because of flat conversions and such like, the rateable values of a significant number were set recently. The latter group are aware of unfairnesses and of anomalies between what they have to pay and what their neighbours in similar or larger accommodation pay. My hon. Friend must impress on water companies the need to move towards an up-to-date and fair system of water charging.

Mr. Baldry: My hon. Friend makes a good point. I am surprised that Labour Members brought these issues before the House. I suspect that they were thoroughly canvassed before decisions were made on how the Water Bill should be implemented, as well as by the Standing Committee on the Bill.

Some £28 billion will be invested before the turn of the century and the water services associations tell us that more than £3 billion has already been invested to improve water quality. Between now and the turn of the century the water companies will spend £5,000 a minute on rebuilding the water industry's infrastructure, constructing new sewage treatment works and reservoirs, on improving drinking water where it is not yet up to standard, improving bathing waters and raising standards of service for customers.

Mrs. Maureen Hicks: Is my hon. Friend aware of the orchestrated attempts by the hon. Member for Dewsbury (Mrs. Taylor) to put fear and alarm into the minds of constituents? A short time ago the hon. Lady issued press releases in Wolverhampton suggesting that people were receiving a chemical cocktail in the water. I am sure that my hon. Friend will agree that under privatisation we have a duty to monitor water quality and to ensure that lies are not told about the system. I have a letter from the chairman of Severn Trent Water in which he states that the hon. Member's

"silly reference is best answered by facts . . . The Wolverhampton area is fed by a number of water sources, ranging from local bore holes to the large river abstraction plant at Hampton Loade.

Bacteriology provides the most sensitive tests for quality, and in the Wolverhampton area . . . we have not had a single failure at source, reservoir or zone . . . despite the hundreds of samples taken. From a chemical point of view"—

Mr. Speaker: Order. The hon. Lady must not make a speech. In fairness to the House, she should not give a long quotation during an intervention. The usual method is to paraphrase and not to quote.

Mrs. Hicks: The chairman says that during 1990 over 99·9 per cent. of tests undertaken proved satisfactory in meeting today's tough quality standards in Wolverhampton. That gives the lie to the hon. Lady's press release.

Mr. Speaker: Did I hear the word lie coming from the hon. Lady's mouth?

Mrs. Hicks: I apologise for the use of the word lie. I should have said that it was a misrepresentation of the facts by the hon. Lady.

Mr. Baldry: It behoves us all, and especially those of us who have responsible positions on the Front Benches, to address these matters with care. It is not in the interests of the hon. Member for Dewsbury or her party to misrepresent the position, as is sometimes clearly the case. I have absolutely no doubt that those who work in the water industry and understand it will take careful note of the hon. Lady's frequent assertions and will treat them with the contempt that they deserve. Anglian Water, for example——

Mrs. Ann Taylor: Will the hon. Gentleman give way?

Mr. Baldry: No. The House listened to the hon. Lady for more than half an hour and most of her speech consisted of attacks on various people. She must allow other hon. Members to rebut some of the assertions that she freely made.

Anglian Water has a £4 billion investment programme under way. North West Water is investing £4·3 billion, while in Thames investment is not far below £4 billion. Progress is being made everywhere in enhancing water standards and in building structures such as a new ring main circuit round London—*[Interruption.]* I will set out the position. The hon. Member for Bridgend (Mr. Griffiths) complains about a company spending only £4 billion on investing in enhancing water quality. The Labour party never managed to invest such sums in enhancing water quality. South West Water has completed 89 major projects in the past year and has almost 400 schemes in progress. Welsh Water's overall programme exceeds £1·7 billion, and work has commenced on four projects totalling £25 million which were not in its original programme. In short, companies such as Severn Trent,

[Mr. Baldry]

Thames and others are spending more than £1 million a day on improving water treatment and distribution and sewage treatment—double their rate of profits.

Mr. Campbell-Savours: We are all very impressed by these investment figures, but are all the investments to which the Minister has referred water related?

Mr. Baldry: Yes.

Mrs. Ann Taylor: Will the Minister accept the point that has emerged from the recent figures on investment, which showed that the water companies have spent far more on diversification than on improving water quality?

Mr. Baldry: I shall come to the director general's report on that in a minute. The Opposition do not like the fact that the privatised water companies have managed to spend billions of pounds on enhancing water quality, because those companies' record under privatisation contrasts so starkly with the failure of the Labour party's stewardship to invest adequately in the water industry.

We heard a lot about profits from the hon. Member for Dewsbury today. One can only deduce from her attack on the water companies' profits that the Labour party would have preferred them to make losses. Those more in touch with reality take a more balanced view. *The Guardian* business page described the figures as

"relatively modest profit and dividend increases."

The Independent said that the division of one third to shareholders and ploughing the remaining two thirds back into the business was

"a split which is difficult to criticise".

Those two thirds ploughed back into the water industry represent part of the water companies' continuing programme of capital investment in the industry—a programme which is massive and unprecedented.

What concerns and interests most people is not the level of profits or the dividends paid on shares but the price of water. To keep matters in perspective, I should point out that water bills in the midlands recently rose by on average 5p a day. Domestic customers of Severn Trent Water are paying an average 38p per day, compared with 33p previously. On average, domestic customers pay 43p a day for their water—a few pennies more than the cost of a daily newspaper.

It is entirely reasonable to expect water consumers to make some contribution towards the costs of paying towards higher water standards, which everyone demands and which the Government are determined shall be delivered.

Mr. Elliot Morley (Glanford and Scunthorpe): Reasonable people do not object to the price of water increasing to cover the investment programme, but many people on benefit who can receive no help with their vastly increased water charges over the past year, and people who have had to convert to water meters with their high standing charges, complain that they are paying a great deal for their water now. Yet Anglian's profits before tax have risen by 77 per cent., while its investment has risen by 19 per cent. and its dividends by 40 per cent. If that money is to be raised, surely it should be raised for investment, not to fatten profits and boost dividends—that is what people on low incomes object to.

Mr. Baldry: The hon. Gentleman's intervention gives me the chance to explain again. Two thirds of the profits about which he complains go back into investment in the industry. Even papers such as *The Guardian* acknowledge that the dividends taken from the remaining third are modest. The hon. Gentleman has reinforced my point—the water companies are behaving wholly responsibly by ensuring that large amounts of their profits are reinvested in the industry for the benefit of customers and consumers.

Mr. Simon Hughes (Southwark and Bermondsey): I should like the Minister to answer the point made by the Director General of Water Services who, only a month ago, wrote to each of the water authorities warning them that he understood their profit declarations to be excessive and commenting strongly that customers would expect to reap the benefits of greater profits. Comment in newspapers such as the *Financial Times* made it clear at the time that these excessive profits were not going back to investment or to the customers. So the person charged with this responsibility has found profits to be so large that he will take action in the coming months.

Mr. Baldry: I am sure that the hon. Gentleman would not wish, even inadvertently, to mislead the House. The director general has made no criticism of the water companies. He has said that he will look with care at their profits and dividends for this year. I have no doubt that that is entirely proper for a regulator and that is what he is doing. The water companies are reinvesting two thirds of their profits in the industry. If the hon. Gentleman looks back at the pages of the financial press and the financial pages of papers such as *The Guardian* and *The Independent* he will see that the way in which water companies have divided their profits and dividends has not been subject to criticism; rather those profits and dividends have been considered modest.

Mrs. Ann Taylor: The Minister will be aware that much of the profits about which he talks has been made as a result of the taxpayers' generosity at the insistence of the Government at the time of privatisation when they put £3·3 billion into the water industry. Has the Minister seen the report from Credit Lyonnais Laing, the City investment analyst, which says:

"With the benefit of hindsight the financial framework set up at the time of privatisation was rather generous"?

Does not that explain why shareholders have been doing so well since privatisation?

Mr. Baldry: I shall explain yet again. The water companies have made profits this year, two thirds of which they are putting back into the industry. The hon. Lady ought to be careful about keeping on jumping to her feet to complain about profits, because every time she does that Conservative Members will simply ask her, "If the water industry is not to be funded from its profits or by its customers, from where is it to be funded?" Once again, I ask the hon. Lady to explain to the House what a future Labour Government intend to do—*[Interruption.]* The hon. Lady says sotto voce, but I hope that *Hansard* will record it, "We are not going to say". That is the comment of the Labour party.

Mrs. Ann Taylor: I am sorry that the hon. Gentleman misheard. What I said was that we would not spend money on silly things such as television companies in which water companies should not be investing.

Mr. Baldry: The hon. Lady has still failed to explain how the Labour party will fund future investment in the water industry—*[Interruption.]* She says, "No, we won't".

Mrs. Ann Taylor: No.

Mr. Baldry: The hon. Lady should be careful about complaining about company profits.

Mr. Richard Holt (Langbaurgh): I am a former member of the Thames water authority board. It is now very different for people in the situation that I was once in. They now have money available. Too much has been made of the word "profit". What we are talking about is excess income over excess expenditure. We now have a far more efficient and lean water industry which is operating far better and that excess of money has been put back in. It is not a profit in an historical sense, because historically the water boards never could make a profit. Under nationalisation we stripped and tried hard, but we never got enough money out of any Government, Conservative or Labour, to make the investment which is now being made under this Conservative Government.

Mr. Baldry: My hon. Friend makes a good point and I continue to reiterate that privatisation has opened the way to massive investment in the water industry and the bulk of the profits are being reinvested in that industry.

Mr. Campbell-Savours: Will the hon. Gentleman give way?

Mr. Baldry: No, the House clearly wants to make progress and I have much to say.

It is right that the industry should in part be funded from profits and that it is doing.

We must also acknowledge that, even after this year's price increase in water, water in Britain is good value compared with prices charged in other countries. Customers in Germany, France, Italy, Belgium and the Netherlands all, on average, have to pay more for their water than we do here.

Privatisation has not of itself caused an increase in water charges. Privatisation has involved identifying all the requirements to ensure that the water industry meets agreed domestic and European Community standards, and costing those requirements and agreeing a capital programme to put them right. As I have made clear, that capital programme is massive and it is not unreasonable to expect customers who expect higher standards to pay a price for their water that enables the water companies to meet those higher standards.

Mr. Campbell-Savours: Will the hon. Gentleman give way?

Mr. Baldry: No, I do not intend to give way again. I have given way on numerous occasions and I want to make progress.

What are those higher standards that we are achieving and seeking to achieve? The major priority of the water industry is the provision of good quality drinking water. We have set in place a robust regime to promote drinking water quality. That regime establishes an effective system for regulating water quality. It sets exacting standards which drinking water must achieve in order to be regarded as wholesome and specifies in detail the monitoring which water companies must carry out and ensures that the results are available on public registers.

The legislation also provided for the creation of the drinking water inspectorate to check that water companies are carrying out monitoring programmes satisfactorily, making the results available on the public registers, implementing their compliance programmes and achieving all the other standards in the regulations.

I am glad to say that the overall quality of our drinking water is excellent. However, to ensure that all our water supplies satisfy the stringent standards of the EC directive and water quality regulations, the water industry is investing in excess of £2 billion to ensure that, wherever possible, supplies be brought into compliance by 1995. That is a substantial commitment to continuing to strive to enhance drinking water quality.

Mention may be made of pesticides in drinking water. All the water companies with supplies that exceed the pesticide standards are carrying out programmes of remedial action designed to bring supplies into compliance as quickly as practicable. The EC has only once started infraction proceedings against the United Kingdom under the pesticides directive and that case proved unfounded. It has not started formal proceedings in any other case.

Just as the water industry is spending and investing billions of pounds enhancing drinking water quality, it is investing billions of pounds on improving sewage treatment. As the House knows, the Government are totally committed to meeting all the provisions of the EC urban waste water directive by the required dates. Those vary between 1995 and 2005 according to size and other criteria. The United Kingdom was one of those in the lead in pressing for agreement on that directive.

In comparison with many colleagues elsewhere in the Community, we start from a good position in relation to implementing that directive. The United Kingdom has the highest percentage of its population connected to a sewerage system—some 96 per cent.—compared with any of our partners and we achieve a percentage of treatment which stands comparison with any of our partners.

We start from a good position in relation to implementing the directive, but clearly there is more to be done to ensure that we reach and maintain the high standards that we all want. The water industry has already started work on the implementation programme, which it currently estimates will cost about £2·2 billion. However, such a large investment programme cannot be completed overnight. Schemes have to be planned and designed; planning procedures have to be gone through. The water industry is seeking to fulfil its obligations as fast as is humanly possible. On completion of the implementation programme we shall have a sewerage system which is one of the most comprehensive in Europe, and a model for other countries.

It is not possible to make all the improvements to our sewerage system overnight. The schemes often require extensive alterations to earlier systems, or complete replacement. Sites have to be found for new sewage works. Planning permissions have to be obtained. New sewage sludge disposal routes have to be developed.

Anyone who has any appreciation of the scale of the investment being carried out will recognise the practical challenges of completing the comprehensive programme of improvements now under way. Inevitably, given their nature and scale, this all takes time. But the investment, commitment and determination are there to carry out this work as speedily as is humanly possible.

[Mr. Baldry]

Sewage treatment and disposal have always been at the very core of the water companies' business.

During the early 1980s, it was becoming clear that investment in the water industry had for far too long been depressed—especially during the supposed stewardship of the Labour Government—and that quality had begun to suffer.

The results of the 1985 river quality survey had shown that, while the quality of our rivers remained generally very good, water quality in many areas depended heavily on the quality of sewage treatment. When river quality has improved, this has generally been when improvements to sewage treatment have been carried out.

It was against that background that, in 1986, the Government made sure, with the establishment of Her Majesty's inspectorate of pollution, that, for the first time, central information on the way that sewage works were performing was collected.

The first results were hardly encouraging: in 1986 no less than 23 per cent. of all sewage treatment works tested failed to meet the standards set for their discharges. Such a state of affairs could not continue.

The privatisation of water authorities provided the opportunity to see that things were put right. We therefore agreed with the water authorities that they should draw up accelerated improvement programmes to bring sub-standard sewage treatment works back into compliance with the terms of their discharge consents.

The objective was to get all the necessary improvements completed by 1992, although we recognised from the outset that some of the projects would involve extensive design and construction work, so that there would be a small proportion of cases in which it would not be humanly possible to achieve a 1992 target.

Much attention has mistakenly, misleadingly or malignly become focused on the temporary consent variations we granted the operation of works in circumstances where their performance could not reasonably be improved until the necessary rebuilding or extension of the works had been completed.

Let there be no mistake or misunderstanding: the object of this exercise is about improving performance, not about relaxing standards. I am thus encouraged by the performance figures for sewage treatment works published within the past few days. In 1986, the failure rate for sewage works was 23 per cent. By 1988 it had dropped to 17 per cent., and on the basis of the figures just announced, during 1990 the non-compliance rate had dropped to just 8 per cent.

Even making allowances for the effects on the figures of the time-limited consent variations which we granted, we believe that the true long-term performance of sewage works had improved to the stage where, in 1990, some 88 per cent. of works were already meeting their long-term performance measures.

Those who seek continually to criticise the water companies might care to reflect that the current investment programme did not get under way until the end of 1989, and it inevitably takes time to plan and to build even a modest improvement scheme; and many of these are major civil engineering projects.

Given that the performance of sewage works is normally assessed over a rolling 12-month period, it not unreasonably takes a little time after the completion of improvements before the results can fully show through as better performance. Every reasonable person should therefore be delighted at the progress that the figures are already showing. Many further new improvement schemes are already being completed and performance will thus have improved still further over the past six months since the latest figures were prepared.

I am, of course, conscious that the annual report of the Director General of Water Services, which was published today, and to which reference has already been made, showed some slippage of the programmes during the first six or seven months to March 1990. That is not surprising. The report covers a period of time that was entirely transitional, before and during the flotation of the new water companies and covering a time when the companies were inevitably coming to terms with the new management structures and new financial regimes. As the director general, Ian Byatt, himself acknowledged earlier today:

"These figures reflect the progress during 1989-90. This was a difficult time for the companies as they were adjusting to the new regulatory regime and also to planning the large investment programme they have to execute over the next few years."

And, as the accompanying press notice makes clear, "in its report, OFWAT stresses that one year's figures are unlikely to be material".

The director general's report confirms, however, that the spending planned by the water companies during the financial year just ended was expected to reduce the shortfall significantly, and that, in his judgment, the companies were making every human effort to ensure that their improvement programmes were completed on time.

I have spoken about the works being done to enhance drinking water quality and to improve sewage works performance. May I, for the sake of completeness, comment briefly on the works being done to improve the quality of our bathing waters and the work being done generally to promote water resources.

Clearly, a high priority for the water industry is the improvement of bathing water. We are firmly committed to meeting the standards laid down in the EC bathing water directive as quickly as possible.

Progress is being made. In 1986 51 per cent. of bathing waters complied. Last year, by contrast, a record 77 per cent. of our bathing waters complied. This year we have a record 35 blue flag awards in the United Kingdom. Fifteen improvement schemes, affecting 21 bathing waters, are now completed, and many more schemes are scheduled for completion over the next five years.

Last November an accelerated and enhanced programme of improvement schemes was announced, providing for a further £600 million to be spent in addition to the £1·4 billion programme of spending and investment in improving our bathing water already announced in 1989. Again, billions of pounds are being invested to improve standards and fulfil tough regulatory requirements.

The past two or three years of exceptionally dry weather experienced in various parts of the country, especially in the south and south-east, have brought home the fact that water is a valuable commodity drawn from a finite resource.

The proper stewardship of these resources is now the responsibility of the National Rivers Authority. This spring the NRA has published a preliminary report entitled, "Demands and Resources of Water Undertakers

in England and Wales", which gives the result of a preliminary survey of the prospects for public water supplies to the year 2011. The report shows that most water companies have the resources and are considering possible new developments sufficient to meet existing and prospective demands.

The NRA has also recently commissioned a study to help investigate a wide range of strategic options for the development of water resources, including major new water transfer schemes. It will take a fresh look at options hitherto considered uneconomic, such as a national grid and desalination.

A massive investment programme is already under way to provide improvements to enable customers to enjoy the water supply they require at all times. For example, London's water supply into the 21st century is being made secure by the construction of the London water ring main, which is currently under way and is due to be completed by the mid-1990s. The first section of the ring main came into service on Sunday, and is providing water to hundreds of thousands of people in south London. It is a major feat of civil engineering, and when completed it will be twice as long as the channel tunnel.

A number of development options for water resources are being explored by individual water companies to meet local shortfalls and deal with prospective additional regional demands. They range from sinking boreholes, to the construction of local pipeline transfer schemes, to the building of major reservoirs. A strategy for developing water resources must not lose sight of the importance of conservation.

I hope that the House will feel that I have been able to put the continuing achievements of the water industry into a somewhat more reasonable balance. Much is being done, massive investment is committed to doing more. In every area of the land, millions of pounds are being invested. If the hon. Member for Dewsbury and Opposition Members visit different parts of the country, they will find that more than 200 projects involving the investment of more than £1 million each have been completed since privatisation. At present, more than 600 projects costing over £1 million each are in progress. Billions of pounds are being spent on enhancing drinking water quality, rebuilding and refurbishing sewage treatment works, improving bathing water standards and guaranteeing future water supplies.

Such a scale of investment would never have been possible under a state-run, state-financed, nationalised industry. It will never be possible under a future Labour-controlled, state-run, state-financed, nationalised industry. It never happened under a state-run, state-financed, nationalised industry. Privatisation has made possible massive investment in water in Britain. I hope that the House will have no difficulty in rejecting the Opposition motion and supporting the amendment in the name of my right hon. Friend the Prime Minister.

5.2 pm

Mr. Andrew F. Bennett (Denton and Reddish): I feel much sympathy for the Minister. It is bad enough having the Secretary of State and the Minister of State run away from the debate; to be left with such a threadbare speech must seem most unfair.

The Minister suggested that we were being unfair in criticising the Secretary of State for not being here, telling us that the right hon. Gentleman had important meetings with local authorities in the north-west. I have been in the House long enough to know that if Ministers really want to be present in the House, they often press, through the usual channels, for the business to be rearranged so that they can attend. Some of us are sometimes a little unhappy at the prospect of voting at 10 o'clock on a Thursday night and we are often offered the explanation that the debate had to be held on a Thursday so that the Minister in question could reply. It is therefore a little off for the Minister to argue that the Secretary of State had important duties outside the House.

I regard it as an insult not to the Labour party but to Parliament that the Secretary of State was not prepared to come to the House to answer a debate on a matter for which he is responsible. I understand why the right hon. Gentleman does not want to be here: the industry's record is pretty bad, and I suspect that he was not one of the most enthusiastic supporters of water privatisation in the Tory party. Nevertheless, if the right hon. Gentleman has taken a little time to look at some of the problems facing the people in the north-west as a result of the failure of North West Water, I shall be grateful to him for it.

I shall concentrate on North West Water and its disgusting record since privatisation. Almost everything that it has done has borne out the worst fears that the Opposition expressed during the passage of the Water Bill 1988 through the House.

One of the first things that happened following privatisation was that the salary of the chairman, Dennis Groves, doubled, and he is now earning £110,000 a year. As my hon. Friend the Member for Dewsbury (Mrs. Taylor) revealed, he has also done very nicely out of the share option that he was able to take up. The Minister said that we were being unfair, and told us that perhaps Mr. Groves would not be selling his shares. I do not imagine that the shares were given to Mr. Groves so that he could stick the share certificates on his wall. I am sure that, at some point, he will be able to sell those shares.

The Parliamentary Under-Secretary of State for Wales (Mr. Nicholas Bennett): So that the public are aware of the position, I should explain that people were not given the shares, as the hon. Gentleman suggested: they had to buy them.

Mrs. Ann Taylor: Just about.

Mr. Nicholas Bennett: At market price.

Mr. Andrew F. Bennett: The Minister should restrict himself to considering the fact that, on the basis of the way in which Mr. Groves acquired the shares, if he had got rid of them at midday yesterday he would have made a profit of £74,000. Most of my constituents—especially those on low incomes who are finding it difficult to pay their water charges—will not consider that to be an appropriate use of the water company's money. Mr. Groves has potentially made a profit based on the profits of North West Water, which increased by 21 per cent. this year to £215 million. Those increased profits have meant that the value of the shares has also increased, and to that extent Mr. Groves has been instrumental in increasing the value of the shares that could potentially make him such a large profit.

The Minister said that the profits were modest. Those of my constituents on benefit will not regard them as modest, and they certainly do not regard a 14·7 per cent. increase in water charges as modest. Many of them are

[Mr. Andrew F. Bennett]

receiving transitional relief in respect of their benefit and received no increase in income at all this year, yet they are expected to pay higher charges. The philosophy of North West Water appears to be to take increased payments from pensioners to give Mr. Groves and his shareholders increased profits.

Then there is the whole question of services. Last year, 14 sewage works in the north-west were making illegal discharges. In addition, 602 sewage pollution incidents occurred—a 16 per cent. increase. At many of the sewage works in the north-west discharges are at unsatisfactory levels and the smell coming from them is appalling.

What is North West Water doing in the streets? Last year, North West Water proudly said that it proposed to instal a new water supply pipe in the road in which my mother-in-law lives. It chose one of the worst of the cowboy private contractors to do the work because he put in the lowest tender. He managed to ruin the sewage system for several of the houses in the road, with the result that at least one of the houses had raw sewage underneath it. North West Water now says that it will not use that contractor again. But the water company's determination to try to get the lowest prices and so maximise profit, showing no concern for the effects on householders, appals my constituents.

In Hume road and Thompson road in my constituency, where work has recently been carried out, the quality of the temporary reinstatement carried out by the contractor for North West Water is appalling. Now, North West Water is trying to quibble with the Tameside authority, which has been undertaking the permanent reinstatement, saying that Tameside's charges are too high and that it wants to look for someone who will do the job more cheaply—no doubt at my constituents' expense.

We are told that North West Water has been making great investments, yet it has found £140 million to invest in non-water business. Given all that we are told about the problems facing the water industry in providing pure water and treating sewage, it beats me why the Government are encouraging the water companies to invest outside the industry. It would be far better if they invested any money that they can get in providing a better service for my constituents.

There is appalling pollution in the north-west—not least in three of the rivers that flow through my constituency—the Goyt, the Tame and the Mersey. If North West Water has any money to invest, it should be investing it in better treatment works so that the quality of that water, which passes right through the centre of Stockport, can be improved and made more attractive.

Let me refer to one major problem. Not content with dumping vast amounts of sewage in the Irish sea, contaminating a large number of rivers in the area and contaminating the beaches of the north-west, North West Water wants to vandalise an extremely attractive area—more than 700 acres in the area of Audenshaw. Until 1800, that land was farmland on the outskirts of the growing townships of Gorton and Reddish. With the demands from the city of Manchester for pure water, it seemed the ideal area in which to build reservoirs.

In the early 1800s, two reservoirs were constructed which are now just in Gorton. In the 1860s three more reservoirs were added nearer Denton and Audenshaw. The land in between was earmarked for three further reservoirs, but before they could be built Manchester turned to the Lake District for its supply of water.

Therefore, there are in my constituency two early, small reservoirs and, some distance from them, three larger ones. The land in between has since been open space—some of it has been farmed and some used for two golf courses. To my constituents and to those of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) it has been an open space which makes Debdale Park, which it surrounds, an area in which people can enjoy walking and seeing trees, and can enjoy the view of the water, and an area through which people can walk to listen to birds sing and watch wild flowers grow and where children can let off a bit of steam. They can get up to activities that would cause considerable upset if done in the tightly packed houses that surround the area. Children can let off steam without parents and neighbours saying, "Don't do that. Clear off. Go and play somewhere else."

The land has been an extremely valuable open space. It is not designated as a green belt area, because everyone assumed that it would not be used for anything other than recreation as it was part of the water undertakings. Now, instead of getting on with cleaning water and treating sewage, North West Water is setting up a property development company to try to establish a business park on the land. It claims that that will provide more than 6,000 car parking spaces and 6,000 new jobs.

I should be delighted if there were to be 6,000 new jobs in my constituency, but over the years I have heard far too many claims about the way in which developments will bring new jobs. When one checks those claims two or three years later, one finds that there are very few new jobs. Usually, there have been closures here, there and everywhere and in the end the net gain is almost non-existent. The evidence suggests that if North West Water were allowed to develop a business park on this attractive piece of open space, it would take office jobs out of the centre of Manchester, from other parts of Manchester and from Tameside, but would not bring new jobs to the area.

Even worse is the fact that in east Manchester there are vast areas from which industry has disappeared, leaving derelict sites. Some have been tidied up and are just waiting for industry to come along. If industrialists wanted to come to the area, there would be plenty of opportunities for them to take on those sites. However, North West Water does not want them to do that and is actively discouraging them. It wants to take one of the remaining most attractive pieces of countryside close to the centre of Manchester.

I am delighted that the Secretary of State stepped in and said that there must be a public inquiry. That will at least provide an opportunity for my constituents to put at some length their objections to the proposals. There is something wrong with the idea that some of the money being paid in water charges by my constituents is being used by North West Water to put forward at the pubic inquiry proposals that are totally unacceptable to my constituents. I wish that the Government and the director of the new water industry would direct North West Water to stop getting involved with such property speculation and get back to the basic task of providing pure water and the proper treatment of sewage.

There are six houses in the area in question. It is typical of the high-handed and dictatorial way in which North

West Water operates that it made an offer to the owners of those houses, pointing out that it would be extremely difficult for them to sell their houses while the public inquiry continued. With some difficulty, the owners decided to try to purchase other properties, but now North West Water has gone back on its promise and says that it will leave them in continuing uncertainty.

I hope that the message that goes out from this debate to the water companies is that they are not serving the interests of the British people and that they must put their house in order. They must provide pure water for everybody and find ways of treating sewage that do not pollute the rivers and seas. They must concentrate on those activities and not speculate, whether in television stations or in business parks. They should concentrate on providing the services that the water industry has traditionally provided.

5.15 pm

Sir Giles Shaw (Pudsey): I begin by declaring my interest as a non-executive director of Yorkshire Water. I do not know whether that was the cue for the hon. Member for Dewsbury (Mrs. Taylor) to exit, but she has. Whether she was going to be here when I spoke or whether I was going to be absent when she spoke was a moot point. I am sorry that she has left, but what I say will be on the record.

I am delighted that the Opposition have selected the water industry for debate because, as all hon. Members know, it is rarely a matter for debate and it is such an important industry that it should be debated regularly. I make no bones about the fact that we are having a debate about this industry, especially at this time, and I am sorry that more hon. Members are not present to give their views about the achievements, the record and the problems of the industry. Undoubtedly, there are problems as well as achievements, but great progress has been made.

The state of the water industry is far removed from the appalling anxieties expressed by the Opposition in their motion today. To suggest that the House should note the level of profits made "with alarm" is extraordinary. I suppose that one should be grateful, because the Opposition have been pleading—not only in the speech of the hon. Member for Dewsbury, but in other contributions—for further investment, further improvement, fewer discharges below the threshold, and more accuracy in the measurement and quality of the water. That is a constant plea, and the water industry is more or less dedicated to the elimination of such problems at a cost of £28 billion over 10 years, but it still manages to achieve a profit which approaches an average of 10 per cent. or 11 per cent.

It is a matter not for alarm but for amazement that such an industry can fund those levels of investment and still achieve commercial returns. I should put parentheses around the word "commercial", however, because my colleagues will appreciate that in the commercial sector a return of 11 per cent. on the scale of capital employed in the water industry is very low. The commercial returns of most companies of similar size will be well above that and aiming towards 20 per cent. to ensure that they can replenish their assets in their own time.

The water industry is a fledgling industry insofar as private sector practice is concerned, and I understand the problems that that gives the Opposition, but to note that modest progress with alarm is tantamount to giving the lie once and for all to Labour's understanding of the market. One can forget the views of the right hon. and learned Member for Monklands, East (Mr. Smith) and those of the hon. Member for Dunfermline, East (Mr. Brown) about moving towards an understanding and a use of the market. If that is to be their economic management policy, it is absurdly put to naught in such a motion. We should leave the motion where it belongs—in the margins of history—and concentrate on some of the matters in hand.

There is agreement in the House that the industry has suffered a huge dearth of capital reinvestment for many years. I do not blame only municipal authorities for that. Municipal authorities built most of the major reservoir systems and much of the infrastructure of the water industry over many decades. For a long time, however, benign neglect has been the policy pursued by Governments of various parties and by local authorities of various parties because, as I mentioned to the House on a previous occasion, there are not many votes in spending huge sums of ratepayers' money on sewers.

Mr. Chris Mullin (Sunderland, South): I listened with interest to what the hon. Gentleman said, and I agreed when he said that the shortfall in capital investment had taken place over a long period and had been the responsibility of Governments of various parties. However, the hon. Gentleman was present, as I was, when the Minister pretended that it was all down to Governments of one party. Will the hon. Gentleman be generous enough to repeat in the presence of the Minister his statement that the shortfall occurred over a long period and under Governments of various parties as cheap political points should not be made out of that?

Sir Giles Shaw: There is nothing cheap about the water industry. I confess to the hon. Gentleman, if it helps his afternoon, that when for two happy years I was a Minister with responsibility for water in this Government, I denied the investment demands made by a number of water authorities. I admit that we operated within constraints known as the public sector borrowing requirement, which affected the rate of capital investment in the water industry. The policy of privatisation has been the one thing that has released the industry from the bondage of governmental restraint on investment. One can now contemplate a 10-year £28 billion investment in infrastructure—in sewers and sewerage systems, in purification and higher standards in water supply, and in new ring mains in the metropolis. I remember opening the first sewage works in the city of Newcastle in 1981. The dearth of modern facilities even in some of our great cities has been tantamount to a public scandal for long enough, and I admit that I played my part in that.

The Labour party is interested in having this debate, but it is concerned about peripheral things such as the level of profits, shareholding and dividends. It is time that the Labour party, and especially the hon. Member for Dewsbury—I am sorry that the hon. Lady is not in her place—recognised what the role of the system is. The hon. Lady does not understand that the shareholders, who on average get a distribution of about one third of the gross profit that the company makes, have put in their money to enable the industry to borrow cash and to fund the borrowing on the back of assets so that it can achieve a £28 billion improvement scheme over 10 years. One cannot

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have the one without the other—one cannot have the ingredients in the pudding without having the pudding at the end.

The role of the shareholders must be reasonably rewarded. In the case of Yorkshire Water, and I am sorry to mention that company specifically, the shareholders —80 per cent. of whom, I am happy to say, are individual shareholders—live in the area of Yorkshire Water, so they are customers as well. The distribution from Yorkshire Water to the shareholders takes out of the company about £35 million or £40 million. The shareholder investment in the company is worth at least £750 million, so the shareholders get about 6 per cent. That is no Croesus-like dividend distribution, and nor should it be, because the risks of—dare I say it—liquidation of the company are relatively slight and investment in the company is long term and steady.

Mr. O'Brien: The hon. Gentleman says that one third of the profits are distributed among the shareholders. That is about £45 million of the £140 million raised. Is it not right to say that interest on money borrowed must also come out of the profts, so is not the amount available for reinvestment substantially less than the hon. Gentleman implied?

If there were agreement between Conservative and Opposition Members that Government investment should be allowed, there would be no need for private money to be invested, and capital could be raised through European Community money and through monies available on the market without £45 million of profits being hived off. Will the hon. Gentleman address that issue?

Sir Giles Shaw: Interest charges would be dealt with before the distribution. The hon. Gentleman asked what would happen if the Government were benign towards the industry in terms of releasing cash. I remind the hon. Gentleman that the Government's capacity to do that expires every year on 31 March. That is the absurdity of relying on central Exchequer grants. Every five years—even more frequently if the Labour party had its way—there would be an election and a possible change of Government. The main reason why the change to privatisation is a matter not of profit or distribution but of allowing the business to develop is that it can be offered long-term financing under its own control so that it can do the long-term jobs that Government, with all the power that they have to raise adequate funds through taxation, have failed to deliver in the past. The failure of the past explains why there is now, probably for the first time since the 1920s, a real prospect of major investment in the water industry.

I referred to the number of shareholders and to their role in a regional company such as Yorkshire Water. However, I understand that the main factor in the huge investment programme is the need for the programme to be conducted efficiently and speedily. Hon. Members must recognise that, in aiming for higher standards, the existing distribution of pure water—or potable water—and the existing capacity to take away foul water should never be interrupted. It is a remarkable job to try to make renewals of infrastructure without threatening the supply and the existence of the service. Investment must be carefully calculated and cannot be easily speeded up because it is impossible to change overnight from system A to system B. There must be gradual replacement of the various parts of the system until the totality can deliver the efficiency that can be provided by new methods of distributing water and of taking water away.

There has been anxiety about the fact that the industry has been involved in programmes which are not mainstream core activities, but diversification. Purely as a talking point, I wish to say a few words about diversification. The water industry is probably the biggest industry dealing in waste materials. It has the immense problem of taking away foul water, whether rain water through the guttering and street system or domestic foul water through the sewerage system. It has an immense capacity for dealing with waste products and waste resources. It has a technology and capacity to deal with that function probably far greater than that of many other industries which also have major waste product problems.

Under the new arrangements for cleaning up our rivers and seas, and they are admirable arrangements, it is required that the waste disposal system should use methods other than the standard treatment of discharging after primary or even secondary treatment.

Mr. Andrew F. Bennett: I could understand it if the water industries were investigating ways of disposing of domestic and commercial waste, especially if they combined that with sewage sludge to make something which could be used as an alternative to peat. What baffles me completely is why they should be bidding for television franchises. What has that to do with waste?

Sir Giles Shaw: That is not for me to answer, but I have no doubt that someone will be able to answer the hon. Gentleman in due course.

Waste disposal raises a major new industrial opportunity, involving new systems and new technologies such as the high standard of incineration by which sewage sludge can now be disposed of. Those new opportunities immediately bring about the possibility of diversifying substantially—for instance, into waste disposal—so as to establish new technologies which can serve industries other than the water industry. I plead with hon. Members to understand that diversification from the core system into new technologies that could be used for purposes other than those for which they were originally designed is thoroughly sensible and admirable. There could well be other ways of diversifying, such as the modest experiments with wind farms in Yorkshire. As hon. Members know, we have high catchment areas, so there are prospects for windmill generation. Yorkshire Water is interested in that and is involved in a joint venture with Yorkshire Electricity. Its commercial competence may or may not be worth exploring, but from every point of view, including the environmental, it is essential that we look at new systems if they provide an opportunity for development.

The crucial point at issue in the debate is whether, after 18 months of privatisation, the industry has given a fair account of itself. My hon. Friend the Minister dealt admirably with that. The industry has come an immense way in a short time in being able to discharge its public obligations, which have been strengthened hugely over those 18 months.

The water industry is regulated in three dimensions. The first is the National Rivers Authority, which is the arterial system, dealing with discharges and through which

licences are granted. Secondly, the Office of Water Services —Ofwat—determines pricing factors. Thirdly, the EEC and the Government jointly provide the statutory framework through environmental directives, and pollution and bathing water standards. There is therefore no question of the industry being footloose and fancy-free to do as it likes. It has to do what it must do to discharge its public responsibilities. In my view, up to now it has discharged those responsibilities with amazing success. It has done so in a short period and while efficiently managing a huge investment programme. It has also had to reorganise its management structures and its skills to meet the demands that have been placed upon it. The water industry today has achieved high standards, and improved its delivery and quality.

However, much remains to be done. I am well aware of the concern about pricing policy and standing charges, upon which the hon. Member for Dewsbury spent a great deal of time. The hon. Lady also mentioned the metering experiments. The water industry is required to examine different methods of charging to find the most effective and the most acceptable to the consumer. I know that the hon. Member for Normanton (Mr. O'Brien) intensely dislikes the metering experiment in his area, but I am sure that he recognises that experimenting with charging systems is essential if we are to find the most equitable way of dealing with water charges, especially if—or when—rateable values disappear in the year 2000.

Mr. O'Brien: Although I accept that there should be investigations into future systems of water charging, such experiments should be voluntary. People should not have imposed upon them a system that they do not want. I am concerned about the evil of the compulsory metering system that operates in my constituency.

Sir Giles Shaw: The problem rests on the experiment being confined to an area that happens to be the hon. Gentleman's constituency. The option of metering has been freely available in most water authorities for some time, and the water companies continue to operate it. While I accept that the experiment has proved irksome to the hon. Gentleman's constituents, I defend the water companies' right to experiment in some way to ensure that we find the best, the most acceptable and the fairest way of charging for water.

On the issue of price, given the quality of the product that the modern water industry now delivers to millions of homes and the wide range of increased uses of water, surely it is not unreasonable or excessive for the price to be roughly 1 per cent. of domestic income. I accept that standing charges account for a high proportion of the domestic charge, but it stands to reason that as the infrastructure has been improved, standing charges have been under pressure. However, the regulations are clear —the price has to be examined, and the pricing formula must be approved.

I have said enough to demonstrate that, although the Opposition may wish to sound an alarmist or envious note which pays scant justice to the realities of the water industry, the fact is that in private ownership the water industry is safe, prosperous and progressive.

5.35 pm

Mr. Simon Hughes (Southwark and Bermondsey): I welcome this important and interesting debate. I follow the hon. Member for Pudsey (Sir G. Shaw) in saying that we all too rarely have the opportunity to stand back from this issue and to debate it. Pre-privatisation, our only opportunity to debate the water industry was the annual debate on the raising of charges, the external financing limit and all the rest. It was a matter of great controversy, and normally one of embarrassment to the Minister of the day and to everybody else in the House, including for a time the hon. Member for Pudsey, who spoke about his previous role as a Minister responsible for water.

The priorities of the water industry go far further than those that are stated in the motion or the amendment. My colleagues and I will vote with the Labour party——

Mr. Nicholas Bennett: As usual.

Mr. Hughes: No, not "as usual". Perhaps we do so on four out of five occasions, but not "as usual". As most of the ideas coming from a minority Government do not command majority public support, they are therefore opposed. That is why we shall vote with the Labour party, although our arguments will not be entirely the same.

The water industry's first priority should be the conservation of water—to minimise the waste of water. I understand that the average household consumes 136 litres of water per day. We waste an extraordinary and unjustifiable amount of water. Our nation has an enormous amount of rain—perhaps we have not had as much as we would have liked recently, although we have not had any sun either—yet we regularly have droughts. Therefore, the water industry's second priority should be security of supply. Its third priority should be the improvement of quality, and the fourth and final priority should be the minimum necessary cost to the consumer.

We waste about 25 per cent. of our water as it leaks out of the pipes while moving around the system. That is the unacceptable result of the failure to invest over many years. Furthermore, we do not have a national grid. I welcome Ministers' recent suggestions that they are positively looking at the idea of establishing a national water grid. My colleagues and I support that idea.

However, we are still often not responsible consumers. Those of us who were brought up, as I was for a time, in homes without mains water—my mother still lives in a house that has well water, but where the well runs dry for long periods—were brought up to be careful when using water. Many people, however, are often careless about water. I am not talking only about those who self-indulgently hose their vehicles or who water their lawns for extravagant periods, but about the fact that people often let water run to waste. For example, they have baths when they could have showers, which use far less water. Generally, we do not think about our duty to minimise the amount of water that we use. If we wasted less, other people could use some of that water and costs could be reduced.

The last factor that forms the background to the debate is that we have neglected the importance of having clean water. We have not paid a sufficiently high price. Perhaps the best example in Britain is the Mersey. The estuary has been sadly entitled the worst example of an estuarine blackspot in Britain. Fifteen years ago and thereafter

[Mr. Hughes]

enormous amounts of money have been spent by the European Community and the British Government on cleaning up the Mersey.

Mr. Brandon-Bravo: Will the hon. Gentleman give way?

Mr. Hughes: No, I shall not give way.

The practical consequence has been that our objective to convert the Mersey into a grade 2 "fair" river by 1995 has been downgraded because all that we can do now is prevent further deterioration. The Mersey receives more untreated sewage, trade effluent and surface run-off water than any other river. We have committed a crime on much of the water in and around our country. The Mersey is the worst example, but there are others. The ecological capacity of the Mersey and other rivers like it has been exhausted by a sort of environmental grievous bodily harm.

The message of that legacy of pollution is that the precautionary principle of prevention being better than cure is often essential in environmental terms. Unless we prevent water pollution, it is too expensive properly to clear it up.

I have outlined the background to the debate. Water was mostly in the public sector for about 100 years, although many areas had statutory water companies. Some of my predecessors contributed to putting water into the public sector. But we never seemed to have enough money for the water industry. I do not think that Governments would ever have put enough money into it. Other claims on the public purse appeared to have been such that there would never have been enough money for investment.

Perhaps I may be permitted the indulgence—it is a luxury afforded to Liberal Democrats that we can stand aside fairly dispassionately and comment on the record of the other parties—of commenting on the past 15 years. The Labour Government cut pollution expenditure by 50 per cent.. They cut capital expenditure by a third in real terms. The all-party Select Committee on the Environment made it clear that from the mid-1970s to the early 1980s there was a steady drop in investment by the water authorities in sewage treatment and disposal. The Labour Government also failed to implement section 2 of the Control of Pollution Act 1974.

During the first part of the Conservative party's period in office—

Mr. Irvine Patnick (Sheffield, Hallam): Tell us what the Liberal party would do.

Mr. Hughes: I will tell the hon. Gentleman what we would do. Investment was not significant during the first part of the Conservatives' period in office, although I accept that it then increased. However, it was not nearly as much as it has been since privatisation. The reality borne out by the recent history of investment in the water industry is that it has never been possible for Governments to deliver the investment they needed to deliver when water was in the public sector.

When the proposal to privatise the water industry came before the House I and my hon. Friends, and especially my hon. Friend the Member for Brecon and Radnor (Mr. Livsey) who has the merit of being both a Liberal and a Welshman, argued vehemently against privatisation. We opposed it as a matter of principle. As a matter of principle, then and now, we were unhappy with the content of the legislation because we foresaw how it would allow profits to be made and diversification to take place that would be against the interests of the consumer. Yes, it was necessary to find extra money from elsewhere, but no, it was not necessary to set up a structure that would allow very large profits, large and unjustified salaries, which have been evidenced—unjustifiably high—and sudden increases in cost and expenditure on matters which have little, if anything, to do with the water industry.

So what has happened? Even if we had not seen the picture before, we are indebted to *The Sunday Times* this week for the "Insight" report which gave a summary of the sort of things that have happened. I shall summarise the three main points that the article made: last year the number of sewage pollution incidents did not fall, but increased by 20 per cent; the newly created water companies underspent on their environmental clean-up programme while they spent twice as much on diversifying into other businesses; and the National Rivers Authority cannot prosecute in all cases because, provided that the number of certain breaches is small, it is prohibited from prosecuting no matter how serious the breach.

We have had a patchy year and a half. We have seen large salary increases. The chairmen of the water companies are paid salaries of the order of £80,000, £100,000 and £120,000. The water companies have made profits of about 14 per cent. Investment has increased—that is good—but prices have increased substantially, in many cases entirely unjustifiably. Across England and Wales the figures that I have—they appear to be accurate—show that there was a 67·8 per cent. increase in domestic water bills between 1987-88 and 1991-92. That is 36·8 per cent. above the retail prices index for the same period.

The average water bill is now about £155, but in some places people pay more for their domestic water than for all the local government services put together. In Wales that is certainly the case. I see that the hon. Member for Bridgend (Mr. Griffiths) agrees. I understand that the average poll tax in Wales was £230 before reduction. The water rates figure was higher. A friend who lives in Westminster told me the other day that the water rate for his flat was more than the pre-reduction poll tax. That seems ludicrous.

We have paid a lot and some people have gained a lot. Some companies have diversified a lot. At the same time the United Kingdom has sought relaxation of some of the standards set by the European Community. We have sought and obtained 719 relaxations of drinking water quality standards. We know that about a quarter of our bathing beaches do not conform to the European Community standard, and have not won the blue flag award.

We are still failing badly in our sewage sludge and other outfall requirements. We are not yet good environmentalists. Much of our water is still filthy and I am afraid that many of the standards are still low.

As the hon. Member for Pudsey said, we have three tiers of authorities controlling water. The inspectorate deals with drinking water. The National Rivers Authority deals with inland waterways. The Office of Water Services deals with regulation of the finances of the industry.

What should be the way forward? Colleagues rightly ask that question. My view is——

Mr. Patnick: Tell us about some of the advantages.

Mr. Hughes: If the hon. Gentleman will be patient, I shall not take long. I shall give my view clearly. My view is that we should be helpfully guided by the warnings of the Director General of Water Services. He has given several helpful warnings to the industry already during his short time in office. I sought to raise this matter during the Minister's speech, but he did not allow me to intervene. The director general warned today that companies should not seek to charge people for improvements that have not been carried out and are not likely to be carried out. He also warned that there is still a high and unjustifiable number of debt disconnections. He has also warned, as we heard before, that excessive profits appear to be either made or anticipated. Lastly, he has warned that to concentrate on diversification—for example, into hotel purchase, as the Welsh water authority is doing—rather than on clearing up coastal estuaries, such as the one around St. David's which was cited in *The Sunday Times*, is to have the wrong set of priorities. He warned that customers would rightfully complain.

We believe—I say this provisionally, because our conference will decide the matter in September—that it would be appropriate to return to the mechanism of a statutory water company, which would have a corporate structure but would be regulated much more clearly on behalf of the public. It is, of course, proper and necessary to allow additional investment: I have made that abundantly clear. But the present structure clearly is not tilted sufficiently in the interests of the consumer. It is tilted too much in the interests of those who have ended up being the shareholders, the bulk of whom are not domestic consumers. Most of them are the companies, corporate entities and large commercial organisations, not the woman or man in the street who relies on the water supply day by day.

How should we charge for water? Imposing meters—I appreciate that Labour also objects to the idea—seems to be the wrong way forward. But it is important that people should know how much they use and that there should be disincentives to use. That should be an important conservation principle. But the charge should also take account of ability to pay. A high standing charge for low use unjustifiably penalises those in lower income brackets. We should also make sure that the charge is not related to the old-fashioned and increasingly outdated linkage with the rates, which of course may not be appropriate in the future.

Sir Alan Glyn (Windsor and Maidenhead): Is the hon. Gentleman's party in favour of water meters, by which the charge would exactly reflect the amount used?

Mr. Hughes: My party will debate this subject in Bournemouth in September, when we shall take a decision on this and other linked issues. My personal view is that water meters are a good idea, provided that the cost of installation is not borne by the consumer. They should be provided by the water company. Otherwise customers like the pensioner with a low income would have to pay.

Nor should there be a standing charge. One should pay for what one uses, meaning that the low user pays a small sum. That would create an incentive to minimise rather than maximise usage. My party may disagree with me in September and we may decide that water meters are entirely unacceptable. Perhaps we shall want a water income tax or some other method.

The lesson of the last couple of years has been that investment has been the number one priority of the water industry. Now, its priorities should be to look after the needs of the consumer. The dogma that said "We must privatise because that is the remedy for all evils" has proved to be inadequate, as is always the case. But to pretend that the public purse, without any other money, will always be able to invest, for example, in a ring main for London, in the improvement of our beaches and in clearing up our sewage, is an argument which also does not hold water.

We are dealing with a sensitive and politically controversial issue. It would be better to proceed by seeking agreement than confrontation. We must not continue the present structure by which many people cream off much of the profit. The public are not happy with the existing water system and with the water industry as it is at present organised. The system must be changed, but next time it must be done with public consent.

5.52 pm

Mr. Robert B. Jones (Hertfordshire, West): I was surprised to discover as I listened to the speech of the hon. Member for Southwark and Bermondsey (Mr. Hughes) that there was much common ground between us on this issue. That was particularly the case when he began by referring to the conflicting claims that are made on the water industry today compared with the demands of the past. Having served for seven or eight years on the Select Committee on the Environment, I assure the hon. Gentleman that we have examined in depth the issues involved in the water industry. We look into its problems at regular intervals and we accept that the industry's problems deserve serious treatment.

I welcomed the hon. Gentleman's speech because it was the first on the Opposition Benches which even began to air some of the issues that must be addressed, rather than simply ducking issues. Indeed, I thought that Labour Members had a brass neck to select this subject for debate. As the hon. Member for Southwark and Bermondsey said, their record in office was absolutely deplorable. Not only did Labour Members cut investment significantly then, but they are now proposing to renationalise the water industry, and the hon. Member for Dewsbury (Mrs. Taylor), who speaks on water issues for the Labour party, did not have the decency earlier to give me a straight answer to my question about how that would be funded. We must know how Labour Members would fund investment in the water industry if they would also take a tough line on prices.

It is obvious that Labour gives the water industry a low priority in its plans. That reflects what happened when Labour was last in office. In that connection, it is deplorable that Labour Members should go in for so much bashing of Britain in terms of water when we have so much of which to be proud. About 95 per cent. of our rivers meet the fair or good standard which is laid down, which is more than can be said of many other European countries. About 96 per cent. of our homes are on main sewerage.

That contrasts with the record of many of our European partners, who are ready to lecture us but who do not do much about their problems. In Italy, for example,

[Mr. Robert B. Jones]

the city of Milan discharges all its sewage untreated into the river Po and out into the sea, yet no action is being taken by the European Community on that, I suspect because the EC commissioner for the environment is an Italian. Such a deplorable record leads one to be extremely suspicious of European claims.

If the lessons of the past are the consequences of under-investment, it was clearly not under-investment by chance. Water and sewerage came low down the political pecking order in those days. One can understand why Governments were tempted, when considering their capital programmes each year, to ask which were the most important areas—health, education, defence and so on—with the result that the water industry came low down on the list. That was true of Labour and Conservative Governments. As has been pointed out, there were not in those days many votes in water and sewerage. I suspect that that is changing.

Much has been said about pollution. Only now, with the existence of the National Rivers Authority—the roles of poacher and gamekeeper having been separated—do people seriously think it worth reporting incidents of pollution. I come into that category because, as a constituency MP, I used to think it frustrating to take up a pollution incident concerning, say, the river Gade, and write to the Thames water authority about it, only to discover that the pollution was coming from that authority's own sewage pumping station. The authority was supposed to be responsible for checking the level of pollution in the water and, if necessary, remedying the situation.

I welcome the fact that a major part of the Water Act 1989 involved the creation of the NRA and the separation of the two roles of poacher and gamekeeper. Indeed, I would go further. I have always made it clear that I see that move as a stage towards the creation of an environmental protection agency. I hope that the Minister will consider, in that context, the merging of the drinking water inspectorate into the NRA and eventually into an environmental protection agency.

The NRA is doing an excellent job but, especially as we consider the problems ahead, its role seems too complicated. It is having to deal not only with questions of pollution but with matters concerning leisure and the environment. Rationalisation could take place between the NRA and the British Waterways Board so that, for example, all the leisure functions were enjoyed by the same body. I accept that in its first year or two the NRA should not have a shake-up of functions, but in the long term we should proceed in the way I have described and attain a specialist approach to the various topics.

Much has been made of *The Sunday Times* article. I read in it the need for more powers to be given to the NRA, and the Minister has responded positively to the issue. If the NRA feels that way, it should say that to hon. Members who are interested in the subject and suggest where it thinks its powers are failing and should be extended. I for one would be sympathetic to a re-examination of its powers, if I thought that necessary.

As to underspending, when one considers the huge size of the capital programme, it is hardly surprising that there should be slippage. Anyone who has had to deal with this country's planning system knows how difficult it is to get projects on stream, on time. I refer not just to obtaining planning permission, but to all the consultations that are involved.

During the Select Committee's consideration of the bathing waters directive, it had an opportunity to examine in detail why there was no water treatment plant on the Fylde coast. It was clear that the rows between different levels of local authority and the water company all contributed to delaying a project that was extremely important to that area's tourist industry.

We must be honest and acknowledge that price and consumer attitudes to the cost of water are problems that we must confront. At least the hon. Member for Southwark and Bermondsey acknowledged those difficulties and suggested how they might be solved. Far too many people think that water is free, conveniently forgetting that it must be collected and transported, that water pipes must be maintained, and that sewage has to be cleansed and disposed of. That is a very expensive exercise. If we and the rest of Europe hold to the polluter pays principle, the polluter in the case of water and sewage is the domestic consumer of clean water and creator of sewage.

The amount that we pay for our water is small in comparison with other day-to-day commodities and utilities, and even in comparison with our expenditure on TV and on booze. It is also small in comparison with other countries. Our charges are half those made in Germany and less than in almost every other European country.

Some of the legislation coming out of Brussels also presents a problem. Although much of it is welcome, some of it has no proper scientific basis. A great deal of expenditure is being incurred on schemes that would not be justified if the regulations were properly framed. I will cite one example in respect of sewage. The bathing waters directive provides that a water shall fail if there is any instance of salmonella. One third of all seagulls carry salmonella, so every bathing beach on this country and throughout Europe would fail that directive if proper monitoring were undertaken—and it is not, in many parts of Europe. That is the kind of thing that must be changed if European directives are to be taken seriously.

Nitrate levels are another area of concern. The Select Committee remarked that, on the basis of the scientific evidence available to it, existing permissible levels are far too low. If we are to spend large sums of money improving British water standards, there are many more important areas. Heavy metals, for example, present a far more serious problem than nitrates to most people.

The hon. Member for Normanton (Mr. O'Brien) referred to standing charges in his intervention, and I have considerable sympathy with the argument made by him and by the hon. Member for Southwark and Bermondsey. Although it is true that the infrastructure must be in place whether or not one uses water, the same can be said of Marks and Spencer, which incurs overheads regardless of whether one shops at that company's stores. The match between the standing charge and the unit cost is currently out of kilter, and it should be closely examined.

It will be clear from my remarks and from earlier speeches that the majority of the public acknowledge that a huge investment is being made in the water industry. That has only been possible because of privatisation, and it would not have been undertaken if it had been left to the state to find the resources. Because of that, the very least that the House is owed today is a decent, straightforward

answer from the Opposition—but the House will have been struck by the deafening silence that greeted my questions to the hon. Member for Dewsbury.

6.4 pm

Mr. Alan W. Williams (Carmarthen): We oppose the privatisation of water and the creation of private monopolies, for which there can be no economic justification. I point out to the hon. Member for Hertfordshire, West (Mr. Jones) that we shared the Government's view, in their creation of the National Rivers Authority, that the industry needed a separate organisation. However, we would like an NRA that has much wider powers. We resent the amnesty that the Government granted to the water companies, which allows them to carry on polluting—and when fines are imposed, they are far too low. They need to be 10 times higher to have any deterrent effect.

There has been a historic lack of investment in the water industry, from the 1950s right through to the 1980s. The answer was to devote more public money to cleaning up the environment, not to privatising the industry. There is no evidence yet of any environmental improvement following privatisation. As has been said, over the past year, the number of pollution incidents has increased by 20 per cent. The number in the case of Welsh Water is 717, which is an increase of 25 per cent. There is no evidence either of any improvement in respect of beaches or drinking water quality.

However, there has been a dramatic increase in water charges, and that is brought to our attention almost weekly in our constituencies and through the media. There has been a 30 per cent. increase over the past two years, with Welsh Water showing an increase of 16·4 per cent. last year alone.

With the introduction of the poll tax, many water companies are moving towards something like a water poll tax, which has brought a dramatic increase in standing charges, which now account for 60 per cent. of Welsh Water's income. Its standing charges have increased by between 30 and 60 per cent.—which is most unfair to the poor. A different charging system should be devised. The old system, which was linked to rateable values, was generally accepted as fair—and when we get into government and introduce our fair rates policy, we shall want water companies to follow suit and to levy charges in proportion to property values and to people's ability to pay.

Many householders have difficulty paying their water rates. If an individual falls more than two months into arrears, the water companies automatically issue a summons, which incurs legal costs that are often greater than the amount outstanding. I have cases in my own constituency of single-parent families who cannot keep up payments. In one instance, an elderly person who had never been in debt received a summons as a result of an error. When I wrote to Welsh Water, I received a standard reply pointing out that it issued 45,000 summonses last year. Its attitude is nothing short of callous.

What people resent most of all is the enormous profits that the water companies make, and the way that they diversify. Last year, Welsh Water made £128 million on a turnover of just £293 million, so 40 per cent. of its turnover was profit. The salaries of top executives rose by 30 per cent. and Welsh Water has bought 10 per cent. of the shares in South Wales Electricity, which is simply a speculative venture. It is now buying five hotels in Wales, including the largest hotel in Carmarthen, at a cost of £10 million.

The public feel that the water companies are misusing the freedom that they have been given by the Government. The regulator is weak and should examine what is happening in terms of diversification. In turn, the Select Committee should investigate the water companies' profits and see whether they are being used for environmental improvements. If they were, people might be willing to pay the extra water charges, but they are being misused. With the water industry in private hands, such dangers will always exist. The only answer in the long term is to return the industry to public control and public accountability.

6.11 pm

Mr. Richard Alexander (Newark): I should be interested to know whether returning the industry to public control, as suggested by the hon. Member for Carmarthen (Mr. Williams), is Labour party policy. The history of the Labour party's opposition to privatisation has always been scaremongering and exaggerating the awfulness of what will happen, leaving those who are less able to accept problems unable to see what will happen. Nevertheless, people have learnt that water privatisation is not as the Labour party described it in previous debates. The Labour party did the same in debates on the national health service and British Telecom and is now attempting to blackguard the water authorities. The tragedy is that Labour Members are still attempting to rubbish the water authorities and what they are trying to do, despite the fact that privatisation continues. They no longer come out with the same old exaggerations, saying that footpaths will be closed and areas of outstanding beauty will become yuppie villages or ghettos, but the distortions remain and we have heard some of them today.

Our ideological opponents miss the point. Privatised water authorities are in place to produce water that is as clean as possible, combined with the increasing number of duties imposed on them by Europe to make water acceptable and drinkable. Although returns to shareholders are important, they are not the main object of the exercise. Indeed, because of statutory intervention, they cannot be the most important aspect. In any event, I doubt whether any hon. Member would not rather have our clean water than that of any other European country that preaches at us about improving water standards. One of the many great pleasures in life is to come back from two weeks in, say, Spain and to be able to turn on the tap and find clean, cool, natural drinking water. I wonder whether one can do that in any other country in the world with the same absolute certainty that the water will be pleasant to drink.

This country sometimes does itself a disservice in debates such as this when Opposition Members claim that the current position is unacceptable. Instead of proclaiming the nastiness of our water, we should proclaim its virtues. Instead of complaining that too much profit is being made, we should explain that the investment in the industry is for even greater water quality. We should be able to tell the nation and the world that we bear comparison with any other water-producing country.

Reference has been made to the report of the Select Committee on the Environment. I served on that

[Mr. Richard Alexander]

Committee and helped to produce that report, I remember being briefed by the water authorities, which were tearing their hair out over the inability to invest as they thought best to improve water quality in their areas. I remember their frustration in dealing with Treasury requirements to produce certain returns on their capital, even though they were being starved of capital under a Labour Government and, indeed, under a Conservative Government until privatisation. It was an unsatisfactory time for them all. Public ownership meant that management was limited to damage limitation and political pressure.

Today, water managers are motivated by responsibility to their shareholders and the public at large and by leadership in their industry. Above all, they are now impelled by accountability. They are no longer restricted by Treasury economics, damage limitation and hostility to initiatives.

It is fashionable for the Opposition to campaign on the basis that everything is awful and that they could do much better. However, they are the Government-in-waiting and believe that they will win the next general election. If they are to convince the electorate that they are not just political opportunists, desperate to take office at any cost, they must come clean with the electorate and the House and answer the questions put to them, not least by my hon. Friend the Member for Hertfordshire, West (Mr. Jones). How do they propose to carry out their promises? Will it be through increased charges and taxation or, as the hon. Member for Carmarthen said, will it be by renationalising the water authorities? Labour Members have said nothing precise in this debate. We have had a long tirade of carping, but nothing positive. At this stage, shortly after privatisation, we should leave the water industry alone and let the professionals manage it. They are doing a good job as a result of privatisation and Labour's vindictiveness against the private sector cannot deny that.

6.17 pm

Mr. Peter L. Pike (Burnley): The debate focuses attention on a problem which lies at the root of privatisation of this essential, basic industry, which is so crucial to our industrial and commercial life. The clash will become increasingly evident as a result of privatisation, due to the need to make profits for shareholders and at the same time to serve the interests of the nation and consumers. The legislation clearly provided for charges to increase by inflation plus a K factor. That was different from all the other privatisations, which provided for charges increasing by inflation minus certain amounts. Therefore, we know that prices will continue to rise by more than inflation.

We must be extremely cautious when considering the installation of meters. I know that the industry is consulting on that matter. One must treat even that consultation with caution, not because I accuse the industry of doing it falsely but because few people will fully understand the implications of metering. One must accept that, however the charge for the capital cost of installing meters is met, it will ultimately affect the charge to be met by the industry. The reading of the meters will also add a revenue charge.

Unlike electricity and gas, the commodity that goes through the system is not the expensive part. Rather, the distribution and treatment—before and after—in the sewage treatment works form the major cost. Therefore, the relative amount that the consumer uses is less influential than in some other industries. We must also recognise that metering may penalise families with young children who use a lot of water for washing clothes. The same applies to people with manual jobs—who will need to do a lot of washing and will need more baths than other workers—and to the elderly, the sick and the disabled.

Much has been said about investment. The Parliamentary Under-Secretary of State described the mid-1970s as the peak period for investment. The issue has been debated for years in the Select Committee and elsewhere, and I have never denied that the decline in investment began under Labour—but it continued and accelerated under a Conservative Government. What the Conservatives fail to point out is that—despite their having been in office for 10 years at the time of privatisation, and despite all the economic miracles for which they claim credit—they have never regained the level of investment that existed in the mid-1970s.

The hon. Member for Hertfordshire, West (Mr. Jones) shakes his head, but he was a member of the Select Committee when I was, and the graph shows clearly that I am right. The key issue was never the ownership of the industry—investment was always the problem. We could have solved that problem if the Government had chosen to remove the industry from such restraints as the public sector borrowing requirement and the external financing limit. We want to achieve the best possible drinking water standards. We also want to avoid the cheapest ways of dealing with sewage, which in the long run will lead to higher costs as they become subject to more and more limitations. That will make it more difficult for us to clear up our beaches.

A secret memorandum from North West Water, dated 30 May, has been—appropriately enough—leaked. It states:

"Following the latest cut in major capital refurbishment expenditure, I have contacted your works managers and asked them to revise their programmes for the year".

That shows that the industry is already experiencing difficulties in dealing with investment problems and tackling the tasks imposed on it, while at the same time meeting the limits on charge increases forced on it by current legislation and making a profit for the shareholders. We believe that privatisation is failing to satisfy the requirements of the public.

6.22 pm

Mr. Martin M. Brandon-Bravo (Nottingham, South): I think that the whole House will agree with my hon. Friend the Member for Hornchurch (Mr. Squire), who said that no one wanted water to be rationed as a result of price considerations. We all agree that water bills must take into account the impact on, in particular, pensioners and families with low incomes. It does not follow from that, however, that we should emulate the Labour party and criticise the conduct of the water companies. Where does Labour imagine that the money for investment will come from? That question has never been answered.

In an intervention in the speech of the hon. Member for Dewsbury (Mrs. Taylor), I mentioned the pre-tax profits of the water body in my area. It is extraordinary for any company—I refer here to Severn Trent—to plan to spend twice its current profits on investment. I understand that

Severn Trent is not only spending £400 million on investment this year, but planning to invest some £4 billion. That would never have happened in the public sector; it is time that we faced up to that.

The hon. Member for Dewsbury avoided my question and promptly suggested that the company was investing outside the water industry. That is perfectly true—it has just bought BIFFA, a major waste disposal company. And why not? The water companies are very much involved in the waste disposal business, and I think that BIFFA fits Severn Trent's plans very well. What the hon. Lady does not want to admit—I have checked this—is that the money for that investment did not come from funds that should rightly have gone to the industry. The company did not use what we called the "green dowry" at the time of denationalisation. It raised the money by using its normal banking facilities and through the issue of bonds. It is diversifying without using funds which ought to be invested in the industry as a whole.

We shall have to check with *Hansard* tomorrow, but I have the impression—from either her tone or her words—that the hon. Member for Dewsbury believed that the NRA was somehow or other no longer in the public sector. Surely the hon. Lady will be the first to admit that it has remained in the public sector. I hope that my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley) will not think that I am treating him poorly when I suggest that history will probably record that he made the most important decision of his political career when he decided that the denationalisation of the water industry should involve the separation of the commercial side—now in the private sector—from the environmental side. He rightly believed that that element, along with the NRA, should stay in the public sector, which is what has happened. As has already been said, we have separated the gamekeeper from the poacher.

If there was a mistake in our denationalisation legislation—I hate the word "privatisation"——

Mrs. Ann Taylor: The industry was not nationalised.

Mr. Brandon-Bravo: There they go again—they love it.

I was going to say that I felt uncomfortable about one aspect of our legislation—the size of domestic bills for highway drainage. I appreciate that the cost of highway drainage had to be paid by someone and it was left to the plcs to include it in their charges. Surely, however, it should be paid either through central taxation or through funding for the local authorities or the Department of Transport. I may be guessing, but I suspect that bills in the Severn Trent area would be 8 to 10 per cent. lower if highway drainage costs were not charged to individual households.

6.28 pm

Mr. William O'Brien (Normanton): The title that Labour has selected for today's debate—"Priorities of the Water Industry"—shows how badly such a debate is needed.

The Yorkshire water authority introduced compulsory water metering in part of my constituency. No joy is involved in compelling people to install water meters. The authority promised that those who used a lot of water because of medical conditions—those who suffered from incontinence or had to use dialysis machines, for instance—would be given special consideration. It reneged on that promise: such people will have to pay like everyone else. That is just one of the injustices that water metering has brought about.

What happens if the water supply is interrupted or if the mains are flushed and some dirty water flows through the system? We questioned Yorkshire Water about how that will be judged and it said that it is subject to negotiation. Imagine what will happen to people who cannot negotiate with professionals when they try to obtain a reduction in their water charges because of dirty water in the system.

What will happen to people who doubt the meter because, for example, they can see it turning when the system and the taps are turned off? If they question the water authority, it will say "We will check the meter, but if it is correct you will have to pay between £20 and £40." Such people will say, "I cannot afford to have it checked." That is what is facing people who are being compelled to have water meters.

I object not to people having water meters—if someone wants a meter, let him have it—but to a water authority saying that everyone must have them, without the authority first considering the implications.

Conservative Members wanted to know what the Labour party's policy is. We oppose compulsory water metering, which is one of the issues on which we shall fight the next election. Conservative Members can be assured that I shall campaign vigorously on the issue because of my constituency experience.

6.31 pm

Mr. Win Griffiths (Bridgend): It has been an instructive debate. I was not surprised that Conservative Members tended either to ignore the past 10 years or to try to rewrite its history. On the fundamental issue of who spent what on water, the record is plain: the average for the Labour years was £1,254 million but for the Tory years up to privatisation it was £922 million. The graph went down between 1974 and 1979 and continued to go down until 1986, when it began to increase but still did not reach the spending of the previous Labour Government. Those straightforward facts are obtained not from us but from an independent source. [HON. MEMBERS: "Who?"] The Library produced the figures; Conservative Members can obtain them from there.

Much has been said about the investment programmes of the water companies, but most of that investment was made in response to European Community directives, which for a decade the Government tried to avoid complying with. They complied only when they were threatened with proceedings in the European Court of Justice.

There is slippage in the programmes on water and sewage treatment and 48 per cent. slippage this year in complying with European Community sewage treatment directives. Although they predict a better performance, how can we hope that they will meet their targets when they have begun so badly?

Mr. Roger Gale (Thanet, North): I am interested in what the hon. Gentleman is saying, but I wish that he would stop running down the United Kingdom compared with Europe. Since denationalisation, Southern Water has spent millions of pounds in my constituency on new sewage systems and on bringing bathing and drinking

[Mr. Roger Gale]

water up to standard, whereas Brussels, the heart of the European Community, still pours raw sewage into its rivers.

Mr. Griffiths: It seems that the hon. Gentleman would like to take charge of Europe, but I have no desire to do so. I have not compared our rates of compliance with another European country. I am considering only the state of play in Britain, which is not good enough given the incredible amounts of money that consumers are having to pay and the profits that are being stuffed into the pockets of shareholders, particularly of directors who have preferential share option schemes, from which they make thousands of pounds. That is the issue, not what is happening in Brussels or anywhere else.

The hon. Member for Hertfordshire, West (Mr. Jones) attacked the record of the Italians, but the European Commission threatened them with action and as a result the River Po is being cleaned up. The hon. Gentleman's comments were true when the Select Committee considered the matter, but they are not true today.

We have created a financial leviathan with a monopoly that allows water companies to ride roughshod over consumers. Is not it a coincidence that in this time of economic recession the companies that are returning massive profits and are buoyant are the privatised companies, such as British Gas, British Telecom and the water industries, whose captive customers have been left unprotected by the Government?

Privatisation cost British taxpayers £3·3 billion. The Government did not find it difficult to provide money for the water industry, but they did not want to do so. They wanted to privatise it and threw money at it, the purpose of which had nothing to do with improving the lot of the customer or the quality of water. That is why headlines appear in our newspapers saying,

"River devastated by farm pollution",

and

"River poisoned, thousands of fish killed",

and

"Mersey polluters breach limit 859 times in five years",

and

"River Bourne restocked after serious pollution"

and

"Swan lakes so polluted that film can be developed from its water".

Such headlines appear every week in our newspapers.

Low fines are levied on polluters. Shell justly suffered a massive fine of £1 million, but there seems to be no consistency in the application of fines.

For six years of the Government's term of office, fewer of our traditional beaches met the EC beach water directive than did those in the land-locked state of Luxembourg. In Luxembourg, 38 beaches had to comply, whereas in Britain the figure was 27. Again, because the European Community threatened to take Britain to the European Court of Justice, the Government finally recognised in 1986 that traditional bathing beaches meant about 400 beaches. The Government claim to have achieved 77 per cent. compliance five years after they should have complied with the directives, which shows the effrontery with which they are prepared to behave towards the British public.

There are more beaches in the blue flag scheme. The committee that validated those beaches said that it was shocked at the pollution, sewage and readily identifiable detritus from our sewage works that could be found on beaches that were put forward as being most eligible for blue flag status.

Mr. Robert B. Jones: The hon. Gentleman does not seem to take account of the fact that no correct monitoring takes place in many European countries to judge whether beaches should be passed. Britain has a sophisticated monitoring system. I believe that the hon. Gentleman represents a coastal constituency. Is he saying that people should not go on holiday to his area but should go to the Cotentin peninsula in France, which is knee deep in sewage but has nothing done about it?

Mr. Griffiths: Of course I would recommend that people should come to my constituency. I would not recommend that they risk going in the water in some places. Rest Bay in my constituency was put forward for blue flag status because basically it was a good-looking beach. The committee found that it was full of seaborne pollution and heavy fuel oil. A beach at Dunraven Bay was found to be polluted with fuel oil. After 12 years of Tory rule and nearly two years of privatisation, we still suffer from those problems.

I am sorry that there is not a little more time to consider the Government's devastating, disgusting and disgraceful record on pollution. To protect the privatised companies, many derogations were sought in England and Wales. Well over half the population of Wales drink water that has been allowed derogation from European Community standards, to avoid prosecution of the private water companies. I wish that there was more time to go into specific details.

I tried to find out from the Department of the Environment and the Welsh Office exactly how many people were supplied with drinking water that did not comply with European Community standards. Neither Department could give me any figures. That is not surprising, as they would have to admit that more than half the population of Wales were drinking such water.

Much play has been made of the role of the National Rivers Authority as a public body. My hon. Friend the Member for Dewsbury (Mrs. Taylor) did not talk about it being a private body. When it was created, the Government proudly described it as the strongest environmental protection agency in Europe. Why, therefore, do not the Government ensure that grant-in-aid is at the required level? In the NRA's five-year plan to 1994, it had a £105 million shortfall in grant-in-aid from the Government. In 1991, it asked for £119 million to ensure that it could carry out its functions properly, although it admitted that it would still have difficulty with that amount. The Government chose to give £79 million —a £40 million shortfall. During the year, they stumped up another £26 million because so many bad pollution incidents were hitting the press that they had to do something. The NRA was still left with a £14 million shortfall. The Government have been full of ringing rhetoric about doing something about water quality but have been wretched about resourcing that work. It is a familiar tale of the way in which the Government have approached these matters.

The public are well aware that the Government have failed them. That is one of the reasons why the Government will continue to trail in opinion polls for the

rest of their term. Labour will reinstitute public control. The water industry has never been nationalised. It was municipal and then regional and we intend to make it regional again. A Labour Government will first introduce a much sterner regulatory programme. We will make sure that the polluter really pays. Although we will increase the fines, charges and levies on pollution, we will reduce levies on companies that reduce their pollution. We will use that money in the water industry to promote research and development and alternative clean technologies. That will happen not a moment too soon.

We will ensure that there is freedom of information so that people know about the quality of the water which they drink and in which they swim. We will have an environmental protection agency, which was so roundly supported by the Select Committee on the Environment. We will ensure that our water policies are driven by environmental and social priorities. We will truly serve the customers, not the whims of the City or the demands of shareholders for fat profits and dividends. The public are looking forward to that day.

6.46 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Nicholas Bennett): One would think that the Labour party was approaching this issue with great seriousness, but at the height of the debate four Labour Back Benchers were present and the number has now risen to seven. That is the measure of the importance that the Labour party attaches to the water industry.

Over the past decade there has been a major advance in public awareness of environmental matters and nowhere has that been more obvious than in the public concern about water quality. The Government understand that concern and, as my hon. Friend the Member for Pudsey (Sir G. Shaw) said, no Government have done more than this Government to ensure that water quality is maintained and improved.

We have denationalised the industry to improve the quality of service to customers, as they expect from a private sector company. We have set up the National Rivers Authority. We have established the drinking water inspectorate. We have set up the office of the Director General of Water Services. All three are there to ensure a better service and a better quality of environment. They will ensure that the companies in the water and sewerage industry meet the stringent standards which we have set. We have established standards for drinking water quality that go beyond those required by the European Commission. We have decided that dumping of sewage sludge and industrial waste at sea should stop. We have anticipated the urban waste water directive by deciding that all substantial discharges of sewage should be treated, and we have implemented the agreements reached in the North sea conference and applied them to all seas around Britain.

That is an impressive record. All we heard from the Opposition was a succession of whines. If one looks at Labour's record between 1974 and 1979, one realises that it is not in a position to lecture anyone. The hon. Member for Denton and Reddish (Mr. Bennett) was opposed to employee share ownership in the industry. My hon. Friend the Member for Pudsey pointed out in a lucid explanation the importance of getting a return on assets and the public obligations that the Government have set on the industry through the NRA, Ofwat—the Office of Water Services—and EC and Government statutory regulations.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) made a speech with which I partly agreed. It was right to point out the wastage that occurs, but the first thing that came to mind on listening to the second part of his speech was that the Liberal Democrats have no policies. The hon. Gentleman was challenged by my hon. Friends to give his party's policies. He said, "We will have a conference in September and I shall be able to tell you afterwards." He went on to give us the Simon Hughes manifesto, which appeared to be about a water tax or about water meters. The problem is that the Liberal Democrats do not have enough hands for the different policies that they put forward, depending on the audience that they are addressing. It is a matter of saying, "On the one hand, this; on the other hand, that." The Liberal Democrats have not given any clear view of their policies. That is not surprising, because in two out of the last three general elections the party did not even mention the water industry. It is rather late in the day for the Liberal Democrats to lecture us on water matters.

The hon. Member for Southwark and Bermondsey mentioned an article in *The Sunday Times*. Before quoting journalists writing in national newspapers the hon. Gentleman should check sources and facts. For example, the article said that Southern Water was responsible for 487 incidents last year. I have checked with the National Rivers Authority and found that that is simply not true. I understand that 233 of the 487 incidents, almost half, were in respect of private work such as septic tanks and that only 186, a little more than one third of the total, were in respect of the water company. However, the crude figures do not tell us whether the incidents were in any way significant. It was dangerous for the hon. Gentleman to quote that article without first checking the facts.

My hon. Friend the Member for Hertfordshire, West (Mr. Jones) was right to speak about international comparisons. It is deplorable that the Labour party sells Britain short and does not look realistically at the facts. In its document entitled "An Earthly Chance", chapter 5, headed "Water", states:

> "We can no longer take the quality of drinking water for granted. Many of Britain's rivers remain severely polluted. This is just one of the reasons why Britain has been labelled the dirty man of Europe."

It is the Opposition who have attached that label to Britain, and it is totally untrue. Anybody who examines the quality of drinking water in France, smells the River Rhine in Germany or looks at the pollution of Mediterranean beaches will see that our water industry has a better environmental protection record than those in other countries. It is about time that Labour stopped selling Britain short on this issue.

Some 95 per cent. of the United Kingdom's rivers are of good or fair quality, a record which is not bettered anywhere in the European Community. Some 96 per cent. of Britain's homes are connected to sewers, and that is about the highest percentage in Europe. By 1990, 88 per cent. of the sewage treatment works had already met the long-term performance measures specified in the discharge consents. That compares with 77 per cent. in 1986. The Opposition are prepared to tell untruths about Britain in order to gain some sort of short-term political advantage.

[Mr. Nicholas Bennett]

I am grateful to my hon. Friend the Member for Hertfordshire, West for drawing this matter to the attention of the House.

My hon. Friend also drew attention to prices. Labour is presently campaigning on the issue of water prices and it is therefore important to get the facts straight. The average price per day per household in the Severn Trent Water area is 38p. The average price across Britain for water per day per household is 43p. Even in Wales, where the price is higher, it is only 55p a day per household. Two pints of milk cost more than the price of the water consumed by each household in Britain in a day. It is half the price of German water, and in France, Italy, Belgium and the Netherlands water costs more than it does in Britain. The British people should know that we get a good bargain for the price that we pay for water and the services that we receive.

The hon. Member for Carmarthen (Mr. Williams) was absent for most of the debate and when he turned up he made a series of allegations about Welsh Water. The hon. Gentleman and I share a local paper to which the hon. Member wrote two weeks ago, making a series of allegations about Welsh Water. Last week that paper published a three-column letter from the head of public relations in that authority. One by one, the letter knocked down the allegations made by the hon. Member for Carmarthen. It contained phrases such as:

"Dr. Williams was wholly inaccurate"

and,

"Dr. Williams is completely wrong"

and,

"This is totally untrue".

The hon. Gentleman's allegations were wrong then and they are wrong today.

The hon. Member for Carmarthen did not say anything about the good works carried out using the profits made by Welsh Water. For example, we heard little about the fact that last year for every £100 that it collected from customers Welsh Water spent £108 in providing services and investing to improve the quality of services. The hon. Gentleman did not speak about the fact that every day for the next nine years Welsh Water will invest £500,000 in the Welsh water industry. The Opposition do not advance those facts because they do not support the argument that they want to put across.

The hon. Member for Dewsbury (Mrs. Taylor) made snide innuendos about senior managers in the water industry. She spoke about their perks and shares and tried to give people the impression that managers received free shares. She did not say that the shares were purchased by those managers at market price and that by spending their own money they have shown their commitment to the industry. Labour dislikes employee share options and does not like employees to spend their own money buying a stake in their companies. I welcome such participation and we shall certainly make sure that people are aware of Labour's attitude on share ownership.

The barefaced cheek on water matters by the India rubber men and women in the parliamentary Labour party has reached a new level of contortion. The strategy of the new Kinnock model army is to face both ways at the same time. In one breath they call for greater priority for the environment and higher spending and in the next they call for lower prices. Most of them have enough political savvy to advance those competing propositions on separate occasions to different audiences. Sometimes their co-ordination is as good as their clothing, but on other occasions it is not.

The hon. Member for Alyn and Deeside (Mr. Jones), who leads for the Opposition on Welsh matters, was reported in the *South Wales Echo* of 13 June as calling on Welsh Water to

"invest more and charge less".

He went on to say that the water industry was a priority for a return to the public sector. Perhaps the hon. Gentleman should have a word with his hon. Friend the Member for Derby, South (Mrs. Beckett), because in her guise as a moderate after many years as a left-winger the hon. Lady told my hon. Friend the Member for Stroud (Mr. Knapman):

'although we think that, in the long term, the water industry belongs in the public sector, it is not one of the policies that we expect to implement soon after coming to power"—[*Official Report*, 15 May 1991; Vol. 191, c. 314.]

However, Opposition Members in the House and in the media express a different view. In "Meet the Challenge, Make the Change" the party claims that there will be no compensation other than paying a fair market price for any equity or other rights that a Labour Government would wish to acquire. On "On the Record" on BBC television on 17 September 1989 the hon. Member for Dagenham (Mr. Gould) said that a Labour Government would take action to regulate the water industry which would reduce the profitability of the privatised companies and would therefore be likely to depress the share price. Investors should take note of that.

Labour wants to depress the industry and the share price and then grab back the shares at an unfair price, having said in its election literature that it would not do that. That shows the dishonesty of Labour over the whole issue. I suspect that the hon. Member for Derby, South might have some trouble with the motion in the City. Month after month, the hon. Lady and her hon. Friends have eaten their way around the banks, discount houses and stockbrokers peddling the line that Labour has reformed. They say "Yes, we understand the need for profits. Of course we recognise the role of the shareholder and, really, you should not take any notice of Labour conference decisions." However, in the motion we find "alarm" about the "level of profits" and allegations that the shareholders' interests are the greater priority. No wonder no member of the shadow Treasury team has signed the motion.

This is the old-style Labour party back in action. It is the party which prefers state losses to private sector profit, and which cut investment in the 1970s. It is the Labour party of the vested interests of the public sector unions and the party which still has clause 4 in its constitution. It is the party which still believes in nationalised industries. Why should we take lectures from the Labour party on the water industry? How green are the credentials of a party whose control of one of our major cities has left it rotting with refuse? Let us remember that this Government have invested heavily in the water industry because we are concerned about the environment. We believe that this is the way forward. The record of the Opposition on the water industry is appalling; their motion is appalling, and it deserves to be defeated. I call on the House to vote for the Government amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 209, Noes 297.

Division No. 176] **[6.59 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Carr, Michael
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Edwards, Huw
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKelvey, William
McLeish, Henry
McMaster, Gordon
Madden, Max
Mahon, Mrs Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mudd, David
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, William *(Londonderry E)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Matthew *(Truro)*
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Eric Illsley.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'th's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel

Forsyth, Michael *(Stirling)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Rt Hon Peter
Lord, Michael
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Mariand, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Mates, Michael
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Renton, Rt Hon Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Rt Hon Mrs Angela
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, T[illegible]y *(S'end E)*
Tebbit, Rt [illegible] Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thorn[illegible] Malcolm
Thornhill, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor
Mr. Irvine Patnick.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments):—*

The House divided: Ayes 279, Noes 208.

Division No. 177] **[7.15 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
French, Douglas

Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambaSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Latham, Michael
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lilley, Rt Hon Peter
Lord, Michael
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Mates, Michael
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Moss, Malcolm
Moynihan, Hon Colin
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Renton, Rt Hon Tim
Riddick, Graham
Roberts, Sir Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim

Tellers for the Ayes:
Mr. John M. Taylor and
Mr. Irvine Patnick.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Carr, Michael
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, Sir A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Edwards, Huw
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sa
Galloway, Ge ge
Garrett, Joh *Norwich South)*
Garrett, Te *Wallsend)*
George, Br e
Godman, Norman A.
Golding, rs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Lambie, David
Lamond, James
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken

Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKelvey, William
McLeish, Henry
McMaster, Gordon
Madden, Max
Mahon, Mrs Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mudd, David
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, William *(Londonderry E)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Matthew *(Truro)*
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Eric Illsley.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the success which the water industry has achieved in the first full year after privatisation in substantially expanding investment to improve the environment and standards of service to customers; endorses the firm and fair system of regulation that has been established to protect customers; and looks forward to the benefits from this massive investment programme and improved efficiency in the years to come.

Killingholme Generating Stations (Ancillary Powers) Bill [*Lords*] (*By Order*)

Order for Third Reading read.

Clause 26

FOR PROTECTION OF A.B. PORTS

Amendments made: In page 12, line 8, to leave out "fail" and insert "fails".

In page 13, line 51, to leave out "consider" and insert "considers".—*[The Second Deputy Chairman of Ways and Means.]*

Clause 27

FOR PROTECTION OF RIVERS AUTHORITY

Amendment made: In page 17, line 15, to leave out "or".—*[The Second Deputy Chairman of Ways and Means.]*

7.27 pm

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker. When reading the preamble to the Bill, I noticed that in page 1, line 16, the word "abstact" was used. Clearly the word "abstract" must have been intended, but there was a mistake. I went to the Table Office and said, "Surely we should be able to amend the Bill, because it is wrong."

I looked in "Erskine May", which said that there were certain circumstances in which, even on Third Reading, amendments could be made. You will remember, Mr. Deputy Speaker, the famous occasion a few months ago when a private Member introduced a Bill that the Government had taken off the shelf and given to him, and its title was wrong. On Third Reading the title of the Bill had to be changed, because it conveyed the opposite of what was intended. One Friday we had to speak at some length to sort out the matter.

Even on Third Reading, in very unusual circumstances, it is possible to amend a Bill. So I went to the Table Office and said that a word in the Bill was wrong. An argument was put to me by certain people connected with the Table Office—I do not want to name names; that would be unfair. Those people have a job to do. The last thing that we want to do here is to slag off people who work for a living.

Mr. Jeremy Corbyn (Islington, North): Unlike Lloyd's.

Mr. Skinner: Lloyd's is a different ball game, but we are not talking about Lloyd's here. We are talking about a spelling mistake.

The people in the Table Office said that in certain circumstances an amendment could be made, but that the amendment had to be insignificant. I said that we had an insignificant amendment here. The mistake that I mentioned is insignificant, so it must qualify.

However, there is another argument in "Erskine May", and I suppose that you will have to balance one against the other, Mr. Deputy Speaker. The other argument is that some mistakes are so insignificant that they can be corrected at another time. I do not know into which category the mistake falls. It is a mistake, for sure, and it is marginally insignificant, but does it fall into the category that cannot be debated here and now, or can it be settled somewhere else?

The other mistake occurs at line 13, on the same page, which refers to

"a gas turbine generating station".

Yet part II of the Bill refers to 12 works—six for each station. Therefore, the reference to "a . . . station" is clearly wrong; the provision should refer to "stations".

Mr. Michael Brown (Brigg and Cleethorpes): I agree.

Mr. Skinner: Oh. We are beginning to get the support of the hon. Member for Johannesburg, are we? He is also on my side on Lloyd's; we are trying to clear up that mess, too, but that is another story.

The second mistake is more than significant; it is fundamental. The Bill refers to "a station" when it means "six stations". When I discovered that, I thought to myself, "I've got a case here." I asked the people concerned, "What do you reckon to this one? This is big." They said, "Of course it is."

Here again, we are talking about different interpretations in "Erskine May". One section of "Erskine May" says that, if a mistake is too significant, it cannot be dealt with on Third Reading. Another section says that, if a mistake is not too big, it can be changed.

I think that we need a ruling from Mr. Speaker. You, Mr. Deputy Speaker, could see Mr. Speaker, but, in any case, the matter needs clearing up. On the one hand, we have a tiny spelling mistake of little significance. On the other, we have a big mistake, which alters the whole framework of the Bill. I do not think that the correction of both mistakes can be ruled out. We would settle for one —for the big one or for the little one—but the "Erskine May" rule cannot apply in both cases.

I should like to know, Sir, whether you will suspend the sitting, have a word with Mr. Speaker and get the matter sorted out. We could then deal with it another day so that people can get off. It is Royal Ascot week, after all, and I believe that the Gold Cup is to be run tomorrow. Other hon. Members are attending a fancy dinner party tonight because they have been in Parliament for 21 years. I am not going; I am working my tripes out here—or, at least, some would say that. I think that the matter should be settled, Mr. Deputy Speaker. You have had a word with the Clerk, and I should like to know the score.

Mr. Deputy Speaker (Sir Paul Dean): On the hon. Gentleman's first point, if he is saying—as I think he is —that there is an obvious misprint or misspelling, it can be corrected without an amendment having been tabled. I am not wholly clear what the hon. Gentleman's second point was because he did not table an amendment in connection with it. It would be very much better, in any case, if we proceeded with the Third Reading debate. If we did so, the hon. Member for Stroud (Mr. Knapman), who is to speak on behalf of the promoters of the Bill, might well be able to clarify the matter for the benefit of the hon. Gentleman and the House.

Mr. Skinner: Further to the point of order, Mr. Deputy Speaker. You say that you are not quite sure what my second point was, although you are quite clear in your mind about my first point concerning the spelling mistake. Line 13 of the Bill refers to

"a gas turbine generating station".

Mr. Alexander Eadie (Midlothian): Take it slowly.

Mr. Skinner: Right. The important word in the phrase is "a". When you look at page 4, Mr. Deputy Speaker, you will see that part II of the Bill, entitled "Works", enumerates six separate works for each company. My argument is simple. The phrase

"a gas turbine generating station"

implies that two stations will be built—one per company. In fact, we are talking about six apiece. The Bill should be amended so that line 13 refers to "stations" if the provision is to comply with the rest of the Bill.

From our point of view, however, it would be better if another amendment removing the words "gas turbine" were tabled, thus leaving a reference only to "stations". Then the Bill would—[HON. MEMBERS: "What is the hon. Member for Stroud (Mr. Knapman) doing over there?"] What is happening?

Have you grasped my second point now, Mr. Deputy Speaker? Should the Bill refer to "a station" or "stations" in order to comply with the provisions in part II dealing with works, in which six separate stations are enumerated for each company—12 in all?

Mr. Deputy Speaker: If the hon. Gentleman had read the whole paragraph and not just part of it, he would realise that the clauses in question deal with detailed works and not whole stations. That is the answer to his point. As I said, it would be very much better if we got on with the Third Reading debate. If we do that, further clarification may well be given. I call Mr. Knapman.

Mr. Roger Knapman (Stroud) *rose*——

Mr. Jimmy Hood (Clydesdale): On a point of order, Mr. Deputy Speaker. May I ask you to defend hon. Members' rights? During the point of order raised by my hon. Friend the Member for Bolsover (Mr. Skinner), an hon. Member went to the place beneath the Gallery where the promoters, who are not allowed to speak in this place, are sitting to seek advice from them. Can you, Sir, give us some guidance as to whether that will be allowed during the remainder of our proceedings tonight? Will you protect hon. Members by ensuring that those sitting under the Gallery take no part in our proceedings from that position?

Mr. Deputy Speaker: I am not responsible for what goes on outside the Chamber. It is not unknown—indeed, it is perfectly proper—for hon. Members to consult people outside if they wish to do so.

Mr. Kevin Barron (Rother Valley): Further to the point of order raised by my hon. Friend the Member for Bolsover (Mr. Skinner), Mr. Deputy Speaker. If my understanding of the private Bill procedure is correct, the first thing that must have happened to the Bill in the private Bill Committee following Second Reading in February this year was for the Committee to agree the preamble. That is what "Erskine May" says. The preamble must have been agreed before the Committee considered any of the Bill's clauses.

My hon. Friend has raised a fundamental point. I cannot see how anyone can infer from the grammar in the preamble that the Bill permits the building of more than two gas turbine power stations—one each for National Power and PowerGen. *[Interruption.]* If the hon. Member for Brigg and Cleethorpes (Mr. Brown) will keep quiet, he will hear what I have to say. In effect, later clauses in the Bill give planning permission for the building of six power stations on the site. We can assume that four of them are

[Mr. Kevin Barron]

not designated as gas power stations or any other type of power station. All we know is that there is an outflow of water from the estuary for the further four power stations.

It is on that basis that the point of order has been raised. Before the Bill proceeds, we ought to establish whether the preamble is right and whether it has been agreed in Committee, as it tends to mislead the reader with regard to later clauses.

Mr. Eadie: Further to the point of order, Mr. Deputy Speaker. May I congratulate you on the recent decision taken in respect of the birthday honours list. I think that I speak on behalf of the whole House.

When my hon. Friend the Member for Bolsover (Mr. Skinner) raised his point of order, you said that you did not quite grasp the significance of his second point. I put it to you, Sir, that I do not grasp the significance of your ruling. The provisions of the Bill are clear. We know that grammar is singular and grammar is plural. The reference in the Bill is in the singular rather than in the plural.

Will you advise the House, Mr. Deputy Speaker, on how you reached your decision, given that it is clear from the rest of the Bill that we are dealing not with the singular but with the plural? As my hon. Friend the Member for Bolsover said, that decision is crucial to the Bill. If the ruling was that the grammar and the definition in the Bill were wrong, Opposition Members would seek, as my hon. Friend said, to discuss the question whether we should be talking about gas-fired power stations or power stations. I hope that you, Sir, will be seized of the importance of the matter. I ask you again to clarify how you reached your decision that the Bill was in order.

Mr. Deputy Speaker: I am grateful to the hon. Gentleman for his kind comments at the beginning of his remarks. The preamble to the Bill has been proved, so we cannot go back on that. It is clear to me that the points that have been made are relevant to the Third Reading. The hon. Member for Stroud (Mr. Knapman), who is seeking to catch my eye, may be able to explain them.

Mr. Gerald Howarth (Cannock and Burntwood): I hesitate to rise on a point of order, Mr. Deputy Speaker, but earlier this afternoon Mr. Speaker refused even to hear a point of order from me, whereas you have listened patiently to a whole series of utterly fraudulent and bogus points of order. A clear reading of the preamble to the Bill makes it apparent that generating stations are referred to. The preamble states:

"whereas to meet requirements for the supply of electricity each of the two companies"—

National Power and PowerGen—

"proposes to construct on the lands vested in that company a gas turbine generating station".

It is manifest that the education of Opposition Members in the English language is so lacking that they have failed to grasp the basics.

Mr. Michael Brown *rose*——

Mr. Harry Ewing (Falkirk, East) *rose*——

Mr. Deputy Speaker: Order. I shall take further points of order, but it is becoming clear that we are already dealing with Third Reading. It would be much better if the words "point of order" were omitted and if speeches were made on Third Reading.

Mr. Ewing: A moment ago you, Mr. Deputy Speaker, made a very important comment. You said that the preamble to the Bill had been dealt with earlier; but, with respect, it was not this Bill. This Bill has been to another place and has been returned. Therefore, this Bill is not the Bill that was dealt with earlier. This is the Bill that has been reprinted. I accept that there are spelling errors in it—that can happen with any Bill—but there is also an error of substance. This is not the Bill that we discussed at an earlier stage. Having listened to the earlier debates, without participating, I can say that this is not the Bill that we debated earlier. With respect, I ask you, Mr. Deputy Speaker, to reconsider the statement that you have just made. This is a different Bill.

Mr. Deputy Speaker: I assure the House that we have gone through all the correct procedures on the Bill. We have now reached Third Reading, and it would be much better if we proceeded with that debate.

Mr. Michael Brown: It might help you, Mr. Deputy Speaker, to know that, if the Bill becomes an Act, it will not give PowerGen or National Power permission to build one, two, three, four, six, 66 or 166 power stations. The only authority which is competent to give planning permission for one, two or more—or less—power stations is not the House of Commons but Glanford borough council. The Bill deals only with pipes out of the power stations, so that the number of power stations is irrelevant.

Mr. Deputy Speaker: I am grateful to the hon. Gentleman. His comments enable me to remind the House that we are now on Third Reading, and it is appropriate to discuss only what is in the Bill.

7.43 pm

Mr. Roger Knapman (Stroud): I beg to move, That the Bill be now read the Third time.

I second the good wishes of my colleagues and congratulate you, Mr. Deputy Speaker, on featuring so prominently in the birthday honours list.

My hon. Friends the Members for Cannock and Burntwood (Mr. Howarth) and for Brigg and Cleethorpes (Mr. Brown) have said much of what I need to say because they covered a substantial part of the Bill. However, I was surprised at the amateurish way in which a further delay was sought tonight. After all, where on earth was the hon. Member for Bolsover (Mr. Skinner) during the revival motion and the debate on Second Reading? If the Labour party has such strong views on the subject, and if it is so deeply in the pockets of the National Union of Mineworkers, why did not one member of the Labour party attend the Committee stage?

Mr. Bob Cryer (Bradford, South): While the hon. Gentleman is talking about pockets, will he declare to the House that the building firm with which he is involved will not be applying for any of the works mentioned in the Bill? As he is a member of Lloyd's, will he also make it clear that he is not involved in any representations to the Government about tax concessions for himself?

Mr. Knapman: I am very grateful to the hon. Gentleman for taking such a close interest in what I do. I am happy to reassure him on all those issues. I should have thought that anyone who was a builder or a member of Lloyd's deserved a little sympathy at the moment.

Tonight I thought that we had seen the nadir—that means the lowest point—of delays. However, I examined the record a little more closely and read the contribution of the hon. Member for Midlothian (Mr. Eadie) on the revival motion on 14 January. Why was it said that the Bill should not proceed at that time? I remind the House, because the hon. Gentleman's comments merit further publicity. He said:

"I recall telling the House in a previous debate that, when I met the Norwegian commanders in NATO, I asked them what would happen if a conflict broke out in the North sea and what consequences it would have for the oil and gas installations. They told me that the installations could not be defended. As a strategic aspect is now involved, because we may soon be involved in a war in the Gulf, the situation has changed since the House last addressed the subject."

That appears to have been the reason for delaying the Bill at that stage. It is a good job that we did not take any notice of the hon. Gentleman's strictures, as my hon. Friend the Member for Cambridgeshire, North-East (Mr. Moss) said so eloquently. He said:

"I am listening carefully to the hon. Gentleman. He is saying that with the Gulf crisis, or a Gulf war, we shall not have enough gas in the short to medium term and that we shall have to import it from the Soviet Union through a non-existent pipeline".—[*Official Report*, 14 January 1991; Vol. 183, c. 675-76.]

Mr. Deputy Speaker: I am sorry to interrupt the hon. Gentleman. I know that he is still on his preamble, but I hope that he will come quickly to the contents of the Bill. Only discussion of its contents is in order on Third Reading.

Mr. Knapman: I am grateful to you, Mr. Deputy Speaker. Where should we be without your guidance? I shall not detain the House for very long because there is a star-studded cast of Conservatives Members who wish to speak tonight, including my hon. Friend the Member for Cambridge, North-East—a member of the Committee—who is an absolute certainty for Secretary of State one of these days.

Mr. Michael Brown: Only after my hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens).

Mr. Knapman: My colleagues will agree that on Second Reading my hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens) showed such a grasp of biocides and all matters environmental that the House was rapt in attention for quite a while.

Mr. Eadie *rose*——

Mr. Knapman: I shall give way in a moment. Other hon. Friends will contribute, not least my hon. Friend the Member for Brigg and Cleethorpes who has represented his constitutency in a way that is in marked contrast with those representing the two adjoining constituencies, both of whom are Labour Members and neither of whom has attended the debates on the revival motion or on Second Reading. They are also not here tonight, and why is that? It is because they know that the coal lobby is here and that their views count for nothing.

Mr. Hood: May I give the hon. Gentleman an opportunity to correct an error that he seemed to make in answer to a question that I put to him on Second Reading? I asked him to name the petitioner against the Bill and the reason for the objection being withdrawn. The hon. Gentleman said:

"I understand that the Coalfield Communities Campaign objected on the general principle of how the proposals would affect coalfield communities, but it withdrew the objection. It realised, even if the hon. Gentleman does not, that the Bill has nothing to do with coal."—[*Official Report*, 27 February 1991; Vol. 186, c. 1034.]

Will the hon. Gentleman admit that that has nothing to do with why the petition was withdrawn and that he made an error, to say the least?

Mr. Deputy Speaker: Order. I am sure that the hon. Gentleman will have some difficulty in dealing with that point and remaining in order.

Mr. Knapman: I agree entirely, Mr. Deputy Speaker. I am very tempted because I have such a detailed knowledge of all the subjects that the hon. Gentleman seeks to raise. However, I appreciate that if I sought to answer his points, I should be out of order, so I must return precisely to the nature of the Bill.

Mr. Eadie: In the preamble to his speech, the hon. Gentleman mentioned the star-studded cast that he has in front of him and behind him. I have never described people with a vested interest in that manner. The hon. Gentleman mentioned that his hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens) had revealed knowledge of the detail of the Bill. I wish that the hon. Member for Stroud (Mr. Knapman) had read the Second Reading debate because it emerged that the hon. Member for Littleborough and Saddleworth had a good speech writer. If the hon. Member for Stroud reads *Hansard*, he will realise that comments were made about the speech writer. The hon. Member for Littleborough and Saddleworth had the grace to reply to those comments with good humour. Will the hon. Member for Stroud take that on board when he tries to outline his case to the House?

Mr. Knapman: I was merely saying that if I had the choice between my hon. Friend the Member for Littleborough and Saddleworth with a script writer and the hon. Member for Midlothian without one, I would side with my hon. Friend every time.

The Bill can be covered in six salient points. I propose to deal with them briefly because I know that many hon. Members wish to speak. National Power and PowerGen are already in the process of constructing gas turbine generating stations at Killingholme. My hon. Friend the Member for Brigg and Cleethorpes will, I am sure, detail for us later how many jobs are now affected by the delay in the private Bill procedure. Almost 1,000 people are on the site now. That is why it makes me a trifle angry to think that the hon. Member for Great Grimsby (Mr. Mitchell) is unable, yet again, to attend the debate.

The Bill is related only to drawing water from the River Humber for cooling purposes. Whatever the type of fuel that will be burnt at Killingholme, there would still be a requirement for cooling water works in the River Humber. The Bill, as I have made clear on more than one occasion, is required for the construction of the necessary cooling water works and to overcome the prohibition in the Humber Conservancy Act 1905. We have gone into that matter in great detail before.

[Mr. Knapman]

Contrary to the protestations of certain Labour Members, the Bill does not seek to circumvent planning permission procedures. The power station developments already have consent. They are now being built and planning permission has been given after full local consultations. Those consultations have included all those involved locally. Many Opposition Members do not have local interests—and they have taken great trouble to say that I do not.

Among the authorities that have been consulted is Glanford borough council, which one would hope knew best what was right for its area. In its letter to the Central Electricity Generating Board, which is now deceased, it wrote:

"Further to my letter dated 16 November 1989 I am now able to inform you that on 7 December the Borough Council's Planning Committee resolved that Glanford wishes to raise no objections to the proposals contained in the Bill."

There we are. Glanford borough council wants the development very much. There are many others.

Mr. Hood: I do not want to put the hon. Gentleman off his speech, but may I ask whether he will cover the issue raised by my hon. Friend the Member for Don Valley (Mr. Redmond) on Second Reading about the fact that the Bill does not mention lagoons? Will the hon. Gentleman explain whether lagoons will be used in the operation?

Mr. Knapman: Lagoons are not mentioned in the Bill, so I do not wish to trespass, Mr. Deputy Speaker. However, the question has been asked again. I did not answer the point before because I did not understand what the hon. Member for Don Valley (Mr. Redmond) was saying on Second Reading.

If the Bill is defeated tonight, lagoons could be built, subject to planning permission, but that would be worse from the environmental and financial points of view. Does the hon. Member for Clydesdale (Mr. Hood) want even private companies—and I know how much the Labour party detests them—to have additional expense so that they have to charge their customers more? I know that the hon. Member for Bolsover (Mr. Skinner) has a high opinion of his party leader, the right hon. Member for Islwyn (Mr. Kinnock). He said carefully that Labour had to learn to run capitalism better than the Conservatives could. On that basis, I say to the hon. Member for Clydesdale that I have described the position on lagoons.

Mr. Malcolm Moss (Cambridgeshire, North-East): That is what you said last time.

Mr. Knapman: Yes, we had the same exchange on the previous occasion. However, it was not only Glanford borough council.

Mr. Michael Brown: I underline strongly what my hon. Friend has said about Glanford borough council. I confirm to the House that the picture is exactly as he has described. I have the good fortune to have as my next-door neighbour Councillor Malcolm Parks. As my hon. Friend knows, he has just become this year's mayor of Glanford and the mayoral car is parked outside my driveway as the mayor and mayoress get in and out of it. Councillor Parks and I have discussed the matter at great length. I told him that my hon. Friend would draw to the attention of the House the fact that Glanford was very supportive in so far as it gave planning permission. I give the mayor's blessing as well as my own to what my hon. Friend has said.

Mr. Knapman: I am sure that Councillor Parks and all the councillors on Glanford borough council will watch tonight's proceedings in the mother of Parliaments with unusual interest. They will wonder why Conservative Members have to bring benefits closer to the people of the north-east in the teeth of the fiercest opposition from the Labour party, despite the absence of Labour Members who should be concerned for their constituents' welfare.

It is not only Glanford council that supports the development. Humberside county council also supports the proposal. The hon. Member for Rother Valley (Mr. Barron) has a lot to say and he is currently discussing matters with his colleagues. On Second Reading, we reminded the hon. Gentleman that Humberside county council was Labour controlled and we wondered why the Labour party was at variance with the Labour controlled county council. The hon. Gentleman gave an undertaking to consult the council to see whether things could be ironed out. Has that happened? The hon. Members who cried "Object" to the Bill are not here tonight. Not only local Members, but hon. Members who objected are not here tonight. Will the hon. Member for Rother Valley tell us whether his view has been cleared with Humberside county council which, despite being Labour controlled, has no objection to these matters? [HON. MEMBERS: "This is boring."] Yes, it is boring. I apologised before for the fact that the Bill is mundane. It concerns a water pipe in and out of the River Humber. It is nothing like so dramatic as some Opposition Members would like to make out.

Others that approve the proposals are the North Killingholme parish council, Anglian Water plc, the Electricity Council, Lindsey oil refinery, Shell UK, British Telecom, the Department of the Environment, the Duchy of Lancaster, the Member of the European Parliament, the National Rivers Authority, and many others. Some 40 bodies have been consulted and none has any objection. There was no objection in the other place and there was no substantial discussion of the Bill in Committee. One reason why there was no substantial discussion was that no Labour Member turned up.

Mr. Hood: I am grateful to the hon. Gentleman for giving way and allowing me to clear up a point arising from the Second Reading debate. Is it not a fact that, contrary to what the hon. Gentleman said then, the Coalfield Communities Campaign was ordered to withdraw its petition against the Bill and did not do so voluntarily? As the Lords Committee judged that it should withdraw its petition, the CCC did not act voluntarily. I hope that he will clarify this point and clear the CCC of that terrible smear.

Mr. Knapman: The reason why the Coalfield Communities Campaign withdrew its petition must have been that it eventually realised, which the hon. Gentleman has not, that the Bill has nothing to do with coal. My hon. Friends and I have made that point at great length on Second Reading, during the debate on the revival motion and we are obliged to do so again now. The hon. Gentleman can ask that question as many times as he wishes, but he will always get the same answer—that the Bill has nothing to do with coal. The fact that this private Bill has passed through the other place and this Chamber

with only one objection to it, which was overruled, is remarkable in view of its complexity and the number of organisations that have had to be consulted.

Mr. Hood: Surely the answer to my question is that the hon. Gentleman does not know. However, that is not the answer that he gave on Second Reading when he said that he knew that the petition had been withdrawn because the petitioners no longer thought that the Bill had anything to do with coal. That was an error or untrue. I hope that you, Mr. Deputy Speaker, will allow me to cover that point later if I catch your eye.

Mr. Knapman: If an objection is withdrawn, I would not place quite so much emphasis as the hon. Gentleman on the reason why it was withdrawn. The fact is that the only objection that was made by the 40 or more organisations that were consulted was later withdrawn. That seemed to satisfy their Lordships and it should satisfy reasonable hon. Members here.

There is only one point on which I wish to detain the House any further. I refer to the cooling water works, which is a temporary scheme that has nothing to do with lagoons. The scheme that is proposed for the temporary cooling water works would extract water from the River Humber by means of two submersible pumps, mounted on an Associated British Ports (Immingham) gas jetty located 1·5 km downstream of the power station. That is not ideal, but it is a temporary scheme for which permission will be given for 18 months. It is necessary only because of the delays that have been caused to the passage of the Bill by Opposition Members. The House should note that the cost of that delay is £3 million. What is more, the delay is costing more and more every day. Most of the Opposition Members who have done most of the objecting are not in their places tonight, but they should understand that they have had their run——

Mr. Michael Brown: They have gone to Ascot.

Mr. Knapman: As my hon. Friend says, they have gone to Ascot. If that is so, I hope that they will understand just what being a member of Lloyd's is like.

Mr. Barron: Does the hon. Gentleman agree that the delay in the Bill's passage is more likely to be due to the fact that the promoters were late in bringing it to the House and did not do so until all the other planning permissions had been sought and construction was going ahead? The promoters need look no further than themselves.

Mr. Knapman: The Bill was promoted two years ago. The only reason why the Bill is needed is that the provisions of the Humber Conservancy Act— *[Interruption.]* No, the answer to the hon. Gentleman is that it was mooted nearly two years ago. The delay is totally unacceptable, bearing in mind that Opposition Members have had nothing concrete to say on the issue. That delay is too long and brings the House into disrepute.

Mr. Terry Patchett (Barnsley, East): The hon. Gentleman constantly seeks to avoid the question of lagoons, and has even treated it with hilarity. Perhaps he does not understand the definition of a lagoon. If he does understand it, will he explain it to the House so that we are clear that he is clear what the devil we are talking about?

Mr. Deputy Speaker: Order. I remind the House once more that we are on Third Reading. I do not think that the Bill refers to lagoons, in which case it is not in order to deal with that subject at this stage.

Mr. Knapman: I am grateful to you, Mr. Deputy Speaker.

In conclusion, and in direct answer to the hon. Member for Clydesdale, the Bill is not an attempt to circumvent any planning permission procedures because planning permission has already been obtained. Not one of the 40 local authorities, regulatory bodies or organisations with a legitimate interest in the Bill is now objecting to it. Therefore, I hope that the House will see its way to granting the Bill a Third Reading.

8.4 pm

Mr. Jimmy Hood (Clydesdale): As happened in earlier stages, tonight's debate on the Bill has exposed the inadequacies of the private Bill procedure. I have tried to choose my words carefully when referring to "inadequacies". In the four years that I have been a Member of the House, I have served on various committees and have spent long nights discussing various Bills. I have seen what happens here—the champagne parties and the chattering under the Galleries. Those things and the private Bill procedure demean this place and the sooner that that procedure is changed, the better.

My recent experience has been on the Cardiff Bay Barrage Bill, about which I wrote a minority report. Last week the Prime Minister went to Wales and announced that the Government would introduce their own Bill on that matter because, unlike many of the Bills that are pushed through via the private Bill procedure, the Cardiff Bay Barrage Bill did not get through.

Mr. Cryer: Does my hon. Friend agree that this place is demeaned when an hon. Member who is promoting a Bill tries to blame expenses that relate to the works covered by the Bill on the procedures of this place, despite the fact that the outside promoters failed to present the Bill at an early date? Does he further agree that Opposition Members have pressed for changes in the private Bill procedure month after month, and that the Government and their cronies, who are now complaining about the length of time the Bill has taken, are the ones who have delayed and obstructed those changes?

Mr. Hood: My experience has covered debates both in the Chamber and in Committee. The last Committee on which I served dealt with the Cardiff Bay Barrage Bill. I can remember counting the wigs who were being paid £3,000 or £5,000 per day—one could add as many noughts as one likes. I believe that it cost a minimum of £3,000 per wig, so it cost £30,000 per day——

Mr. Skinner: How many wigs were there?

Mr. Hood: At one stage there were 10 wigs, which amounted to quite a lot of money. It is therefore a bit much for the hon. Member for Stroud (Mr. Knapman) to talk about costs. I did not know until tonight that the hon. Gentleman is a member of Lloyd's. Although I knew that 62 Conservative Members are having sleepless nights at present, I did not know that the hon. Gentleman was one of them. He has my sympathy and I am sure that he will have the sympathy also of my general management committee when I tell its members on Friday night about

[Mr. Hood]

the poor souls at Lloyd's who are asking for tax concessions to bail them out when they have previously made so much money in profits in the so-called wonderful free-market economy. Those poor souls are now having to come to the Government with their hats, asking to be bailed out.

Mr. Skinner: Does my hon. Friend know that such is the state of affairs at present with those 62 hon. Members and their friends who are members of Lloyd's that they are now staked out outside Lloyd's having avocado soup? There is now an avocado soup kitchen there.

Mr. Deputy Speaker: Order. I am sure that the hon. Member for Clydesdale (Mr. Hood) will not be tempted from the straight and narrow.

Mr. Hood: I thank you, Mr. Deputy Speaker, because I have not had my dinner tonight and the thought of going down to Lloyd's to have a plate of avocado soup was quite appealing.

Mr. Eadie: I am grateful to my hon. Friend for giving way because this point is pertinent to what he was saying about people being asked to do certain jobs in relation to the promotion of the Bill. May I remind my hon. Friend that the sponsor, who is speaking on behalf of the companies, does not even live in the constituency concerned, yet he has the audacity to stand up in the House and criticise other hon. Members who make comments and who do not live in the constituency either?

Mr. Hood: I share my hon. Friend's concern about that matter. However, I want to be pragmatic and fair and I recognise that the choice of sponsor is entirely a matter for the promoters. Perhaps they observed what happened during the passage of previous Killingholme legislation and thought that they should go somewhere else because the performance of their sponsor then certainly did not impress me and it might not have impressed them. Perhaps the promoters will look for some improvement. I do not know whether they will obtain any improvement from the hon. Gentleman but I am sure that that is for reasons better known to the hon. Gentleman.

Mr. Knapman: What precisely is the hon. Gentleman's objection to the Bill?

Mr. Hood: I shall cover that, with the permission of Mr. Deputy Speaker, as I proceed with my speech. As I come towards the end of my speech, if the hon. Gentleman feels that I have not covered some of the matters that he would like me to cover, I hope that he will feel free to jump up.

Mr. Patchett: Could it be that a recent Bill and its sponsor in the House were assisted by unoffical whipping?

Mr. Hood: The expression "unofficial whipping" has some strange connotations. I do not know what unofficial whipping means to Conservative Members, but I am sure that many things which do not do the House credit take place in all its proceedings, not only on the Bill to which my hon. Friend refers. My experience since I became a Member suggests that such things happen often.

The hon. Member for Stroud says that the Bill is about putting pipes in and out and putting water in and out. That is a bit simplistic. The reason why the Coalfield Communities Campaign objected to the Bill was that it had seen the effects that implementation of the Killingholme power station proposals would have on the coal industry and especially the coal communities. The hon. Member for Stroud referred to 1,000 jobs. A conservative—it is a word which does not jump out of my mouth too quickly—estimate of the effect of the gas-fired power station is that it would cause the loss of 5,000 jobs. That is 5,000 mining jobs. The multiplier effect of that loss of jobs on the mining communities would mean that teachers, doctors, nurses, engineers, salesmen, van drivers, lorry drivers, and bus drivers would lose their jobs. The list goes on and on. We are not merely talking about water in and out and pipes in and out. The Bill would have serious consequences.

Mr. Eadie: My hon. Friend was talking about consequences. Some considerable time ago I read a general analysis of the Bill. It said that the area that would be most affected by job losses was the Nottingham area. Does my hon. Friend have any knowledge of that?

Mr. Hood: I thank my hon. Friend for the opportunity to remind the House, for hon. Members who need reminding, that before I came to this place I was a miner for 23 years, 19 of which I spent in the Nottinghamshire coalfield. I was a coal face engineer. I have many happy memories of that time. I was also a local councillor. We did not have such good fortune then. It was a hung council when I was a member of it. There has been a massive swing to Labour since and we now have a Labour council.

Mr. Andy Stewart (Sherwood): It is because the hon. Gentleman is no longer there.

Mr. Hood: The hon. Member for Sherwood (Mr. Stewart) argues, rightly or wrongly, that my departure may have enhanced Labour's prospects. I am told affectionately by my former colleagues that it might be better if I were down there, but I leave them to what they are doing.

For 19 years I worked in the coal industry in Nottinghamshire. I am aware, and the hon. Member for Sherwood will be aware, of the employment consequences for the Nottinghamshire coalfield and his constituency of a proposal such as the Killingholme power station. Most of the coal in the Nottinghamshire coalfield is steam coal for power stations. The pit where I worked, Ollerton colliery, was 70 per cent. steam coal. My hon. Friend the Member for Ashfield (Mr. Haynes) worked at the Clipstone pit, which was about 80 per cent. steam coal. That is the story of the Nottinghamshire coalfield. The people at such pits will be those most affected by the Bill.

The hon. Member for Stroud chose not to talk about lagoons. As a miner and an engineer, I have some experience of lagoons. I imagine that lagoons may be developed in this operation to provide coolants. There are some advantages to creating lagoons; I state that clearly. But there are some environmental disadvantages to lagoons. In a previous debate the hon. Member for Littleborough and Saddleworth (Mr. Dickens) enlightened us about the biocides in the process. All of us environmental experts could be forgiven for scratching our heads when he talks about biocides. Biocides are a chemical for killing all living matter. They kill insects.

What about the animals who are in and out of the water? There will be an effect on the environment and on animal and insect life.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): As the hon. Gentleman rightly said, biocides are additives which are put into the water to help remove barnacles, mussels, and algae and so on. The most commonly used biocide is chloride which is proved beyond all measure to be safe and is extensively used. The hon. Gentleman need not get excited about the word biocide. It is a straightforward chemical expression which explains the safety of what PowerGen and National Power seek to do.

Mr. Hood: I am tempted to have a discussion about the safety of chlorides. I have heard many sad stories about the misuse and effects of chlorides in certain circumstances. If one tried to drink water in certain parts of this country, one would not be so comforted by the hon. Gentleman's assurances.

Mr. Skinner: For example, ME sufferers.

Mr. Hood: That and several other illnesses can be ascribed to pollution from chemicals and pesticides. People in Britain and in other countries are just coming to terms with the problems created by so-called good additives which are supposed to make things better. My experience is certainly that such additives are not as good as they are said to be, and that it is a great deal better if they are not added at all in many cases. The need to use chemicals is one small example of the problems that will be caused by the creation of a lagoon. It is sad that the hon. Member for Stroud did not address the matter.

We are told that gas generation will be cleaner, less polluting and more environmentally friendly. As a Scottish Member of Parliament from a mining background and as the chairman of the energy committee of Labour Scottish Members, I know that we hope soon to have the good news that Monktonhall colliery will be reopened. I will put power generated by Monktonhall coal, Longannet coal or any other Scottish coal against any power generated by gas.

Mr. Hugo Summerson (Walthamstow): Will the hon. Gentleman tell the House the average thermal efficiency of a coal-fired power station and the average thermal efficiency of a combined cycle gas turbine power station?

Mr. Hood: The advantage might be 35 or even 50 per cent., but that is not the end of the argument when comparing gas with any other fuel. As my hon. Friend the Member for Rother Valley (Mr. Barron) rightly said, we must consider the life expectancy of gas supplies. Only a few years ago we were talking about relying on the Soviet Union to pipe gas to the United Kingdom after the year 2000. Our reserves of coal run into hundreds of years, whereas our gas reserves will last 20 or 30 years. In terms of efficiency, therefore, coal is a better bet than other forms of fuel, including oil and gas.

Mr. Eadie: The question of pollution has cropped up at every stage of the Bill. My hon. Friend said that we expect an announcement this week about the opening of Monktonhall colliery in my constituency. Leaving aside the pollution issue, has my hon. Friend read the reports this week of likely forthcoming increases in the price of gas? Considering that we have so much coal available, we should not be denying to our children and grandchildren their coal inheritance.

Mr. Hood: My hon. Friend's intervention reminds me of a conversation I had recently with the divisional commander of my local police force. I was trying to discuss a constituency issue, but we discussed my problem for two minutes and spent the next 10 minutes talking about a problem he had. He wanted to move with his wife into a little rural village in which I live. He complained that natural gas was not piped there and that most of the local people were relying on coal or bottled gas to run their central heating systems. It was clear from our conversation that many people who had gone over to gas were returning to coal, because of the way in which gas prices had escalated, so my hon. Friend the Member for Midlothian (Mr. Eadie) makes a telling point.

Mr. Geoffrey Lofthouse (Pontefract and Castleford): I urge my hon. Friend to concentrate on the way in which all this use of gas represents a shocking waste of coal, remembering that coal will have a greater domestic market in the long term. In other words, we are using gas now as a replacement for coal without facing the fact that eventually the gas will run out and we will have to rely on coal. If we are not careful, there will be no coal on which to rely. Does my hon. Friend agree that there are better uses of gas, other than feeding it into power stations, bearing in mind that the Secretary of State recently told the Energy Select Committee that the capacity of all power stations built in the coming 10 years will rely on gas? Does he agree that that represents a shocking waste of coal?

Mr. Deputy Speaker: Order. We cannot now have a debate on the merits of coal verses gas. I appreciate that the hon. Member for Clydesdale (Mr. Hood) is being tempted by his hon. Friends to go into that matter, but I am sure that he will return to the subject of the Third Reading of the Bill.

Mr. Eadie: On a point of order, Mr. Deputy Speaker. I hope you will agree that, as the Bill makes various claims about the environmental use of gas in relation to pollution, it is in order for us to challenge that statement, bearing in mind that other sources of fuel may be less polluting. The promoters of the Bill are responsible for bringing the question of the environment into the debate. I hope that we shall be allowed to challenge their views on that subject.

Mr. Deputy Speaker: It could be relevant, but it is not relevant on Third Reading to have a general debate on the merits of coal versus gas, and I felt that we were heading for such a debate. That would not be in order at this stage of the Bill.

Mr. Patchett: Further to that point of order, Mr. Deputy Speaker. Given that gas turbine generating involves the energy industry, I trust that my hon. Friends and I will be permitted to compare, and express concern about, the effects of the implementation of the Bill on the energy industry as a whole. If so, how can we ignore alternative fuels and the effects of their use?

Mr. Deputy Speaker: Let us get on.

Mr. Hood: I accept your ruling, Mr. Deputy Speaker, and I humbly apologise to you for not congratulating you on the honour bestowed on you in the Queen's birthday

[Mr. Hood]

honours list. Perhaps I may turn this into a genuine grovelling apology by pointing out that you are one of my favourite occupants of the Chair, as you were in the Chair when I made my maiden speech. I have always appreciated the good guidance you gave me then, which has stood me in good stead ever since.

I shall not be tempted by the interventions of my hon. Friends to debate the merits of gas versus oil or any other fuel, except to say that I can never forget the remark made by the Earl of Stockton, commenting on the actions of the former Prime Minister, the right hon. Member for Finchley (Mrs. Thatcher), to the effect that she was selling the family silver. I fear that that is analogous with what is happening to the coal industry in relation to gas, nuclear generation and the rest. We are giving away our natural heritage by closing down pits. We are certainly giving away our ability to be self sufficient in energy.

Mr. Cryer: Before my hon. Friend departs from the question of the difference between gas and coal and the relative merits of different fuels, may I ask him to remind us of the devastating effects on communities resulting from the sort of proposals that are before the House tonight? Reference has been made to the loss of perhaps 1,000 jobs. Is it not a fact that communities are devastated by pit closures? Such villages are often geographically isolated, being around pits. The introduction of gas burning resulting from the Bill will bring further pressures, not only on employment generally but on the communities centres around pits. I suggest that my hon. Friend deals with that aspect because, if he does not put it on the record, Conservative Members are likely to say that the issue has been forgotten about by Labour Members.

Mr. Hood: I assure my hon. Friend that that matter will never be forgotten by us. People used to believe that when a pit closed only the immediate mining community was affected. While that may be true of small communities, the effect of the Bill, in enabling gas generation on a large scale, will be enormous in whole coalfield communities. For example, the effects in South Yorkshire will be devastating, not only in terms of miners' jobs but on school teachers, doctors, nurses and the whole community.

Mr. Rounie Campbell (Blyth Valley): Is my hon. Friend aware that Blyth power station, in the constituency of our hon. Friend the Member for Wansbeck (Mr. Thompson), has just announced 260 redundancies because of a reduction of electricity generation there? Does my hon. Friend agree that it does not make sense to cut capacity there and build other stations when the power station at Blyth was modernised only seven or eight years ago?

Mr. Hood: I am tempted to go into that issue in great detail, in response to my hon. Friend's important intervention, but I am sure that many of my hon. Friends who wish to take part in the debate will want to talk about similar situations affecting their constituencies. For example, my hon. Friend the Member for Midlothian will agree that, whereas in our part of the world we have coal-fired power stations ticking over, Torness nuclear power station has turned out to be the enormous white elephant that we forecast it would be. In other words, there are many instances of the example given by my hon. Friend the Member for Blyth Valley (Mr. Campbell).

I remind the House that the new chairman of British Coal was appointed to do a specific job. His wages were increased from £98,000 to £220,000-odd. A week after his wage increase, my hon. Friend the Member for Midlothian asked the Prime Minister to comment on that increase, to which the right hon. Gentleman simply said that he must be worth the money. The new British Coal chairman has been brought in to run the industry down.

Mr. Eadie: Although the Prime Minister mentioned that the chairman was worth that salary, my hon. Friend failed to mention that he receives three times the salary of the Prime Minister.

Mr. Hood: My hon. Friend makes a fair point, but perhaps that says more about the Prime Minister's opinion of himself than about his opinion of British Coal's new chairman. Only last week, that chairman warned the Government that if they do not stop the obscenity of running down the domestic coal industry and importing coal, there will be no long-term power generating contracts, and then it will prove impossible to privatise the coal industry. I find it objectionable that he should speak in such terms.

Mr. Deputy Speaker: Order. This is not the time for a debate on the coal industry.

Mr. Hood: Thank you for your guidance, Mr. Deputy Speaker.

We cannot kid ourselves that this is just a wee Bill about water going in and out of a power station. It will enable a power station to come into being that will destroy jobs and communities. For that reason, I cannot support the Bill, and I hope that the House will not do so.

8.30 pm

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Just before you took the Chair, Mr. Deputy Speaker, it was said of me that I have a scriptwriter. I must explain what happened. The remark was made on a previous occasion, by an Opposition Member who is not present this evening, that I am an expert. All right hon. and hon. Members know that I am of an extremely modest disposition. I denied that I was an expert, and said that I had simply done my homework.

You may also be interested to know, Mr. Deputy Speaker, that before you took the Chair—and we are delighted to see you in the Chair—there were 20 contributions to the debate, not including many points of order before it began. It has, therefore, been a wide-ranging debate of great interest.

I begin by pointing out that the Killingholme Generating Stations (Ancillary Powers) Bill is promoted by National Power plc and PowerGen plc, which are the successor companies to the Central Electricity Generating Board. To meet the requirements for the supply of electricity, each of the two companies—and this deals with a point of order raised earlier—is in the process of constructing a gas turbine generating station at Killingholme, for which my right hon. Friend the Secretary of State has already given the necessary consent.

In operating each of those generating stations, quantities of water will be required for cooling purposes. The most convenient, economical, and environmentally

friendly method of obtaining that water will be to extract it from, and subsequently to discharge it into, the River Humber.

The Bill's main purpose, of which we should not lose sight, is to authorise the construction of intakes, outfalls, and pipes in the River Humber for cooling purposes. The authority of Parliament for the construction of those works is required in order to overcome the provisions of section 6 of the Humber Conservancy Act 1905, about which we heard an eloquent contribution from the Bill's promoter, my hon. Friend the Member for Stroud (Mr. Knapman). That old Act prohibits works "beyond or riverward of the river lines"—

Mr. Barron: —"prescribed by local legislation."

Mr. Dickens: Absolutely. I am reading this preamble, but my speech will get much more exciting.

Mr. Michael Brown: The hon. Member for Rother Valley (Mr. Barron) must be my hon. Friend's speech writer.

Mr. Dickens: Yes; he planted it on me.

The Bill passed through all its stages in another place, and this evening we give it the Third Reading that is so vital to the companies that are promoting the Bill, their work forces, and all the contractors working on-site at the two power stations. They number many people in the Humberside region.

I turn to the nitty gritty of the Bill. Many hon. Members have lost sight of the Bill's narrow definition. It seeks permission to place works in the Humber estuary—not to make abstractions from or discharges to the river. Licences would be required from the National Rivers Authority under the Water Act 1989 and the Water Resources Act 1963 for abstraction or discharges. The NRA is empowered to license discharges into waterways, and will maintain a check on licensed emissions throughout the length of agreements.

The abstractions and discharges required for cooling will be on a significantly smaller scale that those already taking place at coastal and estuarine major power station sites. Cooling is required at power stations to condense steam that has been exhausted from steam turbines at low pressures. That cooling may be direct or indirect.

For direct cooling, water is abstracted from the source of cooling water, passed through condensers, and then returned to the source of the water. For indirect cooling, the water passing through the condensers is cooled by air using giant cooling towers, and the same water is then recirculated. Only the water that has evaporated in the cooling towers and the small quantity of purge water is required to be replaced. Purge water is water taken from a recirculating cooling system——

Mr. Barron: —

"and returned to the river in order to control the concentration of materials in the water."—[*Official Report*, 27 February 1991; Vol. 186, c. 1042.]

Mr. Dickens: The hon. Gentleman has a copy of my speech.

Mr. Hood: It has already appeared in *Hansard*.

Mr. John Carlisle (Luton, North): On a point of order, Mr. Deputy Speaker. I understood that it was a convention of the House that speeches are not to be read. However, if my hon. Friend is to read his speech, perhaps he will direct us to where we may obtain a copy of it. Rather earlier, my hon. Friend promised us something better, and perhaps you should rule, Mr. Deputy Speaker, on whether we should all have a copy of his speech so that we may enjoy it all the more.

Mr. Deputy Speaker (Mr. Harold Walker): I have no knowledge of what the hon. Member for Littleborough and Saddleworth (Mr. Dickens) has before him. Hon. Members are entitled to refresh their memories by the use of notes.

Mr. Dickens: I would be less than honest if I did not say that, if the two power stations and their piping that we are debating tonight were coal fired, there would be no debate. Labour has made great play of being the party for the environment, particularly in respect of power station emissions. My party says that it would like to cut emission levels by the year 2005, but Labour is on record as wanting to achieve that aim by 2000. However, we are here presented with two power stations that will be so environmentally friendly that there will be no enormous lorries making coal deliveries to the site; no mounds of ash building up around the plant; and no great sulphur emissions into the atmosphere. If Opposition Members want me to go on the attack, I will throw my notes away —[HON. MEMBERS: "Yes, do."]

Mr. Hood: I ask the hon. Member to throw his notes away, because he is much more enjoyable when he is not reading out such nonsense from the Second Reading debate. If someone knocked on the hon. Gentleman's door tomorrow and said, "I am a friendly person, but I want to sack you. I want to put you on the dole. You will be thrown out of your house because you will be unable to afford the mortgage. They will probably have to close down the school because people will have to move away", would the hon. Gentleman accept such a person as a friend?

Mr. Dickens: Would I accept him as a friend? PowerGen and National Power have made a commercial board room decision which they think will satisfy all consumers and their shareholders. They feel that a gas turbine is the most sensible way forward. The decision was made in the interests of keeping the lights in the north-east burning, keeping industry in the north-east running, and ensuring a friendly environment for the people of Humberside, particularly Grimsby. I hope that the *Grimsby Evening Telegraph* takes note of my words.

Some people have asked why I have taken particular interest in the Bill. My constituency is nowhere near the north-east, so perhaps, on this Third Reading, I should explain. I realise that the generation of electricity is a national problem. The new National Grid Company is a carrier of electricity, so if there is a surplus in the north-east and the weather is colder in the north-west that I represent electricity could be sent from the two power stations to my constituency. Therefore, every hon. Member has a great interest in the two power stations.

Mr. Hood: I am pleased to see that the hon. Gentleman took my advice and is now ad libbing. I do not live near the north-east either, but we are discussing pollution-free and environmentally-friendly generation. Two pits in Scotland put coal into an organic power station. The coal produced in that complex is so low in sulphur that sulphur must be added at the power station in order to burn the

[Mr. Hood]

coal. By expanding the Scottish coalfield, as we suggest, and doubling the interconnector between Scotland and England, we could pump electricity down the wire which would be far more environmentally friendly without the consequences of those two power stations, which will generate electricity by gas.

Mr. Dickens: The House will be very interested to hear what stage those power stations have reached, which is the purpose of the Bill.

The 900 MW Killingholme combined cycle gas turbine station is taking shape fast. Moreover, the work force at the south Humberside site now numbers about 1,000 and is growing each day. About 60 per cent. of the structural steelwork for gas turbine buildings is erected and work is starting on the third floor control room. There is so much to see on the site that it is difficult to describe the massive changes that have taken place in the past few months. The two main turbine slabs, each measuring 450 cu m, are in place. All major excavation work is completed, including that for the site's cooling towers.

I am sure that hon. Members are sitting on the edge of their seats waiting for this information. Cooling water pipe work is being installed. Some 400 m of 1·5 m diameter glass-reinforced plastic pipework is involved, as well as a total of some 1·5 km of 700 mm pipework.

Mr. James Pawsey (Rugby and Kenilworth): I thank my hon. Friend for the extremely courteous way in which he allows me to intervene in his speech. Will he say a word about the manufacturers of the turbine generators? Are they produced in this country and, if so, is there not a good chance that they were produced in my constituency of Rugby by GEC? Does he agree that, if my supposition is correct——

Mr. Deputy Speaker: Order. None of that has much to do with the Bill.

Mr. Pawsey: With the utmost respect, Mr. Deputy Speaker, it may be relevant to the amount of water being consumed, which will then go through the pipe into the Humber. As you will know, Mr. Deputy Speaker, from your experience in those matters, some generating sets use more water than others. The ones produced in my constituency are extremely water efficient.

Mr. Dickens: You are quite right, Mr. Deputy Speaker. My hon. Friend has been mischievous. I confess that I am not sure which gas turbines these are, but they would be produced under licence. The ones that threaten my hon. Friend's constituency—if I can call it that—are produced by General Electric in America. The sponsor, John Brown of Glasgow, is the main person against whom he is leading the campaign. My hon. Friend must not spring such questions on me.

Mr. Eadie: The hon. Gentleman is a member of the Select Committee on Energy. When the Committee was discussing gas turbines and who would profit from them, does not the hon. Gentleman recollect that it was said that most of the work would go to Germany?

Mr. Dickens: I am not sure to which companies the hon. Gentleman refers. I freely confess that I can take in all that information but sometimes have difficulty in recalling it. That is why I am not Prime Minister. I have notes on my desk that would give the answer, so perhaps I shall drop the hon. Gentleman a line. We seem to have heard that song before.

A total of 115,000 cu m of excavative material is on site for use in later landscaping. I am sure that the House would wish to know that it is in two mounds—one measuring 130 m by 180 m in area and 5 m high. More than 500 cast-in-situ, reinforced concrete piles have been placed at an average length of 20 m. Work started at the site in February last year. The first unit is planned to begin generation next October. Initial site preparation and contractor mobilisation were achieved on time, despite the usual frustrations of the weather. The programme will be on time and within costs. That is all good news. Delivery of the first gas turbine is set for the end of October.

Therefore, it is fair to say that Killingholme teams have been pioneers in the United Kingdom for that new plant configuration, for a significantly different contract strategy, and for the changed specification format. There is little doubt that the Killingholme specification is being and will continue to be used as the model for the CCGT stations to be built during the next decade.

The spec has needed regular improvement and updating. The lessons learned have been passed on to other project teams. The PowerGen green site tombstone is also now in place and landscaping work undertaken towards the end of last year is now beginning to look most attractive. The final landscaping scheme to be implemented, once construction is complete, has been approved, in principle, by the local Glanford borough council.—*[Interruption.]* My hon. Friend the Member for Stroud says that he wants me to continue for another hour.

Mr. Eric Illsley (Barnsley, Central): I gather from the activity on the Conservative Benches that the hon. Member for Littleborough and Saddlesworth (Mr. Dickens) will resume his seat in the not-too-distant future. Before he does so, may I take him back to his comments on Second Reading in relation to the biocides? He eloquently explained how the chemicals would be added to the water and how they would then be returned to the river after transmission through the appropriate pipework. The hon. Gentleman has not mentioned that aspect this evening. Will he explain more fully to us the strengths of the biocides and what effect they will have on the river?

Mr. Dickens: It would be very unfair on other hon. Members who wish to speak for me to go into such detail. As the hon. Gentleman will be accompanying me to Germany, Sweden and Denmark next week, I shall be able to tell him all about it on the aircraft.

I believe that the coal mining fraternity has fought its corner very hard. Let us suppose, however, that there was an equal body of support for nuclear energy, oil-fired power stations, windmills or solar power. It would be narrow-minded and spiteful of their opponents to try to deprive National Power and PowerGen of the facility to install pipes for cooling purposes simply because they did not approve of the form of electricity generation that had been chosen.

The coal industry's only salvation is the current high level of productivity, in comparison with that of the dark days following the year-long miners' strike led by Arthur Scargill. The men at the coal face are responding

brilliantly. The industry's future lies in its own hands: if it continues in its present vein, it will always have a major role to play.

None of those considerations, however, should send hon. Members through the Lobby to vote against the insertion of pipes in the estuary. I understand why one or two hon. Members should take that line—they are the ones who fight the coal industry's corner so bitterly—but I am surprised that the Opposition as a whole should do so.

Mr. Barron: That is not true.

Mr. Dickens: Does that mean that the Opposition will not vote tonight? That is splendid news. In that case, we should listen to what the hon. Gentleman has to say.

8.51 pm

Mr. Terry Patchett (Barnsley, East): I do not think that any hon. Member would argue with me if I said that I do not ask for much time to speak on the Floor of the House. Having read the Bill, however, I felt slightly puzzled and rather disturbed: I feared that the procedures of the House were being misused.

The Bill includes the words

"whereas it is expedient that each of the two companies"—

that is, National Power and PowerGen—

"should be empowered to acquire lands".

I did not think that the House was here to accommodate outside interests in connection with a matter of expediency; I am a bit concerned about the wording of that clause.

Another part of the Bill states:

"In the construction of the National Power works or the PowerGen works, as the case may be, the appropriate company may deviate laterally from the lines or situations thereof shown on the deposited plans".

What powers does the Bill give the two companies? I am worried by the use of the word "expedient", and by the Government's lenient attitude towards sticking to what was initially provided. This is a private Bill; who will exercise control? The Bill seems to provide for a free-for-all.

The Bill also states:

"The appropriate company may use, appropriate and dispose of the materials from time to time dredged by them from the river".

That means that any such material can be deposited anywhere, on land or at sea. A later part of the clause starts to ring bells with me, however. It states:

"nor shall such materials be deposited on the foreshore or bed of the river without the consent of A. B. Ports."

It continues:

"Nothing in this section shall authorise any interference with any subaqueous cable belonging to or used by British Telecommunications plc."

All those companies have reason to be grateful to the Government. Why do the same names constantly crop up in private Bill procedure? It occurs to me that the Government have a hidden agenda, involving tacit approval of the misuse of private Bill procedure. I am talking about unofficial whipping. I do not know what the Government's arrangements are for the whipping of the business that follows this, but I would lay even money on its being a fair whip, so that Conservative Members can return to consider whether to vote on the Bill. We saw the same arrangements operating for the Associated British Ports (No. 2) Bill; I find it insidious and offensive.

Mr. Hood: My hon. Friend is obviously referring to the champagne dinners to which Tory Members were invited in return for supporting the Associated British Ports (No. 2) Bill. Associated British Ports is always being mentioned in debates on private Bills. I referred earlier to my part in the Cardiff Bay Barrage Bill, of which the Prime Minister spoke so affectionately in Swansea last week. Associated British Ports was given lifelong, copper-bottomed guarantees that it would be looked after if the barrage went ahead. Like my hon. Friend, I feel concerned when Associated British Ports keeps cropping up; someone is making a killing.

Mr. Patchett: We can speculate on the question of killings, and on that of champagne dinners—or lunches. Where does one have champagne? I am not too sure.

Mr. Michael Brown: I can tell the hon. Gentleman where he can get champagne. If he read *The Sunday Times* last week, he will know about an important party held by the Leader of the Opposition and attended by various actors and actresses. Many of the great and the good were there, including the Mandelson brigade from Walworth road. I am sorry that the hon. Gentleman was not present. Nor was I—we were not invited. The Labour party was drinking champagne in Berkeley square. I am only sorry that the hon. Gentleman was not invited either.

Mr. Eadie *rose*——

Mr. Patchett: No, I should like to respond to the hon. Member for Brigg and Cleethorpes (Mr. Brown).

The people to whom the hon. Gentleman has referred paid their own way. They were not paid for by an outside company. None the less, I anticipate drinking a few glasses of champagne in the months ahead, following Labour victories in by-elections and subsequently in a general election. Perhaps we shall not see the hon. Member for Brigg and Cleethorpes then.

Mr. Eadie: Is not my hon. Friend's answer to the hon. Member for Brigg and Cleethorpes (Mr. Brown) that in the past six, seven or eight months the Tory party has had nothing to celebrate, whereas the Labour party has been celebrating its resounding by-election victories?

Mr. Deputy Speaker: Order. May we get back to the Bill, please?

Mr. Patchett: I anticipate many more victories.

Mr. Dickens: We seem to be talking more about champagne than about water in the Humber estuary. Will the hon. Gentleman give us his views on the Bill?

Mr. Patchett: I was simply responding to questions about champagne. I did not introduce the subject, but I am grateful for the expert knowledge of the hon. Member for Brigg and Cleethorpes.

Mr. Illsley: Is not the hon. Member for Brigg and Cleethorpes (Mr. Brown) complaining so much about the party to which he referred because, despite being such a well-known freeloader, he did not get a ticket?

Mr. Patchett: I am grateful to my hon. Friend for that information. I am not too familiar with the ambitions of the hon. Member for Brigg and Cleethorpes.

[Mr. Patchett]

It seems that the Government are guilty of misusing the private Bill procedure because they have quietly supported private Bills on energy. Despite their talk about the free market, they have a hidden energy programme.

The hon. Member for Stroud (Mr. Knapman) challenged Labour Members to declare their interests. I make no apology for talking about the effects of the Bill on the energy industry, nor do I apologise for expressing concern about the misuse of the procedures of the House. The hon. Member for Stroud has now disappeared.

Mr. Hood: My hon. Friend is looking for the hon. Member for Stroud, who has just walked into the Chamber and I am pleased to see him here. The hon. Gentleman may be excused for leaving the Chamber at 9.30 pm as I understand that an amendment to the Finance Bill is being discussed in Standing Committee whereby members of Lloyd's are asking for handouts from the taxpayer.

Mr. Deputy Speaker: Order. I very much hope that the hon. Member for Barnsley, East (Mr. Patchett) will not seek to pursue that matter.

Mr. Patchett: I am pleased to see that the hon. Member for Stroud has returned. The hon. Gentleman challenged Labour Members to declare their interests. He keeps running in and out of the Chamber to hand scripts to Conservative Members. One of the script writers must be *Hansard*, because the points that he was reading appeared in *Hansard* on Second Reading.

Mr. Knapman: Will the hon. Gentleman turn his attention from Lloyd's to the National Union of Mineworkers? I have been asked to give certain undertakings, but can the hon. Gentleman assure us that Labour Members are not getting a kickback from the NUM? If they are, they will be disappointed, because most of the NUM's money is missing.

Mr. Deputy Speaker: Order. We should return to the contents of the Bill rather than debate these other matters.

Mr. Patchett: I was moving on, but I want to point out to the hon. Member for Stroud that I have not mentioned Lloyd's. The hon. Member for Brigg and Cleethorpes referred to champagne; I did not mention Lloyd's or champagne.

Mr. Eadie: Apologise.

Mr. Hood: Apologise.

Mr. Patchett: I hope that the hon. Member for Stroud will have the dignity to apologise.

Mr. Knapman: If the hon. Gentleman will apologise for the assertions that he made about me, I shall apologise for the assertions that I made about him.

Mr. Patchett: I have made no assertions. Some of my colleagues may have mentioned Lloyd's, but I did not do so.

I was saying that the hon. Member for Stroud challenged Labour Members to declare their interests. Unfortunately, when I said that, the hon. Gentleman was not in the Chamber. He returned and made gross accusations, accusing me of slandering him in some way. I did not mention Lloyd's.

Mr. Hood: Why not?

Mr. Patchett: I am taking insurance.

The hon. Member for Stroud challenged Opposition Members to declare what interest they had in or contact with Killingholme. I tried to clarify the matter and explained that, as a Member of Parliament, I was worried that private Bill procedures had been misused by the Government. *[Interruption.]*

Mr. Ronnie Campbell: On a point of order, Mr. Deputy Speaker. There is a conversation going on in the Chamber.

Mr. Deputy Speaker: There have been conversations all over the House. I hope that hon. Members will concentrate on the hon. Member for Barnsley, East (Mr. Patchett).

Mr. Patchett: I am grateful to you for trying to bring some order, Mr. Deputy Speaker. I was talking over the heads of hon. Members who were perhaps expecting their next champagne supper. As a Member of Parliament, I am entitled to feel worried if there is a misuse of the procedures of the House. Some private Bills have been introduced with the tacit agreement of the Government. That is a misuse of our procedures, and I declare my interest in that respect.

Mr. John Carlisle: Will the hon. Gentleman give way?

Mr. Patchett: I have given way a lot. If I may, I shall finish my point.

As you know, Mr. Deputy Speaker, it has always been my policy to be brief and to the point. Constant interruptions have prolonged my remarks. That makes me suspect that there will be no champagne suppers tonight, so Conservative Members have come to have some fun in the Chamber. I do not find this matter funny. I am trying to get on with a serious debate—*[Interruption.]* Perhaps I could listen to the conversation that is taking place.

Mr. John Carlisle: The hon. Gentleman referred to his distress at the idea that Conservative Members were perhaps heavily whipped to attend the next debate on the teachers' pay motion, so we shall all be here to vote for this excellent Bill, which was eloquently supported by Conservative Members but commented on in a stuttering and faltering way by Opposition Members. Does the hon. Gentleman appreciate that the strength of the Whip is determined by the Opposition? If they had chosen to let the excellent teachers' pay motion go through on a one-line Whip, perhaps there would not have been as many Conservative Members here.

Mr. Deputy Speaker: Order. Let us return to the Bill.

Mr. Patchett: Conservative Members have been more than a little frivolous in the debate. That is shameful. I have been trying for a long time to conclude.

I tried to make it clear to the hon. Member for Stroud that I had doubts about the misuse of the private Bill procedure. I have doubts also about the use of private Bills on energy, given that that involves serious matters. Associated British Ports opened the ports to foreign coal, and the Bill must be seen in the context of effects on the energy industry and on the country. I understand, although I have my doubts, that the Government are

fighting inflation. Who is paying the bill? It is the 2·5 million unemployed, not Conservative Members. One of the contributors to inflation is the deficit in the balance of payments.

Mr. Deputy Speaker: Order. The hon. Gentleman is inviting the House to debate the Government's counter-inflation policies. He should return to the subject of the Bill.

Mr. Patchett: I accept your ruling, Mr. Deputy Speaker, but we are debating the generating industry.

Mr. Eadie: The point that my hon. Friend is trying to make was made earlier in the debate and is about the Bill's general impact on Nottinghamshire. My hon. Friend is saying that we cannot debate the Bill in isolation because it has an impact on areas other than the one to which it relates.

Mr. Patchett: I am grateful to my hon. Friend, with whom I agree. The Bill is part of a hidden agenda. About 15 minutes ago when I started my speech I sought to explain to the hon. Member for Stroud why we have such a determined interest in the Bill. There is room for concern and I hope that the lovers of the House and its procedures will watch the situation closely and think seriously about their attitude to the Bill, which is following the same lines as many other private Bills. The private Bill procedure is being misused.

9.11 pm

The Parliamentary Under-Secretary of State for Energy (Mr. David Heathcoat-Amory): This debate on the Bill is one of a series. I spoke in the two debates in January and February. A certain pattern and routine has developed and some of the points are a little familiar. I do not have much to add to what I said in the two earlier debates, especially as my hon. Friend the Member for Stroud (Mr. Knapman) gave much excellent information about the Bill when he opened the debate. My hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens) gave another comprehensive and technical analysis which confirmed his reputation as something of an expert on the subject. When he strayed from his notes he scored some effective political points, but I shall not follow that line.

Mr. Nicholas Soames (Crawley): Does my hon. Friend agree that to listen to my hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens) is to walk in the foothills of immortality? Does he further agree that our hon. Friend is a jewel in the life of the House and should be encouraged to participate in every debate? It is monstrous that he does not sit on the Treasury Bench.

Mr. Heathcoat-Amory: I always agree with my hon. Friend the Member for Crawley (Mr. Soames). It is an honour and a privilege to be in the same debate as my hon. Friend the Member for Littleborough and Saddleworth.

The Bill's scope is narrow. It simply seeks to provide water cooling works for two power stations for which my right hon. Friend the Secretary of State for Energy, after scrutinising all the necessary considerations, gave permission early last year. No environmental objections have been raised to these water works and no planning objections were raised by the local authorities concerned. The ancillary works are plainly necessary for the effective and efficient operation of the power stations which have been given consent. The Government therefore believe that this is a good Bill and that it should be passed.

9.14 pm

Mr. Kevin Barron (Rother Valley): I do not intend to delay the House, as many of the points concerning the impact that the Bill may have on electricity generation were discussed in the two previous debates and I do not intend to go over them again.

The hon. Member for Stroud (Mr. Knapman) discussed my position in respect of Second Reading and Humberside county council, and claimed that I had said that I would contact that council. What I said was:

> "I have not, nor has the council contacted me about my Second Reading speech or my actions in that connection. I would be more than happy, however, to receive representatives of that authority—as I did in respect of" other "legislation".—[*Official Report*, 27 February 1991; Vol. 186, c. 1054.]

I have received nothing from Humberside county council to date.

Mr. Knapman: Apparently the hon. Gentleman has not heard from Humberside county council, but has he heard from his hon. Friends the Members for Great Grimsby (Mr. Mitchell) and for Glanford and Scunthorpe (Mr. Morley)—the invisible men—about this issue?

Mr. Barron: The hon. Gentleman will recall that, when my hon. Friends' names came up previously, I explained in some detail why they and some of my other hon. Friends were not happy about National Power and PowerGen because of the deception used to get the Associated British Ports (No. 2) Bill through the House. ABP's representatives said during the Committee stage that Associated British Ports had no plans in respect of the Humber coal terminal, but we found out a few weeks later that both ABP's representatives were taking a 40 per cent. stake in the coal terminal on Humberside. As I said then, my hon. Friends were against deception of that sort.

As for delay, I told the hon. Member for Stroud that if the Bill had been thought out properly when initial planning permission for the two generators was sought, the measure would have got through Parliament sooner. This Bill in effect completes planning permission for the six generators mentioned in it. The fault lies with the promoters, and we should also blame the Leader of the House, a Cabinet Minister, who received recommendations from the Procedure Committee last year on changing private Bill procedure in the House, yet has failed so far to act on those recommendations. As a result, several private Bills have been held up by hon. Members coming in at 2.30 pm and shouting, "Object," or putting down blocking motions. The sooner the Leader of the House sorts out our private Bill procedure and acts on the recommendations of the Committee the sooner we shall sleep easy at night—but that is up to the Government.

We objected strongly to the Government's apparent dash for gas in the form of new generators—a dash initiated by the electricity generators and supported by the Government. That will lead to a depletion of a premium fuel in this country which, in turn, will mean that in time we will come to depend on imported gas.

Mr. Eadie: My hon. Friend said that in time we would be dependent on imported gas and that is correct. There

[Mr. Eadie]

will be a greater dependence on imported gas. But is my hon. Friend aware that we are importing gas at present which will affect our balance of payments?

Mr. Barron: That is right. My hon. Friend will know that I went in some detail into the question of gas reserves in Britain on Second Reading and I do not intend to do so again now. I raised that matter because the hon. Member for Littleborough and Saddleworth (Mr. Dickens) said that the generation of electricity is a national problem, and it is.

Mr. Frank Haynes (Ashfield): On a point of order, Mr. Deputy Speaker. The hon. Members for Crawley (Mr. Soames) and for Brigg and Cleethorpes (Mr. Brown) have no particular interest in the Bill, but they are interfering. I am trying to listen to my hon. Friend the Member for Rother Valley (Mr. Barron), but the hon. Member for Crawley has not stopped yakking since I came in. I should have thought, Mr. Deputy Speaker, that you would have taken notice of that. We are trying to concentrate on what is being said by my hon. Friend at the Dispatch Box. I wish that you would deal with that behaviour.

Mr. Deputy Speaker: I take the point. I had noted the behaviour of the hon. Members for Crawley (Mr. Soames) and for Brigg and Cleethorpes (Mr. Brown) and I was becoming increasingly distracted by it. I very much hope that they will desist and let the rest of us listen to what is being said.

Mr. Soames: Further to that point of order, Mr. Deputy Speaker. With great respect to you, my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) is the Member of Parliament most intimately concerned with the Bill.

Mr. Deputy Speaker: Order. That does not entitle him or anyone else to misbehave in a manner that distracts the House. *[Interruption.]* Order. When I deem it appropriate I shall reproach other hon. Members in a similar way, but I hope that the hon. Member for Brigg and Cleethorpes will leave it to the Chair. I hope that I shall now be given the opportunity to listen to the hon. Member for Rother Valley (Mr. Barron).

Mr. Barron: If the hon. Member for Brigg and Cleethorpes (Mr. Brown), who does not appear to be listening to the debate, had the interests of his constituents at heart he might have promoted the Bill instead of dodging it and leaving it to the hon. Member for Stroud, who comes a few hundred miles away from the hon. Gentleman's constituency.

In January this year I said:

"we are reluctant to give our approval to the Bill, as it will enable the construction of two gas turbine generating stations without"—

I emphasise that—

"the House giving due consideration to the implications of increasing gas generation of electricity."—[*Official Report*, 14 January 1991; Vol. 183, c. 680.]

Sadly, we have not yet had such a debate. One does many things reluctantly in life and perhaps the Bill will go through. There may be some reluctance to support it among Opposition Members, but that is due to the absence of any general debate about energy strategy and, in particular, electricity generation. That is particularly important, because since the Government privatised the electricity supply industry there have been major question marks over what will happen in the future and there have been major redundancies within the industry, with power stations closing and thousands of people being made redundant from power stations and offices. But we have not yet had a debate about Britain's energy strategy. Instead, the Government have only been prepared to sell off the industry so that many people, some of them Labour supporters, I accept, but many of them Conservative supporters and institutions, have been able to make a killing at the expense of the public purse. There have been increases in electricity bills, such as the 11 per cent. domestic increase that we have had this year, as a result of privatisation, but we still have not yet had a debate about the future of Britain's energy. That is wrong. It is an omission which must be put right, but it appears that that will only be done after the next general election.

On Second Reading the hon. Member for Stroud attempted to explain why the Bill provides for six sets of intakes and outfalls when only two are presently needed for the proposed two power stations. The hon. Gentleman said that that was so that National Power and PowerGen could develop the site further without coming back to Parliament.

It seems strange to me that we are being asked to grant powers for hypothetical future projects additional to those that have been authorised. That presumably means that any future projects will not be subject to any environmental assessments as the applications will already have been granted. It also means that the preamble is extremely misleading. There was a point of order on the subject at the start of our proceedings on the Bill tonight. The preamble says:

"each of the two companies"—

that is, National Power and PowerGen——

"proposes to construct on the lands vested in that company a gas turbine generating station".

But the hon. Member for Stroud suggested that there would be more than one station each. Why else would planning applications be sought for six sets of intakes and outfalls?

It is clear that the preamble is misleading. The Committee did not take notice of the wording, and there is nothing that we can do about it now. One of my hon. Friends asked last week whether anything could be done about it, and nothing could, but the preamble still seeks to mislead. We shall have to wait and see whether the other power stations are gas-fired.

The hon. Member for Brigg and Cleethorpes was screaming and waving his hands about some years ago when there was talk of a low-level nuclear dump near the site in his constituency. He threatened to cause a by-election by resigning to fight the Government if permission was given.

Mr. Michael Brown *rose*——

Mr. Barron: The hon. Gentleman might have something to say about the measure having been rushed through if the next four power stations proposed for the site happened to be pressurised water reactors.

Mr. Brown: I do have something to say: but for the fact that my constituents and I defeated that proposal through a campaign against nuclear waste, the Bill would not have been introduced. The proposal was for a nuclear dump on

the site where we shall now have the flower of power stations. Those power stations owe their existence to the campaign I ran five years ago.

Mr. Barron: The hon. Gentleman claims much credit, but if my memory serves me well, he was ably assisted at that time by the then Government Chief Whip, whose constituency faced a similar threat. The right hon. Gentleman, too, used his influence to have the project stopped, yet now he is the pro-nuclear Secretary of State for Energy, who goes round telling us how nuclear power stations are good for the country. Five years ago he did not think that low-level nuclear waste dumps were good—they were certainly not good for his prospects of being re-elected.

Mr. Ronnie Campbell *rose*——

Mr. Barron: I shall not give way on that point, because I said that I wanted to keep my speech short, and I want to move on to the rest of my argument about the Bill. On second thoughts, I am being unfair to my hon. Friend. I shall give way to him, because I know that he is concerned about Northumberland.

Mr. Campbell: I was simply going to ask whether we were talking about a case of "not on my back door"?

Mr. Barron: The NIMBY—not in my back yard—syndrome became active among Conservative Members before June 1987, and no doubt it will be active again now until June 1992.

The second part of my argument is about the environmental impact of the choice of cooling towers for the sites. Her Majesty's inspectors of pollution produce notes for guidance on what constitutes the best available techniques not entailing excessive costs—BATNEEC is the acronym, I believe. Those notes say that cooling towers should be of the dry type, and that justification must be provided for wet cooling towers. Dry cooling is essentially air cooling and does not involve sending large clouds of steam into the air.

The Minister is not likely to point out that the guidelines, which I shall quote later, originally referred to oil and coal-fired rather than gas-fired stations. But the cooling systems on different types of fossil-fuel power stations are all the same. There is as yet no new technology other than that referred to in those notes.

The new controls under part I of the Environmental Protection Act 1990 will apply from 1 April 1992. When HMIP issues the notes for gas turbine stations, the guidelines will be similar to those on the present cooling systems. In that respect there is no difference between gas turbines and other types, as I have said.

There are a number of environmental considerations to be taken into account in considering power plant cooling systems. They include intake effects, discharge effects both thermal and chemical, water consumption, plume and drift, land use and noise.

The whole House will remember that, on Second Reading, that master of detail, the hon. Member for Littleborough and Saddleworth, discussed at some length the subject of cooling. He did not mention the possibility of dry cooling. He contrasted two systems—direct cooling and indirect cooling, both of which, I understand, are wet systems. He did not mention the environmental disadvantages of the clouds of steam emanating from the cooling towers of the wet system, even though Her Majesty's pollution inspectorate's guidance note state:

"the operator should justify the use of wet cooling towers and should identify the means to be employed to prevent adverse effects due to water fog or droplets and should identify how monitoring will be undertaken".

In his Second Reading discourse the hon. Member for Littleborough and Saddleworth merely suggested that the wet indirect system proposed at Killingholme would be cheaper and would produce less water than the direct system. It would seem, therefore, that the hon. Gentleman's account of the environmental options and effects was less than complete. Perhaps that is not surprising, given the hon. Gentleman's mastery of detail in that debate.

The generators may well be able to justify the use of wet cooling towers but it does not appear that they have been asked to do so. It seems that alternative systems were not properly canvassed in the environmental assessment for the project prepared for the application to the Secretary of State. So in authorising not two but six sets of intakes and outfalls, we would appear to be pre-empting future decisions regarding the most satisfactory cooling systems for the extension of the power station, and that could lead to emissions of much larger clouds of steam in the future.

I see that the hon. Member for Johannesburg, South is in his place. It seems, indeed, that he is nodding his head. I must say to him, and—perhaps more important—to the hon. Member for Brigg and Cleethorpes, who is sitting next to him, that these are very important issues in terms of making environmental assessments for the building of any large combustion plants covered by the directives to which the inspectors are putting their minds at present. If the hon. Member for Brigg and Cleethorpes had any concern about his constituents—he keeps telling us that he has—he would have looked into the matter but not just in respect of the two cooling systems that have been accepted. He would have looked into the possibility of having dry cooling systems for any further developments on the site to protect the interests of those who live in the locality.

Mr. Moss: The hon. Gentleman is normally an expert on these matters, but I am afraid that tonight he is misleading the House on the environmental question. Does not he realise that combined cycle gas uses only about a third of the steam to generate electricity? Moreover, the water required to cool the steam down is 5 per cent. of that required in all other conventional stations, including the coal-fired stations of which he is so enamoured.

Mr. Barron: We shall still have steam plumes no matter what type of generation is used. The test is to be found in Her Majesty's inspectors' standards laid down for any environmental assessment of the plant. I think that the hon. Gentleman will find that similar tests are laid down in respect of any form of power station to be built under the current EEC directives—and no doubt under more directives in future.

As with so many aspects of the Bill, the energy and environmental implications have given us cause for concern, especially in view of the absence of any debate about the direction in which the electricity generating industry in Britain is going following the privatisation of the electricity supply industry. The country is worth more than that. These major issues should have been debated. I

[Mr. Barron]

am sure that many members of the Select Committee on Energy would agree that they are of national importance and that they merit debate rather than silence. It is no good the Government dodging major issues that will affect future decisions, even though they were quite happy to sell off the industries to make sure that they made money for the Treasury.

As I said when we first debated the Bill, it would be with reluctance that we would give permission for the stations to be built. No one thinks, however, that that will not be done. If there is a vote tonight on Third Reading, the Labour party will not be opposing it; we have never said that we would. We have opposed the absence of a strategic and sensible national debate, which the Government have dodged. When we are in government, one of the first things that we do will be to give Conservative Members, who will be on the Opposition Benches, the opportunity to get involved in such debates which are, as the hon. Member for Littleborough and Saddleworth said, of major national importance.

9.35 pm

Mr. Hugo Summerson (Walthamstow): I apologise to the hon. Member for Rother Valley (Mr. Barron) because I was not in the Chamber to hear all of his speech. However, I agree that we should have a post-privatisation debate on the power supply industry. That is a very good idea. I should at this point declare that I am a fellow elect of the Industry and Parliamentary Trust, doing my attachment with National Power.

We have heard and are still hearing a lot of dark mutterings from some sections of the Labour party about what they call the Government's hidden agenda. All sorts of things have been read into the Bill and there have been comments attached to it about an abuse of procedure, but the Bill should not be made to bear that burden. It is merely an attempt to amend a small and insignificant Act of 1905. If one wishes to change the law, one must pass a law to do so. The statute of 1905 was passed some time ago, but that does not alter the fact that it is still in force today just as much as if it had been passed only yesterday and just as much as a statute from 1500 is still in force today.

We have discussed such matters as thermal efficiency. It is certain that a combined cycle gas turbine power station which has a thermal efficiency of about 50 per cent. will be far less polluting and far more efficient than a conventional coal-fired power station, which has a thermal efficiency of only about 35 per cent.

I recently visited a power station in East Germany. It was supposed to be a state-of-the-art power station but when I asked the operators about its thermal efficiency, at first they could not tell me. They went to find out and then told me with great pride in their voices that it operated at a thermal efficiency of 26 per cent. I think that they were rather surprised when I was not exactly bowled over.

The new power stations do not operate on either wind or hydro-electricity——

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman is moving towards a reference to the Bill.

Mr. Summerson: I should certainly not have mentioned that if I had thought that you were going to rule me out of order, Mr. Deputy Speaker. I had intended to move on from the alternative sources of power to the gasification of coal in the sea. That ideal would answer many of the issues raised by members of the Opposition, who seem to think that gas-fired power stations and coal-fired power stations are mutually exclusive, which need not necessarily be so. If the technology that I have mentioned is developed, as I am sure that it will be, power stations such as Killingholme will be powered not by natural gas from the North sea but by gas from the coalfields. I am sure that most people would agree that that would be a fit and proper use for coal.

As we all know, the real purpose of the Bill is to enable the laying of pipes in the estuary of the Humber. When I last visited the Humber—indeed, whenever I have visited the Humber—I have never thought it an especially attractive piece of water. The waters of the Humber hardly sparkle. The laying of pipes in or under the estuary may improve its rather dismal look and may even improve the various varieties of wildlife which flourish in and around the Humber estuary. There will be some effect—*[Interruption.]* I am enjoying standing here talking to myself. Some slight raising of the temperature in the waters of the Humber may be a good thing. The Bill may have that effect when it becomes law.

The mussels in the Humber will improve their growth once they feel the tingling effect of the slight warming of the rather dull and murky waters of the Humber. The Bill will produce a great improvement all round and I have no hesitation in saying that I support it.

9.40 pm

Mr. Michael Welsh (Doncaster, North): The abuse of planning permission as a result of the Bill is very important. That aspect involves all of us. Local authorities and communities should be involved in planning. Hon. Members may say that it is a minor detail, but the Bill abuses the right of the planning authority.

Part III concerns lands and refers to such new rights "as they may require" over any of the lands. That means that almost anything can be done on the land. Clause 20(3) says:

> "References in this section to rights over land include references to the right to do, or to place and maintain, anything in, on or under the land or in the airspace above its surface."

As my hon. Friend the Member for Rother Valley (Mr. Barron) said, that means that there may be plans for other development. The Bill will give the relevant bodies permission to do anything that they desire under the ground in the given area.

Although this is a private Bill, it seems that all Conservative Members support it. The Bill may be used to allow something else, such as nuclear dumping, and people will say that the Bill was passed by the House. The Bill says:

"on or under the land or in the airspace above its surface."

This must be the only country that gives permission for anyone who owns land to do anything in the airspace above. In America, a great place of enterprise, someone who erects a building does not own the airspace above it. One can sell the building, but one cannot do what one likes in the airspace above it.

The provisions in clause 20 are deplorable. They may be a small matter, but they are important to people involved in planning. The people who are supposed to own the land

now could sell it or other people might buy them out. They would have a golden opportunity to do anything that they desired below the ground, on the ground or above the ground without going through any planning procedures. That is not right. I believe in local government and local planning so that the individuals concerned and the community can study proposed developments.

I have pointed out what is being asked for in the Bill and, if the Bill is passed, it will be what Conservative Members have deemed their sole desire. I do not think that environmentalists will like that, but I do not know. Conservative Members are not bothered about the environment—many of them could not care less about it. That is their choice and I am not criticising it. However, our choice is to be bothered about the environment and we should like to know what is happening. We should also like the local planning committee and the local community to know what is happening so that they can hold inquiries before planning permission is given. If Conservative Members are not bothered about the local community or planning matters, that is okay—there is nothing wrong with that. Their love of private enterprise means that they overrule anything that happens outside the Chamber. That is okay if it is their wish and desire. They are the Government and they can do it. However, I am afraid that individuals outside the House may disagree with Conservative Members on occasions and may even disagree with them on important matters.

I turn now to the way in which the Bill deals with land. Clause 21 begins:

"If the deposited plans or the deposited book of reference are inaccurate".

That means that if the applicants—the faceless ones—have produced something that is inaccurate, even with all the money at their disposal, they will still be protected. Such an undertaking should not be allowed to produce inaccurate plans, but it has covered itself if it does so. If the House agrees to that, it is agreeing to inefficiency. Again, I am not condemning that because if you believe in inefficiency——

Mr. Deputy Speaker: Order. I wish that the hon. Gentleman would not bring me into this.

Mr. Welsh: With great respect, Mr. Deputy Speaker, I did not mean to do so and I apologise.

If Conservative Members believe in inefficiency, so be it. I am not complaining about that. They can condone inefficiency, but the Opposition do not and we have no intention of doing so.

Clause 21 also refers to what would happen if those responsible

"are inaccurate in their description of any land, or in their statement or description of the ownership or occupation of any land".

In such circumstances, the company may apply for a correction. The promoters have paid for this country's greatest expertise, but they are asking to be excused if they are wrong. How terribly nice. I find that unbelievable and deplorable, but it is part of the Bill—*[Interruption.]* Well, I am reading from the Bill. I may be wrong, but I do not think so.

Mr. Alan Meale (Mansfield): Does my hon. Friend agree that if the planning suggestions contained in the Bill were put to a local planning committee, they would be thrown out?

Mr. Welsh: As my hon. Friend says, such suggestions would be thrown out; or if the council was Labour, it would discuss the plans with the applicant to try to come to some amicable agreement. That is what a Labour council would do and that is what good planning is all about, but the Bill is not about good planning.

To return to clause 21, if the plans are inaccurate, the provisions refer to

"the appropriate company after giving not less than 10 days' notice to the owner, lessee and occupier of the land in question may apply to two justices having jurisdiction in the place where the land is situated for the correction thereof."

The 10-days provision is fair enough, but we are talking about a democracy. Anything that is passed in the House is important, irrespective of to whom it applies. I know that you are smiling, but I also know that many of your hon. Friends who are landowners go away for a month——

Mr. Deputy Speaker: Order. I hope that all hon. Members are my hon. Friends. The hon. Gentleman must not keep bringing me into these matters.

Mr. Welsh: I apologise, Mr. Deputy Speaker. Many individuals on both sides of the House go away for a month. The matter comes up within 10 days. Indeed, some people go away for three months. I do not criticise them for that. The best of British luck to them. Sometimes they go to the Caribbean, a place that I do not claim to know. However, the time is limited. That is the issue. The matter should be open all round. That is to ask for nothing but democracy.

Mr. Moss: I am almost loth to stop the hon. Gentleman in full flow. He talks about democracy. If he continues, he will have read the whole Bill out to us. Is he aware that in the Committee stage on 27 March no Labour Member attended, no amendments were tabled and the Bill went through in record time on the nod? If the Labour party is so incensed about the Bill, why did it not participate in the democratic process?

Mr. Eadie: I hope that when my hon. Friend answers that point he will bear in mind that, although the Bill is supposed to be a private Bill, time without number throughout its stages we have seen the payroll vote wheeled in. There has been an official vote on the Bill. How can the hon. Member for Cambridgeshire, North-East (Mr. Moss) talk about democracy when the use of the payroll vote has been an abuse of democracy?

Mr. Welsh: My hon. Friend is correct. If you use the payroll vote to steamroll a private Bill through the House, you cannot expect Opposition Members to treat it with anything but contempt. That is what it is about. If you allow complete freedom, there would be more democracy in this Chamber and that would be welcomed by hon. Members on both sides of the House.

Another important point arises from clause 22 and compensation claims. You talk about backing two horses in a two-horse race. If the Bill becomes an Act, any private individual who has a small factory and employs three or four men would not be able to extend that factory one bit but would receive no compensation. When you give permission, as you most probably will, people will probably be told three years before construction starts. A man in private enterprise might think, "I have got a good thing going here. I will employ another 10 men. There are

[Mr. Welsh]

8,000 unemployed in the area." If he then cannot extend his factory, he will receive no compensation. Compensation is paid only when the Bill is enacted.

Mr. Eadie: My hon. Friend is making a powerful point. I find it difficult to understand one matter. I wonder whether my hon. Friend can correct or assist me. I understand that it was a Tory Government way back in the 1950s who amended the Land Acts to the effect that one paid only the value——

Mr. Deputy Speaker: Order. It is difficult to find any connection between what the hon. Gentleman is saying and the Bill.

Mr. Eadie: With all due respect, it is my fault and not your fault, Mr. Deputy Speaker. My hon. Friend was making a point about values and how they will be affected by the power station that is being built. My hon. Friend asserts that owners of adjacent land will suffer a loss. As I understand it, an Act away in the 1950s changed the basis for assessing the value of land from the existing use to the value at that particular time.

An existing use facility in, say, an area resembling a desert would warrant a small amount of compensation, but if the value of the land became enhanced, the value of the existing use would increase substantially. I hope that my hon. Friend will deal in more detail with the question of the value of land and existing use, remembering that land with no value——

Mr. Soames: On a point of order, Mr. Deputy Speaker. There are some hon. Members who hold strong views on this issue, who have attended the debates on the Bill through thick and thin and who have listened to all the arguments today. We are being forced to listen to unadulterated claptrap from the hon. Member for Midlothian (Mr. Eadie). Disguised as a point of order, his remarks plainly amount to a speech. We crave the protection of the Chair for the rights of Back Benchers who have something to say other than the filibustering that is now taking place.

Mr. Deputy Speaker: I understood that the hon. Member for Midlothian (Mr. Eadie), to whom reference has been made, was intervening and not making a point of order. I reproached him, and he then volunteered the point that he was making.

Mr. Welsh: My hon. Friend the Member for Midlothian (Mr. Eadie) makes a vital point. It proves that a business man with a small factory who wishes to expand and to provide more employment may not receive more compensation after extending his factory than he would have otherwise received. That will be the position when you have passed the Bill. You will be depriving——

Mr. Deputy Speaker: Order. Not me.

Mr. Welsh: I apologise, Mr. Deputy Speaker. The Government will remove the freedom of choice from employers to extend their works in that way. Conservative Members may not object to freedom of choice being removed. We have no intention of allowing that to happen. In a democracy, freedom of choice is vital.

Pathways run across a great deal of land, but clause 23 begins:

"All private rights of way over any land which may be acquired compulsorily under this Act shall be extinguished on the acquisition of the land".

In other words, all private rights such as byways——

Mr. Knapman *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 228, Noes 104.

Division No. 178] **[9.57**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Alton, David
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Barnes, Mrs Rosie *(Greenwich)*
Beaumont-Dark, Anthony
Beith, A. J.
Bellingham, Henry
Bellotti, David
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brazier, Julian
Bright, Graham
Browne, John *(Winchester)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carr, Michael
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Eggar, Tim
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fox, Sir Marcus
Franks, Cecil
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Holt, Richard
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Irvine, Michael
Jack, Michael
Janman, Tim
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lawrence, Ivan
Lee, John *(Pendle)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Livsey, Richard

Lord, Michael
Luce, Rt Hon Sir Richard
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Mates, Michael
Maude, Hon Francis
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Moore, Rt Hon John
Moynihan, Hon Colin
Needham, Richard
Nelson, Anthony
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Pawsey, James
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Renton, Rt Hon Tim
Rhodes James, Sir Robert
Riddick, Graham
Roberts, Rt Hon Sir Wyn *(Conwy)*
Rossi, Sir Hugh
Rowe, Andrew
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Squire, Robin
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stokes, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Walden, George
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Malcolm Moss and
Mr. Michael Brown.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Anderson, Donald
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Canavan, Dennis
Clarke, Tom *(Monklands W)*
Cohen, Harry
Cook, Robin *(Livingston)*
Cousins, Jim
Cryer, Bob
Cummings, John
Dalyell, Tam
Dewar, Donald
Dixon, Don
Dobson, Frank
Duffy, Sir A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Edwards, Huw
Fatchett, Derek
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foulkes, George
Fyfe, Maria
Garrett, John *(Norwich South)*
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Hain, Peter
Haynes, Frank
Heal, Mrs Sylvia
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hughes, John *(Coventry NE)*
Jones, Martyn *(Clwyd S W)*
Livingstone, Ken
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
McMaster, Gordon
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Murphy, Paul
Nellist, Dave
O'Brien, William
Patchett, Terry
Pike, Peter L.
Primarolo, Dawn
Randall, Stuart
Rogers, Allan
Rowlands, Ted
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soames, Hon Nicholas
Soley, Clive
Steinberg, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Vaz, Keith
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Wise, Mrs Audrey
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Eric Illsley and
Mr. Jimmy Hood.

Question accordingly agreed to.
Question put accordingly and agreed to.
Bill read the Third time, and passed, with amendments.

Teachers' Pay and Conditions

10.11 pm

The Secretary of State for Education and Science (Mr. Kenneth Clarke): I beg to move,

That the draft Education (School Teachers' Pay and Conditions) Order 1991, which was laid before this House on 9th May, be approved.

The order will give effect to the School Teachers' Pay and Conditions Document 1991. Once the House has given effect to the order, as I hope that it will, local education authorities and governors of grant-maintained schools will be required to pay teachers at the new rates.

All this goes back to September last year, when my right hon. Friend the then Secretary of State asked the interim advisory committee to advise on teachers' pay in 1991-92. He asked it to look at ways of further increasing flexibility within the pay system in order to improve recruitment and retention—paying particular attention to measures to help LEAs tackle teacher shortages in key subjects or in particular areas such as London—and to reward excellence in classroom teaching. He also asked it to review the pay of heads and deputies.

The committee carried out its remit admirably, and produced the fourth in what has been a series of excellent reports. It recommended a number of improvements to extend local discretion and flexibility. The report emphasised the importance of using pay flexibilities imaginatively and purposefully to meet local priorities, to provide an attractive career structure, to reward responsibility and good performance and to attract high quality entrants to the profession.

I received the report on 18 January, and announced on 31 January that I proposed to accept its recommendations but to stage their introduction in the same way as for the review body groups that the Government were considering at the same time. I explained that, in view of the size of the proposed pay award, and for wider economic reasons, the recommendations would be implemented in full only by 1 December 1991. That meant that teachers would receive equal treatment with the groups—such as the clinical professions covered by the review bodies that had reported at the same time.

The Teachers' Pay and Conditions Act 1987 requires consultation with interested parties before the proposals can be implemented. My ministerial colleagues and I carried out those consultations. I carefully considered the points that were made by teachers' unions and employers both in meetings and in writing. I have concluded, however, that the Government proposal to accept the recommendations in full, but to stage their introduction in the period up to 1 December, should be given effect.

Implementation of the committee's recommendations will mean substantial rises for all teachers, particularly heads, deputy heads and teachers who have more responsibility. When fully implemented, the heads' and deputies' pay spine will increase by 12·75 per cent., and all ranges on that spine will be extended by two points. The standard scale for classroom teachers will increase by 9·5 per cent., and incremental enhancements will be uprated by a similar amount. London allowances and the discretionary inner London supplement will increase by 9·38 per cent., backdated to 1 July 1990.

In addition to those recommendations, which we have accepted, the interim advisory committee reaffirmed its belief that incentive allowances have a key role to play in recruiting, retaining and motivating teachers. It therefore recommended a 30 per cent. increase in the value of the five rates of allowance—a substantial increase indeed—taking the value of the highest incentive allowance to more than £7,100. It also proposed that an extra 9,100 incentive allowances should be introduced in the 1991-92 academic year, bringing the total number of allowances in primary and secondary schools to almost 200,000.

In making its generous recommendations, the committee rightly drew particular attention to the importance of awarding more incentive allowances to teachers in smaller primary schools, who feel that they have not been properly treated in the past.

I am pleased that in all its generous recommendations the IAC drew particular attention to the importance of rewarding good classroom performance. Compared with others, the teacher who dedicates himself or herself to a lifelong career in teaching, and who discovers that his or her gifts lie in teaching children in classrooms in an inspirational way, has been least well treated in our pay arrangements.

The IAC recommended that from 1 September discretionary scale points above the standard scale should be awarded solely against the criterion of a teacher's performance across all aspects of their professional duties, having particular regard to their classroom teaching. The upper limit of the discretionary scale will rise to £3,000. Most important, the discretion to put in place additional scale points will be devolved to the governing bodies of schools with delegated budgets. Some governing bodies who wanted to use the discretionary scale points but found that, for some reason, their local authority discouraged them from doing so will now be able to reward their staff appropriately.

In calculating the size and deployment of education spending in 1991-92, the Government assumed that about £150 million will be available to be spent on those and other new pay discretions. I hope, therefore, that governing bodies and local education authorities will use them to the full to motivate their teachers and to reward achievement, particular effort and good classroom performance.

Mr. Harry Greenway (Ealing, North): I congratulate my right hon. and learned Friend on accepting the important additions to the scale, but how will good performance in the classroom be measured? Will it be measured independently of school authorities to ensure that there is no favouritism from the head teacher?

Mr. Clarke: In all jobs where an element of pay is based on performance somebody has to judge the performance. A head teacher must have some authority, and we are giving additional responsibility to school governors. I accept that that is a big move, but I see no reason why a good governing body, which will soon have the results of the appraisal arrangements that we have introduced, should not consult head teachers and make its own judgment about a particularly valued member of staff who, according to all the information available, is an effective classroom teacher. When one tries to move over in the public sector to performance-related payments, it is a great mistake to get too bogged down in all the arguments about setting up great institutional arrangements, endless appeals, and so on, which tend to come into public sector debates. In most walks of life, people's performance in

their jobs in judged by those to whom they are responsible. I see no reason why most heads and most governors should not be given that responsibility.

Dame Elaine Kellett-Bowman (Lancaster): There is a problem in state schools, such as in my constituency, where teachers remain on the staff for some years. Many are at the top of the scale and, under the present funding arrangements, they are finding life difficult. I understood from my right hon. and learned Friend's office that this matter was under consideration. May I take it that that is still the case?

Mr. Clarke: We are moving from a system under which everyone was tied to the scale and, once one reached the top, no additional payments were available. I am glad to say that one of the most effective results of having had an advisory committee for the past two or three years has been the move to incentive allowances, discretionary scale payments, and so on. I do not approve of the traditional trade union view of public sector pay, whereby one moves in increments according to years of service, stops, and waits to move on. When one concentrates on good performance, someone must judge that performance. I see no reason why that should not be the head teacher and the governors.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Does the right hon. and learned Gentleman accept that even in Cabinet kissing goes by favour? Schools do not differ from any other organisation in that sense. The right hon. and learned Gentleman told us that he wants to give greater freedom to good governors. What will happen if there is a bad head and a bad governor and decisions are taken on this highly partial basis?

Mr. Clarke: I do not believe that one can pay a professional on the basis that no one should be allowed to judge his or her performance. We now require much greater exercise of responsibility by the governing body and head teachers. I am not against giving them the authority to contemplate rewarding good classroom performance or someone who carries particularly heavy responsibility. In recruiting their staff, they must also have regard to the need to recruit someone with specialist skills in a subject where they cannot otherwise get someone of the right quality. There are parts of the country where they must have regard to the cost of getting a good teacher, given the local labour market. We have been building those essential flexibilities into the system for the past three or four years.

Dame Elaine Kellett-Bowman *rose*——

Mr. Patrick Cormack (Staffordshire, South) *rose*——

Mr. Clarke: We have agreed that this should be a fairly short debate. I shall move around and give way to my hon. Friend the Member for Staffordshire, South (Mr. Cormack).

Mr. Cormack: I am grateful to my right hon. and learned Friend. I think that I am on the same point as my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman). With great respect, my right hon. and learned Friend missed the point. There are a number of schools where many teachers have been on the staff for many years and therefore, rightly, are at the top of the scale. The new funding system militates against those schools, which are faced with a difficult dilemma: either they shed people who have served faithfully and well for many years or they face the fact that their schools are in jeopardy. Will my right hon. and learned Friend address that point?

Mr. Clarke: I shall do so, if you will allow me, Mr. Deputy Speaker, as it does not have much to do with the order. The point now being raised relates to the effect of local management of schools where a local authority decides on an objective formula by which it distributes money to the schools in its area. The argument is that the formula is based on pupils and not on the make-up of the staff and that some schools find that their staff costs are high because all their teachers are at the top of the scale.

It is important to have a formula distribution of the money based on pupils and that we do not just accept the existing costs of schools. I agree that when one starts doing that, anomalies of the kind that I described are revealed. Usually, for the first time, people realise the funding variations between schools which occurred in the past and which no one previously noticed. One may find that in the past a school had particularly heavy staff costs and that such costs will take a high proportion of its former allocation. I agree that difficult decisions will eventually have to be taken. The school must decide whether it can justify spending such a high proportion of its allocation on staff——

Mr. Rupert Allason (Torbay): Will my right hon. and learned Friend give way?

Mr. Clarke: Let me answer before giving way again. Some schools have difficult choices to make about the value of experienced staff vis-a-vis costs. Of course other schools gain because they discover that they have been underfunded in the past. When money is distributed fairly by formula, one or two schools will find that they are better financed than some of their neighbours and may decide to release a teacher. If he is a good teacher, many other schools with money to spare will find the addition of an experienced member of staff to their payroll worth while.

We should not shrink from adopting a formula for the allocation of funds based on the number of pupils because it means that the future growth of money depends on the ability of a school to attract funds. The formula must be based on the number of pupils rather than on the salary scale or the historic staff costs of the school. However, this off-the-cuff discussion on local management of schools has nothing whatever to do with the order.

Mr. Allason *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The Secretary of State is quite right. I was rather anxious about the fact that we seem to be straying from the order.

Mr. Allason: Does my right hon. and learned Friend accept that primary schools are in a particularly difficult position? Does he also accept that it is tempting for governors to release a highly paid and experienced teacher at the top of the salary scale and replace him with two inexperienced teachers?

Mr. Clarke: I agree with my hon. Friend about smaller schools in which it is difficult to decide whether to have three or four teachers. The scheme's transitional arrangements will ease that difficulty. It is open to each

[Mr. Clarke]

county council to decide how to draw up a formula for distributing the money, and each council will decide how to give additional weight to pupil numbers in small schools. In a county such as the one that my hon. Friend helps to represent there are many rural schools and it will be for the county council to decide how heavily to weight the distribution of funds in favour of small primary schools so as to avoid the difficulties that my hon. Friend describes.

The order contributes to a solution of the problems in that it gives generous pay increases to all teachers and extends yet further the ability of governing bodies with spare money in their budgets to use incentive allowances and discretionary scale payments to reward teachers for good performance, whether or not they are at the top of the scale. We have added to the standard spending assessments for local authorities the extra resources that they require to meet these large increases in future salaries. However, the problems of distribution remain and are not affected by the order.

The outside world and most teachers will want to know exactly what the order means in terms of teachers' pay. There is widespread public concern about teachers' pay and my right hon. Friend the Prime Minister and I have repeatedly expressed the sentiment of our right hon. and hon. Friends that good teachers must be properly rewarded if we are to have a good education system.

These increases in salary points and allowances mean that by December the maximum possible salary for a classroom teacher will be almost £28,000, or more than £30,000 in inner London. That is an increase of more than £4,000 on the maximum that a classroom teacher could have earned before. The average classroom teacher will earn more than £17,000, which is an increase of almost 11 per cent. Average earnings for a primary school teacher at the top of the standard scale will be some £18,300. For a secondary school teacher at the top of the scale the average salary will be about £20,200, which is £2,700 above the scale maximum of £17,500. People will say that that is not excessive pay for teachers. I do not think that there is widespread understanding of the fact that that is the pay level to which they have been moved during the lifetime of this Government—especially by these latest increases.

I disapprove of the practice—although I understand it—followed by teachers unions of never using the figures that I have just given. Like all good trade unionists I have ever encountered, they use the scale as though it bore some direct relation to earnings. The NUT frequently implies that £17,500 is the most that an average classroom teacher can hope to earn. It is using the value of the top point of the scale. I have touched on the generosity and the extension of the incentive allowance and discretionary scale payments, so that the NUT figures bear no relation to what teachers earn "on the ground"—and that can be extremely misleading for those considering entering the profession.

The scale figure takes no account of incentive allowances, despite the fact that this September the Government's plans assume that some 50 per cent of primary teachers and 70 per cent of all secondary teachers will receive allowances, and that their value will rise by 30 per cent. The IAC itself pointed out that the effect of its recommendations will mean that the average earnings for a primary school teacher at the top of the standard scale would be about £18,300 and for a secondary school teacher at the top of the scale would be about £20,200. It urged all concerned to give these figures wide circulation and to dispel the mistaken impression that the top of the standard scale is the most that classroom teachers can earn. Even these figures take no account of discretionary scale points which can be awarded by LEAs and governing bodies to teachers on the top of the scale—as I said when I originally misunderstood the interruption by my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman)

These extra payments at the top of the scale can be very substantial. Discretionary scale points, which are to be awarded on the basis of good performance, can add up to £2,000 to a teacher's salary, and this will rise to £3,000 in September. The value of incentive allowances has increased dramatically since they were introduced in 1987—in the case of the A allowance by nearly 150 per cent. From 1 December the E allowance will be worth more than £7,000 per year. Used imaginatively, these allowances can be a very powerful recruitment and retention incentive, and a substantial reward for excellence in the classroom.

I believe that this is a generous package. It has been much criticised to me privately, not so much by teachers complaining about its adequacy as by people in other walks of life complaining about how the Government can give these high increases in salary to public sector employees at a time of recession. I make no apologies for doing so. The demands that we are making of teachers and the commitment that we are giving to improving educational standards require that we motivate the best of our teachers and reward them properly. By any standards, these will be exceptional pay increases compared with any that those in other walks of life may expect in the coming year—and rightly so.

The IAC also stressed the importance of effective, positive management by heads and deputies, and of seizing the opportunities provided by the local management of schools. I am sure that it is right to do so. I have been encouraged by the committee's comments about the changes that it observed in schools which have delegated budgets under LMS arrangements. The committee said that it saw indications of an increase in morale among teachers, partly as a result of the new freedoms available under LMS. It noted in its report that, in schools where LMS was in place,

"the freedom associated with delegated budgeting was warmly welcomed, and was being used by the head teacher to achieve ends which benefited teachers and pupils; employing additional non-teaching staff to relieve teachers of clerical and other time-consuming tasks; ensuring adequate cover with supply teachers; and undertaking programmes of redecoration and minor building works".

I quote that endorsement by an independent body of the move to LMS, which has been such a widespread success in this country. The Opposition parties now support LMS, but it has been their custom in the past to defend the centralisation of most budgeting and control in the hands of local authorities. I see the Opposition spokesmen shaking their heads at that—I am sure that they now warmly endorse our LMS proposals.

I well understand that head teachers and deputies increasingly have heavy responsibilities being loaded upon them by the Government's reforms. The IAC's recommendations mean that the head teacher of a large

secondary school outside London will be able to earn £47,000 or more each year. The head of a typical primary school will receive almost £2,400 extra, taking his or her pay to £23,500 each year. The head of a typical secondary school will see his or her pay rise by more than £3,600 to more than £32,000.

Mr. Christopher Hawkins (High Peak): I think that they can earn more than that.

Mr. Clarke: I think that the highest paid head teacher that I have ever heard of in the state sector is earning £55,000 each year.

Those are responsible positions and they deserve responsible rewards. It should be an attraction to those contemplating teaching to realise that rewards of that kind are now available in the profession.

The changes recommended by the committee and accepted by the Government will help to recruit, retain and motivate sufficient teachers of the quality that the country needs. They give governing bodies and local education authorities more discretion to make selective payments in the light of local circumstances. They will greatly increase the capacity for local management to manage their own schools.

As the House is aware, the Government's intention is that next year's pay settlement should be determined by an independent review body. We have defeated the Labour party's opposition to that and the Bill is now in another place. This is therefore the right time to pay tribute to the work of the IAC during the past four years. Its clear analyses and constructive recommendations for change have won support across a broad spectrum of opinion. The IAC's reports have provided an admirable basis for the future development of the teachers' pay structure and, by highlighting and encouraging teacher professionalism, have played an important part in preparing the way for the award to teachers of review body status that we now propose.

The recommendations of the IAC for 1991-92 are embodied in the order which is needed to ensure that teachers receive their pay increases. If the House by any chance votes against it, all the pay increases that I have described will not normally be payable for the year ahead. On that ground, because I approve strongly of the increases, I commend the order to the House and ask that it be approved.

10.36 pm

Mr. Derek Fatchett (Leeds, Central): I agree with one or two of the comments made by the Secretary of State, but I preface my remarks by offering to the House the apologies of my hon. Friend the Member for Blackburn (Mr. Straw). He has given his apologies to the Secretary of State, but he would like to give them to the House as well. Unfortunately, he cannot be with us tonight, for good reasons.

I agree with the Secretary of State's final comments in praise of the work of the IAC. It is appropriate for the House to thank all those who have been involved in the work of the IAC for their reports and for the analysis and information contained in them. There has been some disagreement among those directly affected in terms of the mechanism—there was a strong argument repeated in the IAC final report in favour of the restoration of collective bargaining and that was the view among teachers and teachers' organisations—but it is to the IAC's credit that it has succeeded in winning the confidence of those who may well have been opposed to the mechanism. It is of even greater credit to work on that basis and gain the support of one's opponents. We should like to put on the record the Opposition's thanks to those directly involved in the IAC and its work.

Mr. Cormack: The hon. Gentleman will not vote against it, will he?

Mr. Fatchett: The hon. Gentleman asks that more with public transport in mind than teachers' pay, but I shall return to that point.

We strongly agree with some areas of the report that I shall highlight. First, the report makes a strong case, as I think the Secretary of State recognised, for teacher appraisal. That is important in terms of professional development. If we are to improve the overall performance of education, it is crucial to have a teacher force which has self-confidence and the ability to build on its strengths and to remove the weaknesses that may exist in its performance.

As somebody who taught for a number of years in a university, I think that the process of appraisal may also be appropriate to higher education and teacher performance there. Having said that, I recognise that I was one of the best teachers in the institution and, therefore, had no need of appraisal! I understand, however, that there was a strong objective case for appraisal.

The Opposition agree strongly with the principle of appraisal, but we share the disappointment that was expressed implicitly in the report that the Government are not making available for that process the money that has been considered necessary, especially for training. There is a substantial task, and I think that the Government could have made more resources available. If they had done so, there would be more confidence in the system of appraisal that has been adopted and in the objectivity of that system.

We agree with the IAC's report on local pay bargaining. Those who have followed the debates on school teachers' pay will understand that the School Teachers' Pay and Conditions Bill—the No. 1 Bill—contained support for the possibility that individual schools and local education authorities should be able to opt out of national procedures. However, the report states extremely effectively that there is substantial flexibility in the system already and that there is no need for the opt-out that was proposed in the Bill. If the Government listened to the committee and dropped the proposal from the School Teachers' Pay and Conditions (No. 2) Bill, I am glad that they did so.

We approve of the IAC's comments on non-contact hours for primary school teachers. That raises an issue that the Government need to consider, and it was addressed in the annual reports of Her Majesty's inspectorate this year and last year. Primary school teachers have been subjected to extensive change and an increase in stress over the past two or three years. The process of introducing the national curriculum has been a greater burden on primary schools, I think, than on schools in the secondary sector. The notions of introducing primary science and primary technology are real changes on which we must build. They introduce an area of real development. It is important, however, to understand that if a primary school teacher is to deliver at the level that we would wish, there is a strong

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argument for non-contact hours. That is a recommendation of the IAC's report, and of the annual report of Her Majesty's inspectorate. It would be useful if the Government accepted the need to take up the recommendation.

We agree with the IAC's general comments about teachers, and it is worth putting them on the record again. The committee makes a strong report that in the schools that its representatives visited it was found that teachers were working hard, that they were performing well and that they were committed to the system and the children they were teaching. It is worthwhile always to state that part of the report and to get it on the record.

Perhaps the crucial issue is whether the IAC has raised the profile and status of teaching and its professionalism over the years. It is sad to find at paragraph 3.44 of its report the following comment:

"Pay continues to be a key factor in determining morale. Teachers told us that although their starting salaries have been comparable with those of their contemporaries who graduated with them, in a very few years the salary gap had widened. Few teachers had expected that their chosen profession would bring the financial rewards which are available in other sectors of the economy. Many commented on the satisfaction teaching brought them, but there were still bills to be paid."

The paragraph ended:

"Some teachers had second jobs in order to make ends meet."

Mr. Hawkins: On £28,000 a year.

Mr. Fatchett: The hon. Gentleman talks about £28,000 a year. As the Secretary of State said, the average salary is £17,000.

We must consider the problem of teachers' salaries when they are five years into teaching. It is important that that is considered by the review body that deals with next year's pay settlement. There is a haemorrhage from the profession of those who are in their first five years. The IAC has found that at that point of comparability there is a disparity between teaching and other professions. Teaching looks less attractive than other professions. If the Secretary of State is right—and I believe that he is—to say that if we are to have a highly qualified and highly motivated teaching profession, it must have salaries commensurate with——

Mrs. Dunwoody *rose*——

Mr. Peter Thurnham (Bolton, North-East) *rose*——

Mr. Fatchett: It is important that we have a salary scale at a career point that is attractive and which relates to that of other professions. The interim advisory committee has not yet dealt sufficiently with that problem. I shall make one further point before giving way to my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) and to the hon. Member for Bolton, North-East (Mr. Thurnham).

The hon. Members for Lancaster (Dame E. Kellett-Bowman) and for High Peak (Mr. Hawkins) mentioned the local management of schools, which is important. One way to improve the career prospects of individual teachers is to use the incentive allowance and the discretionary payments. There is a genuine problem for those schools that have a particular difficulty with their budgets. Both hon. Members were right, and the Secretary of State did not deal adequately with that issue. If the budget is tight, however good the teacher it will be impossible to pay him the incentive allowance or the discretionary award.

Mrs. Dunwoody: In that case, what advice would my hon. Friend give to those teachers who have excellent, proven records and very good qualifications but who, in their early 50s, are being made redundant merely because schools cannot afford them? That is not happening just once—it is happening across the country. There is a haemorrhage of graduate teachers at the top of the scale.

Mr. Hawkins *rose*——

Mrs. Dunwoody: What about the formula?

Mr. Fatchett: I shall give way to the hon. Gentleman, and I also heard the sedentary intervention of my hon. Friend the Member for Crewe and Nantwich who makes an important point. There is a problem. The hon. Member for High Peak agreed by saying that some teachers are just too expensive for a particular school and are therefore faced with the threat of compulsory redundancy.

Mr. Hawkins: I hope that my right hon. and learned Friend the Secretary of State will also hear what I have to say. If the simplistic and absurd formula, which is currently used for the costing of schools, used the average cost of a teacher instead of the actual cost of a teacher, the cost would average out over the nation—or the county—as a whole. There would not then be the problem of an individual school having—as some small schools in my constituency have—four senior teachers who are too expensive because they are older, higher up the scale or have merit awards. But the schools have to shed teachers and have large classes solely because the formula stupidly builds in the actual, rather than the average, cost of a teacher.

Mr. Fatchett: Let me answer the point made by my hon. Friend the Member for Crewe and Nantwich by saying that the hon. Member for High Peak got it the wrong way round, although the principle behind what he said was absolutely correct. The formula should involve average teacher salaries rather than actual teacher salaries.

Mr. Hawkins: That was what I thought I said.

Mr. Fatchett: I know what the hon. Gentleman meant and I appreciate the point that he was making. My advice to my hon. Friend the Member for Crewe and Nantwich is that the formula for local management of schools needs to be changed. Otherwise, there will be the continued nonsense that senior, well-respected, important members of staff will be penalised and, in some cases, threatened with redundancy. That does not make sense——

Mrs. Dunwoody: They are being made redundant.

Mr. Fatchett: —and are being made redundant. I accept that, which is why there is a need for additional funding, but also for a change in the formula. I hope that the Secretary of State will listen not just to the representations from the Opposition, but to those being made forcefully by Conservative Members. The formula must be changed.

Mr. Thurnham: The hon. Gentleman talks about the importance of incentives for teachers, but what incentive would there be for a head teacher who found his pay slashed under Labour's plans to increase the top rate of tax?

Mr. Fatchett: I shall ignore the hon. Gentleman's point——

Mr. Neil Hamilton (Tatton): It is true.

Mr. Fatchett: The hon. Member for Tatton (Mr. Hamilton) is well suited to the role of Whip because silence is the best virtue for him.

It would be more useful to move the debate in the direction suggested by my hon. Friend the Member for Crewe and Nantwich, and by the hon. Members for High Peak and for Lancaster. We need to reconsider the formula so that teachers are not penalised in the way that we have discussed. I was trying to make the point to the Secretary of State that it is no good saying that, within the system, we can top up the standard scale for teachers by incentive allowances and discretionary payments if the money is not there and the school is under financial pressure.

There seems to be a long-term and worrying pattern. Post-Houghton and post-Clegg, we had substantial immediate increases. In both cases, there was then a deterioration in the real level of teachers' pay. Teachers moved down the pay and salaries ladder. I fear that the same process has happened under the interim advisory committee. There has been, we accept, a large initial increase—the Baker increase, if I may call it that—but in subsequent years there has been a movement down the salary ladder. That may send a signal to teachers that the profession has occasional good years, but then a number of lean years. We need an approach to teachers' pay that gives the impression, year after year, that teachers are valued and important.

Mr. Patrick Thompson (Norwich, North): I am one of the hon. Members who were enthusiastic about the School Teachers' Pay and Conditions (No. 2) Bill which will bring in a pay review body for teachers. The Opposition's position was not clear. Will the hon. Gentleman accept that a new teachers' pay review body will help to overcome the very problem which he has just described?

Mr. Fatchett: That depends on the conditions under which that pay review body works. If the pay review body is totally free and is able to come up with the recommendations that, I suspect, the hon. Gentleman supports, it may work in that way. However, the evidence on the face of the Bill is that conditions are attached to the pay review body which may stop it working in the way to which the hon. Gentleman refers.

Mr. Gerry Steinberg (City of Durham): Does my hon. Friend agree that this evening we have heard the Secretary of State give the reason why the pay review body will be no different from the interim advisory committee? The powers that the Secretary of State has used are identical to the powers that he will be able to use for the pay review body. The interim advisory committee recommended an increase that the Secretary of State decided to phase in. The settlement has not been implemented in one go. The Secretary of State will be able to do the same to the pay review body, so his powers will override the pay review body and he will be able to implement what he thinks fit.

Mr. Fatchett: As always, my hon. Friend makes a constructive intervention. He takes me on to the next part of my speech and he has also answered the hon. Member for Norwich, North (Mr. Thompson). The reason why we shall vote against the order tonight is that the interim advisory committee's report was changed in one key area —the phasing of the increase. As my hon. Friend the Member for Crewe and Nantwich said, that is an element of the conditions in the School Teachers' Pay and Conditions (No. 2) Bill. It is important and will be noted by teachers that this year's interim advisory committee report's recommendations have been phased. There is an inconsistency in that position.

It does not help teacher morale, recruitment and retention for a so-called "independent" body to come forward with a set of recommendations and then for the Secretary of State with a stroke of a pen to change those recommendations. There is a deeper inconsistency which teachers will find worrying and which they will judge alongside the proposal for a pay review body. Two weeks ago, we were told by the Secretary of State that this year's standard spending assessments for local government were sufficient to cover an increase for teachers in the interquartile range—the area in which the interim advisory committee made its recommendations. The committee's recommendations were, exactly as asked, within the interquartile range of non-manual increases. The committee suggested a formula that meant that the implementation costs for 1991-92 were within the limit, yet again, of the interquartile non-manual range of salary increases.

The interim advisory committee delivered what the Secretary of State asked and the right hon. and learned Gentleman claims that the standard spending assessments are sufficient and that local government has the money to pay for the increase.

The two sides of the equation are that, according to the Secretary of State, local government has the resources and the interim advisory committee is carrying out its remit according to the terms set out by the Secretary of State. Having got both sides of the equation, the Secretary of State then decided that the teachers' salary increase should be phased. There is no justification for that in terms of the positions taken previously in relation to both local government and the interim advisory committee. That is the point that my hon. Friend the Member for City of Durham (Mr. Steinberg) was making and it answers the point raised by the hon. Member for Norwich, North.

The signal going out to teachers is that a so-called "independent" body has produced a set of recommendations that it considers important for teacher morale, recruitment and retention, yet the Secretary of State has overturned those recommendations. Those are the conditions to which we referred during debates on the School Teachers' Pay and Conditions (No. 2) Bill, and they are conditions about which teachers will be extremely worried. It is no good the Secretary of State saying that there is an independent body if, when it reports, the right hon. Gentleman overturns its report. That does not build confidence in the system. That is why we shall vote against the order. It undermines the work of the interim advisory committee, gives too much power to the Secretary of State to operate it illogically, and is a bad signal for the future and for the pay review body.

Mr. Allason: Is the hon. Gentleman giving the commitment that any future Labour Government would accept the full recommendations of the interim advisory committee whatever the cost to the Exchequer?

Mr. Fatchett: I am surprised that the hon. Gentleman did not listen to the argument. I was saying that there will not be an interim advisory committee in the future—that much we do know. There will be different machinery. I also said—I hope that the hon. Gentleman will take this point on board—that there is an inconsistency in that, according to the Government, the standard spending assessments are so just that local government can pay an increase in the interquartile range. The interim advisory committee's recommendations fall exactly within the interquartile range and were deliberately made to do so.

My argument is that the interim advisory committee carried out its remit, but, at a later stage and with a stroke of a pen, the Government changed the way in which that increase will be implemented. That is our argument. This is an important matter for teachers and a worrying backcloth for them. That is why we shall vote against the order.

10.57 pm

Mr. George Walden (Buckingham): I admit to being beguiled by the beginning of the speech of the hon. Member for Leeds, Central (Mr. Fatchett) because it reminded me of being slapped in the face by one of the perfumed, warm towels that are handed out by air hostesses. I thought that he was going to go all the way and agree with the Government, but he ended by saying that he would oppose the order on what seemed entirely spurious grounds. Although he brushed aside an intervention by my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) about the cost of Labour's proposals, my hon. Friend asked an extremely pertinent and germane question.

Although the hon. Gentleman opposes the phasing of the increase, it would be interesting to calculate the relative loss to individual teachers, especially those on the middle and upper scales, of his Front Bench's proposals to tax them at penal levels against the admitted but slight loss of phasing the increase. It was wrong and disingenuous of the hon. Gentleman to brush aside that important intervention about the penal tax rates that would be imposed on teachers by a putative Labour Government.

Mr. Steinberg: Will the hon. Gentleman give way?

Mr. Walden: I have hardly started. Let me continue for a while.

My right hon. and learned Friend the Secretary of State struck the right note in introducing the order. These considerable increases in pay for teachers are balanced, rightly, by greater performance requirements. That seems the essential philosophy for the future. Admittedly, it has taken some time for us to work towards the increases. I have made no secret of my view that we should go further, in terms of rewards for teachers, stricter requirements and what I would call quality control for teachers.

I should like to draw attention to a facet of this discussion which is shied away from too often in public —the sex of teachers. It seems entirely abnormal that about 90 per cent. of teachers in primary schools and 70 or 75 per cent. of all teachers are of the female sex. However fashionable and vulgar views one may adopt on this subject—politically correct, they call it in America—children have a right to expect a reasonable balance between the sexes in the classroom. For goodness sake, families consist of a mixture of men and women. Why should not schools have a better balance?

The sex of teachers is related to the subject that we are discussing because teaching has become a female-dominated profession.

Mr. Hawkins: It is regarded as a second income.

Mr. Walden: The profession is dominated by women partly because, as my hon. Friend says, it is often treated as not a serious profession but a second income by women who statistically have the lowest attainments in A levels.

Mrs. Dunwoody: Will the hon. Gentleman give way?

Mr. Walden: That is why teaching has become a semi-pauperised and proletarianised profession. At this point, out of all gallantry, I must give way to the hon. Lady.

Mrs. Dunwoody: I thank the hon. Gentleman for that somewhat elephantine response. Is it the hon. Gentleman's view that what is important is not that people should have the best teachers but that they should have those who are defined by gender? Was he brought up in the state system, which is full of truly excellent teachers of either sex? Does he send his own children to state schools, or does he send them only to places where there is sex discrimination and, therefore, only men to teach them?

Mr. Walden: I am genuinely sorry to hear that intervention. It is of a paltry and old-fashioned nature. To reply to the hon. Lady's question, yes, I grew up in the state sector. Also, I would not dream of sending my own children into the state sector in the area in which I live because I disapprove of the entire philosophy of teaching which reigns there. I would do anything in my power, and I spend large amounts of money at enormous personal cost, to escape from the state sector. I resent that, because in other more advanced European countries the state sector is far superior to ours, partly because it does not follow the philosophy favoured by the hon. Lady's party —but I shall not go into that.

I insist on the point about the sex of teachers. The hon. Lady's intervention was tiresomely fashionable. I am talking in the sense in which ordinary people understand these matters. It seems abnormal that there should be schools, as there are in my constituency, where there is not one male teacher. That is wrong.

I shall stop now because I want to leave hon. Members on both sides time to speak. My remarks about the sex of teachers are relevant because one effect of the Government's enlightened view of teachers' pay is that it will in the future, particularly after the pay review body is introduced, lead to a greater proportion of men in the profession so that we have a more balanced teaching force and teaching is seen not as a second income but as an honourable profession for all people with the requisite intellectual and teaching qualifications, be they men or women.

11.5 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I am at a loss to speak following that extraordinarily bigoted and unimaginative speech. We poor women who have undertaken dreadful jobs such as teaching, nursing and being MPs are frequently overwhelmed by the superior intellects represented by the male sex, and obviously we should be replaced in the schools and hospital system because we are not capable of coping.

I resent the order because a number of members of my family have given their whole lives to teaching, are extremely well qualified and have always considered that caring about what happened to the children and the quality of the work done in the classroom was important. Because I care so much about this issue, I circulated all the schools in my constituency with a questionnaire connected directly to what was happening under the local management of schools and in terms of pay and conditions.

For the Secretary of State to make such remarks about an order which, frankly, will not deal with the real problems of state education was little short of an insult to people who have given their lives to the teaching profession. What is happening in the state system today is clear. When people are properly qualified, are at the top of their scales and are in schools in which there is considerable pressure on budgets, they are being made

[Mrs. Gwyneth Dunwoody]

redundant. If the right hon. and learned Gentleman is not aware of that, I am even more horrified than I would be in normal circumstances.

The quality of state education, which is important to 90 per cent. of the country's children, should be primary. We should not have to sit here listening to people who themselves do not send their children to the state system telling us that we can experiment anywhere we like. I find that offensive and unacceptable. I shall vote against the order with great pleasure, not because it will produce flexibility, not because it recognises the ability of those in the state system who need special payment for their abilities and qualifications, but because it is yet another cynical gesture which will not alter the terms and conditions of those who are important, will not find money for the state system to do those things that are regarded as important, but because it will simply contribute to the extraordinary gesture politics to which we listened from the hon. Member for Buckingham (Mr. Walden), who supposedly contributed to the debate.

11.7 pm

Mr. James Pawsey (Rugby and Kenilworth): I approach the debate with a sense of sadness because it is the last in the present series of debates. I feel almost nostalgic, especially as I read the *Official Reports* of previous debates. They included contributions by the hon. Member for Leeds, Central (Mr. Fatchett), but I shall not embarrass him by quoting them.

The interim advisory committee is about to be overtaken by the School Teachers Pay and Conditions (No. 2) Bill. That committee has served the nation and its teachers well. I was delighted to hear the Secretary of State and the hon. Member for Leeds, Central join in thanking it for its excellent work over a number of years, and I echo their words.

That committee has helped teachers, and it is not without significance that since April 1987 their pay has increased in cash terms by 40·2 per cent. But there is a better, albeit unusual, yardstick to measure the effectiveness of the work of that committee—the number of strikes by teachers and ancillary helpers. In the past three years, under the interim advisory committee, some 60,000 days were lost by teachers and helpers. That is to be compared with 1985, when in just one year no fewer than 851,000 days were lost through strikes. That shows the committee's effectiveness.

It is a truism that the education of the nation's children is of critical importance to the nation's well-being. Teachers' pay is important, and is part of that process. However, I agree with the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) that the majority of the nation's teachers are dedicated not just to their profession but to the children in their charge.

If there is a small minority who bring the profession into disrepute, they are sometimes helped by certain local authorities. In Lambeth, for example, we have witnessed the extraordinary situation whereby heads have found it necessary to appeal to the Department of Education and Science for help if the educational process is not to break down. I suspect that my hon. Friend the Member for Buckingham (Mr. Walden) was hinting at that when he described the situation in the district where his children should be educated, but which is in such poor shape that he is compelled to send them elsewhere. It is an appalling commentary on what occurs in some of our local education authorities that some of them have to approach the DES for advice.

One way in which parents in Lambeth can overcome the problem confronting them is to consider grant-maintained status for their children's schools, which will give them an opportunity to cut the noose which secures them to the local authority.

The School Teachers' Pay and Conditions (No. 2) Bill will enhance teachers' status. It will take over from the IAC, and will introduce a review body. It is interesting to draw a comparison with the arrangement that exists for nurses. I refer to the point made by my hon. Friend the Member for Norwich, North (Mr. Thompson). Since the inception of the nurses' review body six years ago, nurses' pay has increased by 63 per cent.—22 per cent. more than inflation. That answers the hon. Member for Leeds, Central. The precedent established by the nurses' review body is a good one for teachers. The increase in nurses' pay was not achieved at the cost of jobs in that profession. Over the same period, the number of nurses increased.

This year, teachers' pay will increase by 9·8 per cent., at a time when inflation is less than 6 per cent. and falling. The IAC increase will give the average classroom teacher earnings of around £17,000 a year. Average earnings together with the incentive allowance will, in the case of a secondary teacher on the top point of the scale, provide remuneration of £20,300 a year. The relevant figure for primary school teachers at the top point of the scale will be £18,300.

Seventy per cent. of secondary school teachers, and 50 per cent. of primary school teachers, are at the top of their scales. Those figures will help recruitment to the profession. Entries to teacher training colleges are already at their highest level since 1972, and there is improved recruitment in the sciences, physics, chemistry and biology.

Earlier, I said that the majority of teachers are dedicated to their profession and to the children in their charge. That dedication, and the success that those teachers enjoy, is emphasised by the increase in the number of pupils entering higher education. In 1980, one in eight of the target group went into higher education. In those days, higher education could truly be called elitist but the Government have remedied that. This year, one in five of the target group are in advanced education. That figure will improve to one in four by the year 2000. The fact that there are well over a million students in our colleges and universities this year underlines, as nothing else can, how much standards of education have improved under the Government. Much of the credit for that improvement must go to teachers, but it will be readily understood that the increase in student numbers is based on, and must depend on, the number of young people who obtain good A-level results.

Although the improvement in the pupil-teacher ratio —now 17 to one—has helped, my right hon. and learned Friend the Secretary of State can take considerable credit for the substantial increase in funding this year. Spending on education has risen by 16 per cent. this year to £17·5 billion. As a percentage of gross national product, we now spend more on education than any of our principal competitors.

The answer to a parliamentary question of mine shows that, in 1986, total public expenditure on education was 4·9 per cent. of GNP in the United Kingdom, 4·7 per cent. in the United States, 4·4 per cent. in Japan, and 4·4 per cent. in the then West Germany.

Mr. Ralph Howell (Norfolk, North): I find my hon. Friend's arguments difficult to follow. I thought that we were trying to contain inflation, but he says that we are spending more and have more teachers. Is my hon. Friend aware that we have 73,000 more teachers and 750,000 fewer pupils than in 1970? How does he square that up?

Mr. Pawsey: The answer to my hon. Friend's question —he is truly a good friend of mine—is the improvement in the pupil-teacher ratio. I welcome that improvement and am anxious to see increased spending on education. I want more and better paid teachers, which is one of the reasons why I shall support the order.

Pay is important, but it is far from being everything. Teachers are sometimes browned off with the speed and scope of reforms. Most of them accept that reform is necessary, but many classroom teachers have a mountain of paper to climb. The forms, questionnaires, guides, documents and advice that pour into the nation's schools have become a torrent, coming from the Department of Education and Science, local authorities and quangos.

The headmaster of one of my middle schools today described to me with feeling the amount of paper that descends on classroom teachers. He told me that his teachers now spend three to four hours every week more than the mandatory 1,265 hours doing paper work. The deluge of paper is more than simply a passing distraction —it saps energy and enthusiasm and it demotivates.

We need to get teachers in front of the class, doing the job they are paid to do, but the red tape traps and suffocates so I should appreciate a cut in that. I shall support the order.

11.19 pm

Mr. Mike Carr (Ribble Valley): I am pleased to note that this is the last motion that the Secretary of State will move under the present system—that is, after receiving advice from the interim advisory committee. Few teachers will mourn the passing of that committee.

Last year, in a parallel debate, my hon. Friend the Member for Truro (Mr. Taylor) mentioned the loss of morale in the teaching profession. Morale remains low. Many teachers—while welcoming the setting up of an independent review body to recommend future pay awards —will be waiting to see how that works in practice, and whether the Government's stated intention to reward them appropriately becomes a reality.

The reality of this year's pay award is yet another phased increase. The full implementation of the IAC recommendations was estimated to increase the teachers' pay bill by 11·3 per cent. By paying the award in two stages, the first on 1 April and the second on 1 December, the Government have reduced the cost to 8·4 per cent. for 1991-92. That hardly sounds like a full acceptance of the IAC recommendations.

Talk of global percentages, however, tells us nothing about how teachers feel. Many teachers see the phasing as proof that the Government prefer playing with figures to paying teachers properly. In many schools, local management of schools means that salary budgets are funded on the basis of average teacher salaries rather than that of actual salary costs. When that is taken into account, the picture becomes very depressing.

Local authority employers have not the money to meet their costs. In an attempt to balance their budgets, school governing budgets and local education authorities are having to make teachers redundant to pay others the recommended increase. It is little wonder that teacher morale remains low.

How does the Government's decision to phase the award affect teachers? For eight months, teachers on the main standard scale will receive no more than a 7·5 per cent. increase. They will feel that they have done poorly when they compare themselves with private-sector employees. From December, standard-scale teachers will receive the remaining 2·5 per cent. of their increase. Over 1991-92 as a whole, the standard-scale teacher—that is, the classroom teacher, the backbone of the profession—who continues to serve our children well will receive only 8·19 per cent. more than he or she was paid the previous year.

Many of my friends are teachers. I visit many schools in my constituency, and talk to many teachers there. They have tackled all the Government's reforms in recent years, and have tried to make them work in the children's interests; they have improved the rate of public examination passes; many have worked in schools with poor standards of repair and a lack of material resources. The Government, however, have failed to reward standard-scale teachers properly, and in doing so have effectively told them, "We will pay you as little as we can get away with paying."

Let me mark the passing of the IAC by saying that I hope that this is the last time that we shall see our teachers and our children short-changed, and the last time that local education authorities and schools will have to meet bills without having the money to do so. I hope; but I fear that my hopes will not be realised.

Question put:—

The House divided: Ayes 220, Noes 127.

Division No. 179] **[11.23 pm**

AYES

Alexander, Richard	Butcher, John
Alison, Rt Hon Michael	Butler, Chris
Allason, Rupert	Butterfill, John
Alton, David	Campbell, Menzies *(Fife NE)*
Amess, David	Carlisle, John, *(Luton N)*
Amos, Alan	Carlisle, Kenneth *(Lincoln)*
Arbuthnot, James	Carr, Michael
Arnold, Jacques *(Gravesham)*	Carrington, Matthew
Arnold, Sir Thomas	Carttiss, Michael
Ashby, David	Cash, William
Atkins, Robert	Channon, Rt Hon Paul
Atkinson, David	Chapman, Sydney
Baker, Nicholas *(Dorset N)*	Chope, Christopher
Beith, A. J.	Churchill, Mr
Bellingham, Henry	Clark, Dr Michael *(Rochford)*
Bendall, Vivian	Clarke, Rt Hon K. *(Rushcliffe)*
Bennett, Nicholas *(Pembroke)*	Conway, Derek
Bevan, David Gilroy	Coombs, Anthony *(Wyre F'rest)*
Blackburn, Dr John G.	Coombs, Simon *(Swindon)*
Boscawen, Hon Robert	Cope, Rt Hon Sir John
Boswell, Tim	Cormack, Patrick
Bowden, A. *(Brighton K'pto'n)*	Couchman, James
Bowden, Gerald *(Dulwich)*	Cran, James
Boyson, Rt Hon Dr Sir Rhodes	Currie, Mrs Edwina
Brandon-Bravo, Martin	Davies, Q. *(Staml'd & Spald'g)*
Brazier, Julian	Davis, David *(Boothferry)*
Brown, Michael *(Brigg & Cl't's)*	Day, Stephen
Burns, Simon	Dickens, Geoffrey
Burt, Alistair	Dorrell, Stephen

Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Fairbairn, Sir Nicholas
Fearn, Ronald
Fenner, Dame Peggy
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
French, Douglas
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Livsey, Richard
Lord, Michael
Luce, Rt Hon Sir Richard
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Norris, Steve
Paice, James
Patnick, Irvine
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Renton, Rt Hon Tim
Rhodes James, Sir Robert
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Rowe, Andrew
Rumbold, Rt Hon Mrs Angela
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Walden, George
Walker, Bill *(T'side North)*
Wallace, James
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Lightbown and Mr. John M. Taylor.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Anderson, Donald
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Caborn, Richard
Callaghan, Jim
Campbell-Savours, D. N.
Canavan, Dennis
Clarke, Tom *(Monklands W)*
Cohen, Harry
Cousins, Jim
Cox, Tom
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Dewar, Donald
Dixon, Don
Dobson, Frank
Duffy, Sir A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Edwards, Huw
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Heal, Mrs Sylvia
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Lamond, James
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McFall, John
McKelvey, William
McLeish, Henry
McMaster, Gordon
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morley, Elliot
Mullin, Chris
Murphy, Paul
Nellist, Dave
O'Brien, William
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Robertson, George
Rogers, Allan
Rowlands, Ted
Salmond, Alex
Sheerman, Barry
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Vaz, Keith
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and Mr. Thomas McAvoy.

Question accordingly agreed to.

Resolved,

That the draft Education (School Teachers' Pay and Conditions) Order 1991, which was laid before this House on 9th May, be approved.

ESTIMATES

Motion made, and Question put forthwith, pursuant to Standing Order No. 131 (Liaison Committee),

That this House agrees with the Report [11th June] of the Liaison Committee.—*[Mr. Greg Knight.]*

Question agreed to.

PETITION

Hostages (Lebanon)

11.35 pm

Mr. John P. Smith (Vale of Glamorgan): It is a great honour and a privilege to present this humble petition on behalf of 42 residents of the village of Dinas Powys, in the Vale of Glamorgan, who are greatly concerned about the plight of John McCarthy and others who have been held hostage in the Lebanon for up to five years.

Wherefore your Petitioners pray that your Honourable House will urge the Foreign Secretary to increase efforts to secure their release.

And your petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Mr. John Linsie

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Greg Knight.]*

11.36 pm

Mr. John Butcher (Coventry, South-West): I thank my hon. Friend the Under-Secretary of State for Education and Science for his attendance and, through him, I thank those officials who will be helping him at this late hour.

I should like to bring together three strands, the full development of each of which would take much time. The first strand is the way in which Solihull borough council abused its disciplinary powers to obtain the dismissal of one of its educational psychologists, my constituent Mr. Linsie, who had worked for the authority for about 20 years. The second strand deals with my endeavours to obtain an examination of Solihull council's action and the injustice done to my constituent.

The third strand deals with the way in which such an abuse of power is even now seriously eroding the efficient and effective working of the Education Act 1981. The working of that Act turns upon the professional competence and independence of various advisers—educational, medical and psychological. Mr. Linsie's experiences clearly demonstrate that an adviser's independence can be seriously limited by a local authority through the exercise of its hiring and firing powers. Not to beat about the bush, an authority can use its powers as an employer to intimidate its advisers to produce reports which accord with those actions taken as an administrator in the management of its special education system.

Mr. Linsie's difficulties with Solihull point up a much wider issue which, if left unaddressed, has all the potential to become a national scandal. Viewed in this way the issue, as it centres on Mr. Linsie, is the canary in the miner's cage. I shall view the issue in personal terms as it directly affects Mr. Linsie. His difficulties with Solihull metropolitan borough council centre on a memorandum of 6 July 1989 issued to Mr. Linsie by the council's then principal educational psychologist, Mr. Andrew Large, who is no longer an officer of the council—he is now a member of the Minister's inspectorate.

Mr. Large's memo contained three instructions which required Mr. Linsie to change his hours of work, remove from his reports an advisory paragraph to parents, and rewrite seven of his reports. Those seven reports, and only those seven, contained the paragraph in which Mr. Linsie stated that, in accordance with Solihull's guidelines, his report would not contain a placement recommendation. Mr. Linsie asserts that those instructions were issued with the quite explicit intention of obtaining from him an action indiscipline which, in its turn, would then justify taking disciplinary action against him and so obtaining his summary dismissal.

Solihull's action against my constituent proceeds through four stages: first, the issuing of three instructions; secondly, the refusal by Mr. Linsie to implement those instructions; thirdly, the interpretation by Solihull LEA of his refusal as an act of indiscipline; fourthly, labelling that act of indiscipline as a form of gross misconduct—chilling words—and proceeding against Mr. Linsie via the council's own disciplinary code.

Of that memo's three instructions I propose, because of time limitations, to concentrate upon the third instruction

[Mr. John Butcher]

—Mr. Large's instruction to Mr. Linsie to rewrite seven of the psychological reports that he had prepared for children referred to him under section 5 of the Education Act 1981.

In returning these seven reports, Mr. Large implied that they were incompetently written. What is at issue here is not Mr. Linsie's own competence as a psychologist, which Mr. Linsie would be happy to defend before his peers. That is an issue which Solihull struggled to avoid confronting directly. Instead, what is immediately at issue is Mr. Large's tactics and procedures as a manager of psychologists. For while he claimed to view these seven reports as incompetently written, the only action that he took was to instruct Mr. Linsie to rewrite them. Mr. Large's action here is so much in conflict with the action that any reasonable manager, in such circumstances, might rationally be expected to take that his action requires to be fleshed out with a little detail.

Mr. Linsie, as an employee of 20 years with the authority, had written during that period hundreds of reports—all of which had been accepted as competently written by a psychologist who knew his job. In that period, he once received a formal complaint about his reports—and that from a parent. But even that parent, in due time, accepted the appropriateness of Mr. Linsie's advice. Indeed, that incident, which occurred in 1985, serves to indicate the director of education's attitude towards Mr. Linsie at that time because in April 1985 the then director of education wrote to the complaining parent a letter which concluded:

"In the best interest of the pupil I require professional advice from my psychologists—advice which expresses his or her opinions and is given without fear or favour. I have every confidence that Mr. Linsie will provide me with such advice."

As recently as April 1985, therefore, Mr. Linsie received from his director of education that clear endorsement of his professional competence. Yet just four years later he had apparently become so incompetent as a psychologist that it was necessary, in Mr. Large's judgment, to return to him not just one or two of his reports, but no fewer than seven.

It is reasonable to expect, moreover, that Mr. Linsie's immediate manager, in judging his reports, would have met Mr. Linsie to discuss his report writing. But at no time were any meetings held between Mr. Linsie and his superior, or other senior officers, specifically to discuss difficulties concerning his reports. I stress the point—no meetings of a relevant kind were ever held with Mr. Linsie about his report writing.

The manager's action is made the more bizarre by his failure to make explicit the way in which Mr. Linsie's reports were judged to be defective. For example, a memo to Mr. Linsie of 6 July fails to identify, from Mr. Linsie's seven reports, one defect, fault, error, or mistake. Instead, the memo sets for Mr. Linsie's attainment a clutch of goals. Clearly, a manager has a right to set goals, but what is immediately suspect is the ploy of implying that Mr. Linsie's seven reports do not satisfy his manager's goals without making plain their deficiencies by reference to any particulars whatsoever.

It appears, therefore, that Mr. Large holds Mr. Linsie to be seriously professionally incompetent in his report writing. Yet all that he does is to issue Mr. Linsie with an instruction to rewrite those reports. I suggest in this regard that a number of Solihull's senior officers were engaged in entrapping Mr. Linsie in a catch-22 situation.

Had my constituent implemented his manager's instructions and rewritten his reports, by that very action he would have acknowledged that his original reports were defective and thus incompetently written. Solihull's subsequent behaviour has confirmed Mr. Linsie's own concern regarding the use that Solihull may have made of that admission. Even more clearly, had my constituent refused to rewrite his seven reports, by that action he would have refused an instruction and thus could be disciplined according to Solihull's disciplinary code. In the event, Mr. Linsie chose the second alternative, if I may put it that way—he refused the instruction and was disciplined.

Thus, basic to Solihull's dismissal of my constituent is not Mr. Linsie's action, but his superior's action in issuing the memo of 6 July—an action which I suggest to the House was so managerially unconventional as to justify a questioning of its whole motivation and the conclusion that beneath its apparent managerial purpose there may have resided an intention to secure Mr. Linsie's dismissal. My constituent's superior's action here is so bizarre in relation to general mangement practice that it ought to have been obvious to Solihull's local education authority that the instructions of 6 July were issued for purposes other than might have been apparent on the surface. But such was not obvious. Instead, Mr. Large's actions, managerially bizarre though they were, received full endorsement from other Solihull senior officers.

There is not time to detail all the various levels of the authority and the individuals concerned who did not grip the situation and address the real issues beneath the verbiage with which they were confronted. Suffice it to say that those officers and officers sitting in appeal on the case and a committee of councillors in my view did not come up to scratch.

If my hon. Friend judges that such a catalogue of suspicions, doubts and bizarre management practices lacks immediate credibility because of its wide-ranging implications for the behaviour of an LEA collectively and at all levels, I remind my hon. Friend that Solihull's defence of its actions against my constituent completely collapsed when required to stand before an independent industrial tribunal. It collapsed because of the tribunal chairman's intervention. If the tribunal chairman, before he had listened to argument and heard evidence in any detail, could see that Solihull's case was fundamentally flawed, one wonders why Solihull's own legal department was willing to mount the action at all at further expense to the taxpayer with a bundle of documents two inches thick and the time of four or five senior officers.

Thus the situation following the industrial tribunal hearing can be viewed as analogous to that of a criminal prosecution which has dramatically broken down, in which the accused then pursues redress against the police for malicious prosecution—except that in Mr. Linsie's case there is apparently no analogous action that he could take against Solihull metropolitan borough council for the abuse of process of its disciplinary code. It seems that a local authority can wholly misuse its disciplinary code and is answerable to no one save an industrial tribunal. In this regard, it is relevant to note that a tribunal's remit does not include taking action against an employer. Nor does a tribunal possess the power absolutely to protect an

employee's job. Thus Solihull could embark on its action against Mr. Linsie in the full knowledge that it could leave my constituent without a job at the age of 60.

I suggest to my hon. Friend the Minister, with respect, that the fact that Mr. Linsie withdrew his industrial tribunal action is irrelevant to the matter that I raise. At that point, with my support, my constituent requested the Department of Education and Science to mount an inquiry, but to no effect. I also requested my right hon. and learned Friend the Attorney-General to intervene, also to no avail. Education organisations requested Solihull itself to mount an internal inquiry, as did my constituent, but again to no avail.

All that would be serious enough if it only concerned Mr. Linsie personally, but it does not. It refers potentially to the whole profession of education psychologists and to all those employees of a local authority who provide advice under the 1981 Act. For what Solihull's action against Mr. Linsie reveals is an LEA's endeavour to limit the professional independence and competence of an adviser in the preparation of reports under the 1981 Act.

Of this general state of affairs, Mr. Peter Newell of the children's legal centre recently wrote in a article, under the heading "Don't Gag the Professionals", that

"conflicts are intensifying between the duty of teachers, educational psychologists, doctors and other professional workers to set out the special provision they consider a child needs under the 1981 Act and their contractual duty to obey their local education authority which may be neither willing nor able to make the provision they recommend."

If local education authorities are able to pressure their education psychologists without let or hindrance, that will wholly vitiate the statementing procedure that was set up by the House in the Education Act 1981. That procedure is complex, time consuming and expensive. Its whole value turns upon the professional competence and independence of the advisers who are producing its basic reports, educational, medical and psychological. It assumes that parents, in making their own submissions, will have ready access to all the relevant information.

It is now emerging that LEAs are seeking to make a farce of the procedure by turning it into a paper exercise that does no more than legitimise what an authority might do on purely administrative grounds. The House clearly did not intend to create a set of circumstances in which LEAs are able effectively to say to parents, "This is what your child needs because that is all that we are willing to provide." If the statementing procedure is to have any relevance to a child's unique learning difficulties, it is crucial to defend the professional independence and competence of those producing the statementing reports. It is in that process that the education psychologist makes a crucial contribution to the determination of the learning difficulties that are experienced by all children. Indeed, his relation to the education statementing system is closely analogous to the forensic scientist's relation to the judicial system. I need hardly remind the House how the questionable independence and competence of a handful of forensic scientists has created massive and grievous difficulties for the judicial system's working in general.

It is the self-same issues of professional independence and competence which, in relation to the education system, are instanced to a heightened degree by Solihull MBC's action against Mr. Linsie. If the House ignores the matter, it will send the clearest message to all advisers that it is not concerned with professional independence and competence. Is that the message that it wishes to send? I ask my hon. Friend the Minister to reconsider his earlier decision and to institute a local inquiry into Solihull's action against my constituent, John Linsie.

It would seem that my hon. Friend possesses some powers to act. In a letter to me, he noted that Solihull

"subsequently withdrew the charge of gross misconduct against Mr. Linsie".

That seems to suggest that that absolved the DES from taking action. However, by the time that Solihull withdrew its charge, the deed had been done. My constituent had lost his job and had no prospect of reinstatement.

In addition, an official of the DES wrote to Mr. Linsie turning down his request but noting that for action to be taken

"an authority's conduct must be conduct which no sensible authority acting with due appreciation of its statutory responsibility would have decided to adopt."

That is a DES letter of 31 October 1990.

Authorities have a clear duty to the House to act as its agents in the day-to-day administration of the 1981 legislation; and an authority cannot be held to be acting with due appreciation of its statutory responsibilities in this regard if it uses its hiring-and-firing powers to intimidate those who prepare the reports basic to the working of the Act's statementing procedure.

I refer to the issue of Mr. Linsie's own competence as an educational psychologist. In that he refused to re-write his reports, Solihull rejected them from its statementing procedure for the seven children involved. Thus it was necessary to produce a further seven reports by other psychologists. As a consequence there now exists, for the same seven children, two sets of reports—one set prepared by Mr. Linsie and rejected by Solihull, and the other prepared by other psychologists and accepted by Solihull. Thus, a comparison of the two sets of reports provides a ready measure of Solihull's own quality control procedure. Six of the seven parents involved granted Mr. Linsie access to the reports prepared for their children by psychologists other than Mr. Linsie. For those six children, Mr. Linsie submitted both sets of reports to another educational psychologist of considerable experience and qualifications, but personally unknown to my constituent—Dr. David Galloway of Lancaster university.

I quote from Dr. Galloway's reference to four of the reports that the authority found acceptable—those prepared by psychologists other than Mr. Linsie. He stated that they

"contain no information that could not equally well have been provided by a reasonably well-informed and experienced teacher."

To that assessment, Dr. Galloway added a comment about the reports' relevance to the working of the Education Act 1981. He said:

"It is reasonable to assume that Parliament intended rather more from the educational psychologist's contribution to this process than repetition of second-hand information and production of information that could quite well have been produced by a teacher."

Thus, the issue to which Dr. Galloway draws attention with regard to four of the reports which Solihull found acceptable is not their quality, but the more fundamental issue of whether they are psychological reports at all. Dr. Galloway absolves all Mr. Linsie's reports from that fundamental criticism. That raises the uncomfortable suspicion that what worried Solihull was not Mr. Linsie's competence as psychologist, but the fact that he was endeavouring to work as a psychologist at all.

[Mr. John Butcher]

I must refer to comments about the charge of "gross misconduct". In preferring such a charge, the authority paid no heed to the way in which that charge would be interpreted by people in general. On the inappropriateness of the charge, Mr. John Wright, administrator for the Independent Panel for Special Education Advice, stated:

"To charge Mr. Linsie with gross misconduct was scandalously inappropriate. It is difficult to interpret the selection of this charge, as opposed to indiscipline or inefficiency which are the two alternatives available in the discipinary code, other than as an attempt to intimidate other Solihull staff who may in future feel impelled to speak for the rights of children with special educational needs."

I am grateful to you, Madam Deputy Speaker, and to the Under-Secretary of State for Education and Science, my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth), for listening to a case that must, by necessity, be explained in some detail. I hope that my hon. Friend agrees that it raises serious questions about the rights of employees to have their arguments heard properly and at appropriate levels within an education authority and within a city and borough council's remit. I believe that in this case something has gone horribly wrong. I know my hon. Friend to be a reasonable man and I shall leave it to his discretion whether to call in the papers for another look, whether to institute his own inquiries in his own way or whether to bring in an outside observer to consider the implications of the case for the Education Act 1981, for the damage done to my constituent and for the way in which an authority can prefer a charge of gross misconduct, which was in itself a gross misuse of its powers to hire and fire, and not subsequently re-examine the case with the reason and openness that it should have elicited in the first instance.

11.58 pm

The Parliamentary Under-Secretary of State for Education and Science (Mr. Alan Howarth): I congratulate my hon. Friend the Member for Coventry, South-West (Mr. Butcher) on securing this Adjournment debate. This is the first debate in which my hon. Friend has participated since his return to the House following his recent illness. We are all glad that he is again playing his part in our debates. He always raises important issues in a searching fashion, and he always champions his constituents doughtily, as he has done this evening. He has spoken on behalf of Mr. Linsie energetically and with feeling, and he raised important and difficult issues which are associated with the case.

My hon. Friend has chosen to speak at length. Within the constraints of this Adjournment debate, it is not possible for me to respond in detail to a range of matters which he has articulated.

It would be appropriate for me to begin by explaining the nature of the Department's involvement in this matter to date and how the Secretary of State arrived at his decisions in relation to the complaints that were put to him by Mr. Linsie under the Education Act 1944.

On 15 July 1990, the then Secretary of State received from Mr. Linsie a letter registering a formal complaint under sections 68 and 99 of the Education Act 1944 against the metropolitan borough of Solihull. The substance of Mr. Linsie's complaint under section 68 of the Act was that the borough had acted unreasonably in dismissing him in December 1989 on grounds which were cited, as my hon. Friend has said, as "gross misconduct."

The Secretary of State's power to intervene under section 68 is restricted to those cases in which the local education authority has acted "unreasonably" with respect to the exercise of any power conferred or the performance of any duty imposed by or under the Education Acts. From the information submitted by Mr. Linsie, there was no basis on which the Secretary of State could have intervened under section 68 of the 1944 Act as his complaint—that the LEA acted unreasonably against him for failing to comply with its instructions as employer—did not relate to the exercise of a power or the performance of a duty by the LEA under the Acts. Mr. Linsie was, therefore, notified of this position in relation to the section 68 complaint in a letter dated 15 August 1990.

The substance of Mr. Linsie's complaint under section 99 of the Act was that Solihull metropolitan borough council had failed to discharge its legal duties under section 5(3)(b) of the Education Act 1981. Mr. Linsie said that the borough had failed fully to inform parents about an aspect of its procedures used in making an assessment of its children under section 5 of that Act. In specific terms, Mr. Linsie's concern was that the borough had failed to advise parents of the existence of a set of guidelines issued to members of Solihull's school psychological service in 1984 and titled "Guidelines for Writing Psychological Reports."

My Department responded to the section 99 complaint in a letter dated 31 October 1990. This pointed out that the ultimate responsibility for formulating an assessment of a child's special educational needs rested with the local education authority, which had the task of co-ordinating the advice, evidence, representations and information received about the child. It was further observed that the local education authority had a legitimate right to require its officers and advisers to provide such information and advice as the LEA needed to perform its duties under the Education Acts and to provide guidelines to ensure that the necessary information was provided and that there was consistency between the advice and evidence proffered. The Secretary of State took the view that there was nothing in the 1981 Act or subsequent regulations which could have been construed as giving parents a statutory right to be informed about the existence and use of guidelines that were intended purely as an internal working instruction for educational psychologists or other professionals employed by the local education authority. It was, moreover, difficult to see how such a requirement would be practicable.

If the guidelines themselves had been inconsistent with the primary or the secondary legislation, as interpreted by the Secretary of State at the time of his decision, and if the content of the guidelines had formed part of the basis of Mr. Linsie's complaint, there would have been grounds for the Secretary of State to have intervened. However, as Mr. Linsie had made clear, the content of the guidelines was not the basis of his complaint under section 99 of the Education Act 1944. In the circumstances, there appeared to be no grounds which have would have justified the intervention of the Secretary of State in relation to Mr. Linsie's complaint under section 99 of the Act.

It is my firm belief that local authority educational psychologists and their professional colleagues in other disciplines play a vital part in our realisation of the aims

embodied by the Education Act 1981. Through the detailed reports which they provide, they help to ensure that the most appropriate provision possible is given to children who have special educational needs. They also help to ensure that, wherever possible, such provision is made in an integrated setting where children with special needs can learn alongside their peers. I must stress that my right hon. Friend's decisions referred to are not in any way a judgment about the contribution which Mr. Linsie has made to this process or about whether the termination of his employment with the borough of Solihull was justified. Those matters are for others to determine, not the Secretary of State for Education and Science. The Secretary of State's decisions on the complaints before him were quite simply based upon legal considerations in respect of the particular terms of Mr. Linsie's complaints.

Question put and agreed to.

Adjourned accordingly at five minutes past Twelve o'clock.

House of Commons

Wednesday 19 June 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BRIGHTON MARINE PALACE AND PIER BILL

Read a Second time, and committed.

Oral Answers to Questions

SCOTLAND

Elderly People (Hospital Care)

1. **Mr. Dunnachie:** To ask the Secretary of State for Scotland if he will make a statement on the future of the elderly in long-term hospital care.

The Minister of State, Scottish Office (Mr. Michael Forsyth): The health care needs of the elderly will continue to be the Government's highest priority.

Mr. Dunnachie: What steps have been taken properly to assess the elderly before they are committed to long-term hospitalisation or nursing home care? Will the Minister take a leaf out of the book of the Northern Ireland people, who have decided that only consultants involved in geriatric medicine should assess people's needs?

Mr. Forsyth: The responsibility for care in the community will lie with local authorities and guidance will be provided on that. Health care needs are a matter for the consultants. The hon. Gentleman will be aware that we plan to ensure by April next year that care plans are agreed between health authorities and local authorities so that elderly people's needs from the various agencies can be properly met.

Mr. Tom Clarke: Will the Minister tell the House how it would help care in the community if the Greater Glasgow health board went ahead with the proposal to close the Stoneyetts and Birdston hospitals in my constituency? If the chairman of the health board continues to decline the invitation to come to a public meeting so that everyone involved can have a say in the decision, and if the Minister also declines the invitation, will the Minister think again, and encourage the board to think again? Does the Minister accept that if those tragic closures take place, they will be a major blow for community care in my constituency?

Mr. Forsyth: It is for the Greater Glasgow health board to decide how best to provide for care within its area. Where closure decisions have been taken, they require the approval of my right hon. Friend the Secretary of State. On the provision of care for the elderly in Greater Glasgow, I pay tribute to the splendid efforts of Laurence Peterken and the chairman of the board to ensure that better facilities are made available for the elderly and I commend them for being prepared to see the removal of facilities that are not up to standard and their replacement with facilities that are more appropriate to the needs of the next century.

Mr. John Marshall: Does my right hon. Friend agree that the number of people being cared for now under this Government is dramatically higher than it was in 1979 and that the amount of assistance being given to the elderly is much higher in real terms than the Labour party ever managed?

Mr. Forsyth: The assistance provided in the health service is greater not only than the Labour party ever imagined, but than it promised in its last manifesto. The growth in expenditure in the health service is more than the Labour party promised the electorate, although Labour still accuses the Government of not investing enough. My hon. Friend is absolutely right to point out that there is more provision for the elderly. There are about an extra 1,700 beds. Substantially more patients are being treated. This year 900,000 more patients are being treated than in 1979.

Mr. Dewar: Is the Minister satisfied that Greater Glasgow health board can defend its decision to bring in commercial companies to build and operate long-term hospital provision for the elderly on the basis that those profit-driven companies can provide better and more stimulating care than the board's own staff in its hospitals? Are such arrangements really a question of patient care or are they cost-cutting exercises? Can the Minister perhaps comment on the difficulties that he sees ahead in 1992-93 when the Scottish health authorities revenue equalisation —SHARE—formula will take another £10 million from the Greater Glasgow health board budget, which is already under severe pressure?

Mr. Forsyth: The hon. Gentleman should know that with the health service reforms the money will follow the patient. As he has been busily opposing them, I am surprised that he is pleading the case for Glasgow in those terms. With regard to private developments and partnerships between the private sector on care for the elderly, there is no choice of the kind that the hon. Gentleman suggests. They are making savings and providing better care for patients. Elderly patients are being provided with up-to-date and state of the art facilities which represent an improvement on the acute facilities with which they have hitherto been treated. At the same time, health boards have made savings on the revenue side.

It is a pity that Opposition Members' dogma leads them to oppose something that is clearly in the interests of patient care and also ensures that resources go further.

Coronary Surgery, Lothian

2. **Mr. Eadie:** To ask the Secretary of State for Scotland what extra financial resources he has now decided to allocate Lothian health board for elective coronary surgery.

Mr. Michael Forsyth: Negotiations are continuing with Lothian health board, but I will be making an extra £3·8

million available for cardiac surgery in Scotland. I will be looking to health boards to achieve a considerable increase in operations as a consequence.

Mr. Eadie: Is the Minister aware that Lothian health board has informed me that the wait for cardiac surgery is one year? It also informed me that that cannot be amended unless new financial resources are allocated. Is the Minister further aware that we are discussing the question of a better quality of life—and tragically even death—for people in the Lothian health board area?

Mr. Forsyth: The first point is that patients who require emergency treatment are admitted immediately. It is true that the waiting list is too long, but the waiting list in Lothian has been reduced by 5 per cent. during the past year. We are making additional resources available and we are currently negotiating with Lothian about how much they should amount to in order to make further progress. Since 1983 we have doubled funding for cardiac surgery from £10 million to just under £20 million and the number of operations has increased from 1,700 to just over 3,000.

The hon. Gentleman is right to point to the problems, but, equally, we are trying to tackle them by making more resources available.

Mr. Darling: The Minister must be aware that it is no comfort to know that patients will be admitted in the event of an emergency. We need to stop patients being admitted as an emergency and deal with them at the proper time. Is he aware that recently there has been a spate of cancellations, not of operations, but of preliminary examinations and interviews? Does he realise that it is intolerable that people have to wait months to be seen by a consultant and then wait a considerable time to have the operation that they desperately need?

Mr. Forsyth: If the hon. Gentleman and his colleagues had not supported those who took strike action against competitive tendering, waiting lists would not be as long. Waiting lists are considerably shorter than when the Labour party was in government.

On the overall position, the hon. Gentleman is right to point to the need to reduce waiting times. We are agreeing with every health board target for waiting times, which we mean to see achieved during the course of the next Parliament and the next Conservative Government.

Local Government Reform

3. **Mr. Bill Walker:** To ask the Secretary of State for Scotland what representations he has had about the governance of Scotland and about local government reorganisation; and if he will make a statement.

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): A range of representations has been received about the governance of Scotland and local government reorganisation.

Mr. Walker: Does my hon. Friend agree that the representations that he has received from the constitutional convention are flawed and fraudulent? They fail to deal with the Goschen-Barnett formula, the number of Scottish Members of Parliament and the West Lothian question. Is not that a guarantee for disharmony, disunity and conflict throughout the United Kingdom as stated by the Leader of the Opposition? Is not it about time that we received some information from the Leader of the Opposition about the governance of Scotland and the United Kingdom?

Mr. Stewart: My hon. Friend, as always, speaks with great common sense and wisdom on the subject. However, I believe that the Scottish Constitutional Convention has folded its tents and slipped quietly away into the night. On my hon. Friend's specific question on representations, I can tell the House, and I will be confirming it in a written answer to the hon. Member for Glasgow, Hillhead (Mr. Galloway) today, that in the past six months we have received one petition and a large number of letters and postcards. The petition was in favour of devolution as were 14 of the letters and postcards, 10 were in favour of separation and 222 were against devolution.

Mr. Galloway: Can the deputy governor explain why the Government are prepared to turn the world upside down in order to put talks together in Northern Ireland about devolution of power to the people there? Why is devolution good enough for the people of Ulster, but not good enough, or too good, for the people of Scotland? The House deserves an explanation.

Mr. Stewart: I do not think that the hon. Gentleman should advertise too much his views on the Irish question, but Northern Ireland involves a very different set of circumstances from Scotland. The hon. Gentleman is perhaps the second most major and influential figure in the Labour party in the west of Scotland. It is a close-run thing between him and the hon. Member for Glasgow, Garscadden (Mr. Dewar). I was therefore interested to see the comments of the hon. Member for Hillhead in *The Sun* on 7 June on the sacking of Mr. Jimmy Allison when he said—*[Interruption.]*

Mr. Speaker: Order. I hesitate to interrupt the Minister, but is it relevant to the question?

Mr. Stewart: Yes, it is relevant because it shows the kind of Scotland that the hon. Member for Hillhead's party is aiming towards. He said:

"It was Clydeside versus Kelvinside. Pints of beer against glasses of dry white wine."

That is the new Labour party, is it—glasses of dry white wine in Kelvinside?

Mr. Ian Bruce: Has my hon. Friend had any representations about the size of Scottish constituencies? I know that all right hon. and hon. Members want to ensure that we get value for money and, as hon. Members from Scotland represent a far lower number of constituents than those from elsewhere in the United Kingdom, is not it time that we had some boundary reviews and reduced the number of Scottish Members of Parliament in the House?

Mr. Stewart: I have had no such representations and such matters are for the boundary commission. But my hon. Friend is right to raise that question in relation to devolution. I refer him to an academic study, the Strathclyde papers on government and politics, No. 78, which pointed out that the Scottish Constitutional Convention had completely failed to face up to the West Lothian question to which my hon. Friend the Member for Tayside, North (Mr. Walker) referred, and had completely failed to face up to the implications of devolution for the House of Commons.

Mr. Sillars: Do not the Scottish people deserve a better discussion about their future than the comic-cuts exchange here this afternoon? Will the Minister consider whether it is sensible for the Scottish people to opt for the best form of government within the EC—that is, to be represented by themselves as are the people of Ireland, Denmark, Portugal, Spain and Luxembourg, which is presently the President of the EC with a population smaller than that of Edinburgh?

Mr. Stewart: I completely disagree with the hon. Gentleman. However, I congratulate him on the excellent speech that he made in the House on a Friday recently when he completely tore apart the proposals by the Scottish Constitutional Convention. The Government believe in the Union and in the United Kingdom and believe that that is the best constitutional arrangement for the people of Scotland as it is for the people of the other countries that make up the United Kingdom.

Mar Lodge

4. **Mr. Dalyell:** To ask the Secretary of State for Scotland if he will make a statement on his discussions with Mr. Kit Martin about the future of Mar Lodge; and what proposals he now has to restrict deer on the Mar Lodge estate in keeping with the age structure of the ancient Caledonian forest.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): My right hon. Friend has had no such discussions. Mr. Martin has, however, had some discussions with officials of Historic Scotland about the future of the lodge house itself.

The Cairngorms working party is currently considering deer management and the future of the native woodlands in the area and we shall give careful consideration to its recommendations.

Mr. Dalyell: Either in answer to my Adjournment debate tonight or now, will the Ministers say whether they broadly accept the analogy that, in human terms, these trees are 80 to 90 years old and that this is the last chance to save a major part of what remains of the ancient European forest? How can we tell people in Brazil, Sarawak or Zaire that they should look after their rain forests when we do not seem able to look after our own living treasure?

Lord James Douglas-Hamilton: Yes, the old Caledonian forest, which I have seen myself, is significant in the area. It is sad that the proposals of the Crown Estate Commissioners fell through, as the hon. Member knows. We remain prepared to consider any proposals put to us and we shall take a keen interest in them. Resources are available to fund management agreements, and I intend to go into that more thoroughly in answer to the hon. Gentleman's debate tonight.

Sir Nicholas Fairbairn: Since Mr. Kit Martin has been mentioned, and as he is a member of the Historic Buildings Council for Scotland, and as he has restored houses in Scotland and England without introducing golf courses and all the other rubbish usually associated with such activities, will my hon. Friend note that the heritage of Scotland is greatly safeguarded by the investment of such people and greatly threatened by the lack of funds for the Historic Buildings Council for Scotland?

Lord James Douglas-Hamilton: We have increased resources for the Historic Buildings Council for Scotland —now Historic Scotland. Mr. Kit Martin's abilities are well known and he is eligible to apply for grant if he chooses to. He has never done so thus far in any of his successful ventures. The rebuilding of the lodge is a matter for his judgment.

Mental Illness

5. **Dr. Godman:** To ask the Secretary of State for Scotland what progress has been made on the provision of facilities in the community for those suffering from mental illness and the development of community mental health teams.

Mr. Michael Forsyth: Day places in psychiatric specialties have more than doubled to around 5,500, grants of £3·25 million have been introduced for mental illness and a £15 million bridging finance scheme will help a number of projects in the mental health field.

Dr. Godman: Is the Minister satisfied with progress in implementing the grants under the mental health scheme? I urge on him the need to give sympathetic consideration to the needs of the poor people who suffer from brain injuries. They must surely be brought into the ambit of the grants scheme—at the moment they fall outwith it. I readily acknowledge the Minister's efforts on the medical side, but I urge him to look more sympathetically at the community needs of this group.

A similar plea can be made for dementia sufferers and their families; they too suffer from a lack of day care facilities and of respite care for their carers.

Mr. Forsyth: I know that the hon. Gentleman takes a considerable interest in this matter and his suggestion seems sensible. I am happy to give him an undertaking to look into the possibilities of doing as he asks. He will know that we have recently established and made an announcement about a national centre for head injury victims, but I shall look positively at his suggestion of using the grants scheme to help people who have suffered from brain injuries.

Mr. Malcolm Bruce: Is the Minister aware that Grampian health board has recently announced that in the next seven to 10 years it intends to close two mental hospitals in my constituency—Kingseat and the House of Daviot? Does he accept that there is concern that those closures are part of a plan that meets the needs of the health board, but not always those of the patients and their relatives and friends? They are anxious because people are being forced into the community without adequate facilities and support. Will the Minister give an assurance that he will not sanction any hospital closures until he is satisfied that adequate community care facilities have been provided?

Mr. Forsyth: Yes, I am happy to give the hon. Gentleman that assurance. However, I respectfully suggest to him that asking such questions will not allay the fears that he says exist. He should be in no doubt that one reason why the care in the community programme has moved more slowly in Scotland is our determination that patients should not be discharged from long-stay care unless proper provision is available in the community. The White Paper proposals, which are now being implemented,

are designed to ensure that local authorities and health boards operate in partnership to avoid any possibility of patients being put in that position.

Mr. Worthington: Is the Minister aware that one reason why the programme has moved more slowly in Scotland is that the resources have not been devoted to community care of the mentally ill. The Minister must be careful not to mislead the House. He referred to £15 million of bridging finance for the mentally ill. As he well knows, much of that is for the mentally handicapped.

Has the Minister spoken to his hon. Friend the Parliamentary Under-Secretary of State about the cuts in training places for the recovering mentally ill? We have lost 120 training places, three centres have been closed and expenditure for the Scottish Association for Mental Health has been cut from £1·5 million to £1 million. That is a backward step for community care.

Why is it that in Scotland two and a half times as many people are in mental hospitals as in England and Wales? Why is the number of training places per 1,000 of the population 15 times greater in England and Wales than it is in Scotland?

Mr. Forsyth: The hon. Gentleman asks why there are more people in mental-illness and mental-handicap institutions in Scotland than there are in England. It is because the implementation of the care in the community programme has moved more slowly. The hon. Gentleman suggested that less money was being spent in Scotland on those areas. Nothing could be further from the truth. The health service in Scotland receives about a quarter more expenditure per head than it does in England. The pace at which we have implemented the care in the community programme has been determined by the facilities that are available in the community. That will remain so.

NHS Trusts

6. **Mr. Strang:** To ask the Secretary of State for Scotland what is his policy towards hospitals opting out of health board control; and if he will make a statement.

16. **Mr. Robertson:** To ask the Secretary of State for Scotland what steps he is taking to strengthen the present arrangements for consulting the local community and the staff of any hospital contemplating trust status.

The Secretary of State for Scotland (Mr. Ian Lang): NHS trust status bestows a number of benefits, foremost of which is that it provides the opportunity for improved patient care through the delegation of responsibility to a local trust board.

The Government have made it clear that we value an input by the public into the application process, and arrangements for consultations are laid down in the National Health Service Trusts (Consultation Before Establishment) (Scotland) Regulations 1991. Those provide for wide-ranging consultation.

Mr. Strang: Does the Secretary of State appreciate that opposition to this policy in Scotland is intense and widespread? We saw what happened in England when hospitals opted out. At Guy's and Bradford hospitals entire specialties have been closed, and hundreds of jobs are to be lost. If jobs are to be lost on that scale in an opted-out hospital, there is bound to be a reduction in the range and quality of services provided. Why does not the Secretary of State have the courage to call a halt to the proposals before they damage the health service in Scotland?

Mr. Lang: I am sure that the House will agree that it is far too soon to judge the success of trust status developments south of the border. I venture to suggest, however, that if Guy's hospital had enjoyed trust status for some time, it might not have had to face the problems that it has experienced recently.

The purpose of trust status is to improve the quality of health care and the delivery of health services. Trust status hospitals will remain in the national health service, and will continue to treat NHS patients free of charge. I believe that they will be to the advantage of health care in Scotland.

Mr. Robertson: Will the Secretary of State guarantee to abide by the outcome of the consultations on local opinion that will form part of this exercise? Or will we see the same process that we saw in England and Wales, with a decision being made in advance and rammed through despite the recording of virtually unanimous public opinion in the process?

Mr. Lang: I assure the hon. Gentleman that I will make the final decision as a consequence of the consultation process, which is a key part of the exercise. It is laid down in statute and provides for criteria that will be applied. Detailed guidance has been issued, and the process will take place over a substantial period.

Mr. Robert Hughes: Will the Secretary of State reflect on the nonsense that has been talked about the benefits of opting out? He says that the hospitals involved are simply being returned to local control, but in effect he is saying that Grampian health board, for instance, is completely unrepresentative, and incapable of running the health service in Grampian. He describes competition as benefiting the health service, but how can that be so when there is a guaranteed monopoly of supply in the Grampian region? Why not leave things alone? They are working pretty well as they are.

Mr. Lang: I am glad to hear the hon. Gentleman's expression of approval for the quality of the health service in Scotland, which was not reflected in some of the earlier comments made by his hon. Friends.

Grampian health board supports the trust concept, so I do not think that the hon. Gentleman can pray the board in aid. One of the merits of trust status is the fact that key decisions would be made locally without bureaucratic procedures and delays. The hon. Gentleman should look for the positive advantages, instead of approaching trust status with a closed mind.

Mr. Graham: Does the Secretary of State realise that "opt-out" has become a dirty word in Scotland, just as "Tory" has become a dirty word? Will he give us an assurance that TV detector vans will stop hounding and harassing long-term elderly patients in hospitals? Will he call a halt to that despicable practice?

Mr. Lang: I am not sure what that has to do with trust status, but I can reassure the hon. Gentleman that for every pound spent by the last Labour Government on health provision in Scotland, £4 is being spent now, and

there are 1,300 more doctors and dentists and 7,500 more nurses and midwives in the Scottish health service now than there were when we came into office.

Mr. Bill Walker: Is my right hon. Friend aware that general practitioners in Forfar, and those who work in hospitals there, are disappointed not to be able to proceed immediately to self-governing status? Nevertheless, they welcome the announcement by my hon. Friend the Minister of State that Forfar is to have a new all-purpose community hospital. We have waited 25 years for that hospital, but the health board has failed to deliver.

Mr. Lang: I am grateful to my hon. Friend. Positive and constructive thought has certainly been given to the possibility of trust status in the Forfar area. An imaginative concept was presented by GPs in the area, but, as my hon. Friend knows, certain financial and service implications caused us to decide that it should not be implemented. That is not to say that other more interesting and practicable propositions will not be advanced.

Mr. Dewar: Does the Secretary of State recognise that all his talk of consultation has a hollow ring, given that his colleague the Minister is driving ahead with these schemes irrespective of medical and public opinion?

Will the right hon. Gentleman give his personal attention to the case of South Ayrshire general hospital? He is supposed to believe in consultation. Is he aware that not only have the consultants voted against trust status by 50 votes to nine, but general practitioners in the area have now opposed it by 194 votes to seven? Can he doubt that there is also strong opposition among members of the public? Why is he allowing a determined but small group of perhaps politically motivated men to hijack the hospital? Is it not time that he ended the uncertainty, listened to what is said in the consultation process and stopped the application?

Mr. Lang: On the one hand, the hon. Gentleman calls for more consultation, and on the other he tells me to stop it short and end the whole process now. The whole point about consultation is that it will enable us to hear a range of views and arguments on what are complex and diverse issues and not such as can be reduced to simple ballot. We shall look at the merits of the arguments advanced over a measured period of time in the light of the criteria that we have set down and published, and then we shall reach a decision.

Hospital Waiting Lists

7. **Mr. Home Robertson:** To ask the Secretary of State for Scotland how many people are on health service waiting lists in Scotland.

Mr. Michael Forsyth: The latest figures show that there were 59,520 people on the in-patient waiting lists. That is more than 17,000 fewer than the number that we inherited from the last Labour Government.

Mr. Home Robertson: After the drastic reduction in the number of hospital wards in my constituency of East Lothian, we now find that the disgraceful waiting lists for hospitals in Edinburgh are being further aggravated by waiting lists for ambulances to take patients from my constituency to and from those hospitals. As to the waiting list arrangements for the proposed private hospital in Haddington for the continuing care of elderly patients, can the Minister give any guarantee that beds will be available for elderly NHS patients who need care in that unit, whenever it is introduced?

Mr. Forsyth: The hon. Gentleman should raise this matter directly with Lothian health board, which is responsible for the provision of care. In common with other health boards, Lothian is being set targets for its waiting lists. I pay tribute to the way in which it is being innovative and enterprising in trying to ensure that the considerably increased resources available to it produce the best possible quality of patient care. The hon. Gentleman should take account of the fact that Lothian health board is treating far more patients than at any time in its history.

Sir Hector Monro: Many people are extremely grateful to my hon. Friend for the initiative that he has taken to reduce waiting lists through special resources for health boards. The increase in overall resources available to health boards by an average of 10 per cent. this year, which means many millions of pounds for each board, must go a long way towards improving patient care. Is not that good news for Scotland, in contrast with the moaning and groaning that we hear from the Opposition?

Mr. Forsyth: I am grateful to my hon. Friend. Our waiting list initiative has resulted in an extra 100,000 patients being treated. I was surprised that the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) repudiated special initiatives of this kind as wasteful and short term. I was even more surprised when I read the Labour party's policy document on health to find exactly such an initiative promised as one that the Labour party would have put forward, had it found itself in government.

Mr. Galbraith: The Minister will be aware that the only reason why the waiting list figures are apparently less than they were in 1979 is because the method of calculating them has changed—an old Tory trick. Is it not the case that in the past year in-patient waiting lists have increased by 2·3 per cent. in Scotland? Why is it that the biggest increase in in-patient waiting lists is in Forth Valley health board, which covers the Minister's constituency and is run by a Tory party member? In the other two health boards run by Tory party members—Ayrshire and Arran, and Grampian—the increases in the waiting lists are also above the national average. Is not that an example of Tory party efficiency in action, and does not it show that Tory party chairmen of health boards are bad for health?

Mr. Forsyth: The hon. Gentleman would do himself a service if he were not so selective in his use of statistics. He is right to say that in-patient waiting lists have increased by just over 2 per cent., but he did not mention the fall in day-patient waiting lists over the same period. Since 1987, when the waiting list initiative began, they have fallen by 13 per cent. If the hon. Gentleman really thinks that waiting lists are down because we have changed the basis on which the figures are calculated, when 900,000 extra patients are being treated this year, an extra 100,000 as a result of the waiting list initiatives, he is living in a dreamland and he does a great disservice to the consultants and doctors in the health boards concerned, some of whom have given up their weekends to get waiting times down.

Share Fishermen

8. **Mr. Kirkwood:** To ask the Secretary of State for Scotland what further assistance he proposes to make available to those share fishermen currently prevented from fishing by the eight-day tie-up rule.

Mr. Lang: Share fishermen have a direct interest in the conservation of fish stocks for the future. The aim of the eight-day tie-up rule is to reduce fishing pressure on cod and haddock stocks, to bring long-term benefits to all our fishermen.

Mr. Kirkwood: Has the Secretary of State seen industry estimates that the combination of the tie-up provision with the unilateral imposition of the 90 mm square panel will reduce the landings of marketable haddock by as much as 55 per cent., and of whiting by as much as 75 per cent? If that does not justify assistance, I do not know what does. Will the Secretary of State personally take charge of the important negotiations at the next EC Fisheries Council on 8 July and guarantee that if the rest of the EC fishing fleet does not accept the 90 mm square panel regime he will withdraw it from this country as well?

Mr. Lang: The hon. Gentleman should recognise that we must conserve stocks, particularly of cod and haddock, or there will be no fish for future generations of share fishermen or other fishermen to catch. The best way to do that is by a range of measures which limit effort and capacity and ensure that stocks survive and develop, so that the limits currently imposed can be lifted in due course. That is the best way forward for the long-term future of the industry.

Mr. Macdonald: When will the Governmnt complement the tie-up on the east coast with a weekend ban on the important prawn fisheries on the west coast? Such a ban would have the support of all the fishermen's associations, would not cost the Government a penny, and would represent a radical and effective conservation measure. That proposal has been before the Government for several months. Will the Secretary of State take a personal interest in it?

Mr. Lang: I compliment the hon. Gentleman on a far more realistic approach to the problem than we notice from the Scottish National party and hon. Members on other Benches. We are considering the west coast question very carefully and will take action when we judge it appropriate to do so.

Mr. Summerson: My right hon. Friend will be aware that there should be many more salmon in Scottish waters as a result of the lifting of nets in the estuaries of many Scottish rivers. My right hon. Friend will be aware also that a deal should be done with the Faroese and Greenlanders—*[Interruption]*—to reduce the amount of salmon that they are taking. My right hon. Friend will be further aware—*[Interruption.]*

Mr. Speaker: Order. The question is about fishing, not about salmon specifically.

Mr. Summerson: I am talking about the salmon of Scotland.

Mr. Speaker: The hon. Member should be talking about the tie-up rule. I think that we have heard enough.

Rail Transport

9. **Mr. John D. Taylor:** To ask the Secretary of State for Scotland if he will make a statement on present European Commission proposals for rail transport in Scotland.

Lord James Douglas-Hamilton: My right hon. Friend is not aware of any European Commission proposals for rail transport in Scotland which have a direct bearing on his Department's responsibilities.

Mr. Taylor: Is the Minister aware that about 85 per cent. of sea passengers from Great Britain to Northern Ireland go through the ports of Stranraer and Carnryan, and that 30 per cent. of all British sea passengers to Ireland use those two ports? Does the Minister therefore accept that a modern rail system in the west of Scotland is important to service that main route between Great Britain and the island of Ireland? Why are the Government supporting a European Community proposal which would take that business away from the west of Scotland and upgrade the railway line to Holyhead, making that the main route from Great Britain?

Lord James Douglas-Hamilton: The Government have given support to Larne harbour, and some £4 million has been made available from the EC's Northern Ireland transportation programme. However, in the case of any proposals from which funds may be made available from the European regional fund, for either Northern Ireland or Scotland, in which we have a common interest, there will be co-operation between officials of the Scottish Office and of the Northern Ireland Office. Stranraer and Carnryan are located within the Galloway EC regional fund operational programme, which received more than £8 million in the same period as Larne harbour obtained assistance. As for the right hon. Gentleman's final question, I will consult my right hon. Friend the Secretary of State for Transport, who has lead responsibility for such matters, and then give the hon. Gentleman a full reply, but I agree with the general tenor of the right hon. Gentleman's remarks.

Mr. Wilson: I strongly support what was said by the right hon. Member for Strangford (Mr. Taylor). Indeed, I would like the Minister at some point to give the same strong support as was given by the Northern Ireland Office last week to my proposal that the Ardrossan-Belfast route be revived.

Will the Minister consider, too, other parts of the European Commission's territory? Does he not feel some shame or embarrassment when he looks at the railway map of Europe showing the high-speed links developing all over western Europe and then at what is happening in Britain, and especially in Scotland, in connection with the channel tunnel? Will he confirm that the tunnel will come into operation without direct links with Scotland, and that no interchange has yet been identified, never mind constructed, in London so that Scottish passengers can transfer easily? Will the hon. Gentleman also confirm that there will be no dedicated freight route between Scotland and the channel tunnel?

Looking at the whole picture, does the Minister agree that the level of preparedness in Scotland for the channel tunnel is a disgrace, and represents a potential disaster for the Scottish economy? Before the tunnel comes into

operation, will the Government take the subject seriously and ensure that Scotland will not be further disadvantaged by its advent?

Lord James Douglas-Hamilton: The hon. Gentleman has asked a number of questions and I shall deal with them one by one. First, British Rail can and will consider changes to its proposed services in connection with the channel tunnel, if it is satisfied that there is a demand for additional services.

The hon. Gentleman also asked about what would happen before the channel tunnel services start operating in 1994. Manufacturers have not yet been able to quote a firm price and delivery date to British Rail for the specially modified rolling stock required. But British Rail still plans to run night passenger services and freight services from the day that the tunnel opens. With regard to access before 1994, overnight through services are still planned to start when the tunnel opens. Before then the east and west coast main line routes will have services into Waterloo, so that passengers have a convenient interchange for the inter-capital train service.

Finally—*[Interruption.]* The hon. Gentleman asked a lot of questions and he is entitled to an answer. Talks are taking place both with United Kingdom and with Northern Ireland officials about upgrading into a European high-speed rail network throughout Europe, and those talks are going ahead.

Several Hon. Members *rose*——

Mr. Speaker: Order. It would be helpful to other hon. Members if single questions were asked.

NHS Trusts

10. **Mr. Harry Ewing:** To ask the Secretary of State for Scotland how many hospitals in Forth Valley health board's area have applied for trust status.

Mr. Lang: An application for trust status has been received from the Royal Scottish National hospital, Larbert.

Mr. Ewing: Has the Secretary of State seen the proposed management structure for the Royal Scottish National hospital at Larbert, in the constituency of my hon. Friend the Member for Falkirk, West (Mr. Canavan)? The hospital will have a chief executive, a director of planning, a director of finance, a director of clinical services, and a director of nursing and quality assurance. How many beds will have to be closed to pay the enormous salaries that those people will command? If the English example is anything to go by, they will be given free cars into the bargain.

If the Government are at all interested in patient care, why does not the Secretary of State do the sensible thing and, as they would say in Falkirk, throw the whole mad idea into the bucket?

Mr. Lang: I have not seen the submission to which the hon. Gentleman refers, but it is for the Forth Valley health board to carry out the detailed and comprehensive consultation process according to the published criteria. However, I understand that although the number of patients at the hospital has been reduced, the number of staff has substantially increased.

Mr. Canavan: Does the Secretary of State agree that the successful running of any hospital depends largely on the existence of a harmonious relationship between management, staff, patients and the community? The management proposal for the Royal Scottish National hospital to become self-governing has been clearly rejected by 95 per cent. of the staff, by the patients' relatives association, by Central regional council as social work authority, and by countless organisations and individuals in the community. Will the Secretary of State please get it into his head that if he gives the go-ahead to the management to proceed in the face of such widespread opposition, it will be a recipe for conflict and chaos which will be completely against the interests of the mentally handicapped patients at the Royal Scottish National hospital?

Mr. Lang: The consultation process will be based on published criteria which include benefits to patients, managerial capacity, the involvement of senior professional staff in the management of the trust and financial viability. It is the hon. Gentleman who should get it into his head that the reason why we are advancing the trust status proposals is that we believe that they will improve the quality of care and the delivery of health services in Scotland. Against the background of the vast improvements that the Government have generated over the past 12 years, we have every right to expect the hon. Gentleman to believe that and to support the proposals.

Angiograms (Glasgow)

11. **Mr. Michael J. Martin:** To ask the Secretary of State for Scotland what information he has on how many people are awaiting angiogram examinations within the Greater Glasgow health board area.

Mr. Michael Forsyth: At 31 December 1990 the number of patients on the Greater Glasgow health board cardiology waiting list, which includes angiography, was 656. The mean waiting time for those patients admitted in the three-month period up to December 1990 was 44·7 days.

Mr. Martin: Heart specialists to whom I have spoken are very worried about the length of the waiting time for angiogram examinations. As the Minister knows, the examinations can determine whether a patient should go on to have heart surgery. In some cases, however, angiography can be used in relation to remedial treatment for patients who will not need surgery. Many of the surgeons are worried that patients are kept waiting for so long that often by the time they are examined and it is discovered that they need heart surgery, they are too weak to undergo such surgery. Does not that mean that the long waiting list is placing some patients under sentence of death?

Mr. Forsyth: The hon. Gentleman is right to emphasise the importance of the size of the waiting list, but I should point out to him that while in September last year the figure was 753, by December it had been reduced to 656 —a reduction of 12·88 per cent. I will ensure, however, that the concern that the hon. Gentleman has expressed is drawn to the attention of the Greater Glasgow health board in the hope that further progress can be made.

Scottish Bus Group

12. **Mr. McAllion:** To ask the Secretary of State for Scotland when he expects the sale of Scottish Bus Group subsidiaries to be completed; and if he will make a statement.

Lord James Douglas-Hamilton: Within the next few months. Although the target date of April 1991 set out in the disposal programme for the Scottish Bus Group subsidiaries has not been met, satisfactory progress is being made.

Mr. McAllion: Scottish Office Ministers justified the privatisation of the Scottish Bus Group on the grounds that it would create new and vigorous Scottish-based companies and encourage employee participation. Why, then, has the Minister thrown out employee bids in at least two Scottish Bus Group subsidiaries and sold the companies instead to a private predator from south of the border in one case, and to a predator company boasting among its directors the hon. Member for Tayside, North (Mr. Walker) in the other? Does the Minister not understand that the Scottish bus industry is not a plaything for him to palm off to his party's friends but a vital national service for which he has shown himself unworthy to hold responsibility?

Lord James Douglas-Hamilton: The hon. Gentleman is quite wrong. We have followed the terms of the disposal programme exactly and have made it quite clear that the principles under which we operate are sustained and fair competition. We support employee participation and the maximisation of sales proceeds. We have given preference to management-employee buy-out teams——

Mr. McAllion: Where?

Lord James Douglas-Hamilton: The answer is Lowland Scottish, Scottish City Link, Eastern Scottish and Kelvin Central Buses, and that has been done regardless of price, although a 5 per cent. preference was stated in the disposal programme, which is working extremely successfully so far.

Magnetic Resonance Imagers

13. **Mrs. Irene Adams:** To ask the Secretary of State for Scotland what is the present state of the implementation of the proposals for the provision of magnetic resonance imager scanning equipment for hospitals in Scotland.

Mr. Michael Forsyth: An order for five new magnetic resonance imagers, at a cost of £4·3 million, has been placed with Siemens UK. Those machines are now being manufactured and site surveys have been carried out at the hospitals chosen.

Mrs. Adams: Is it not the case that, to save money, the Minister approved the purchase of 0·5 Tezler MRI scanners? As the hon. Gentleman probably knows, those scanners are totally inadequate for head scanning. Greater Glasgow health board had to top up money to buy the more adequate 1·5 Tezler scanners. Is the Minister satisfied that in Aberdeen and Dundee, where 0·5 Tezler scanners were also purchased, those scanners are adequate? Would it not have been better to look into the matter more thoroughly and, instead of saving money, to go for the best rather than the cheapest?

Mr. Forsyth: The answer to the hon. Lady's question is no. Clearly, I am relying on medical advice in this matter. I have been given the advice that the machines purchased were adequate for health service needs, but some health boards have sought to get models with more powerful magnetic fields—[HON. MEMBERS: "Why?"] Because of particular needs that they have.

This matter has been drawn to my attention as a result of the hon. Lady's question and I shall inquire to ensure that the advice that I have been given was correct. In addition to the £4·3 million for those machines, which I hope that the hon. Lady welcomes, we shall also meet the additional costs of installation that the boards will face. If what the hon. Lady suggests were the case—if the 0·5 Tezler machines were not adequate—I assure her that I would seek to have the position changed, but that is not my information.

Community Charge

14. **Mr. Ian Bruce:** To ask the Secretary of State for Scotland what proportion of the 1990-91 community charge in Scotland has been collected.

Mr. Allan Stewart: Based on the latest collection figures for 1990-91 issued by the Convention of Scottish Local Authorities, and using local authorities' own payment assumption rates, overall around 76 per cent. of budgeted community charge income for 1990-91 has been collected so far. In some areas, the figure is more than 90 per cent.

Mr. Bruce: My hon. Friend will know that many local authorities have decided to charge the cost of non-payment to charge payers this year. Can he take any action against local councillors, especially from the Scottish National and Labour parties, who urged people not to pay and are now charging their own charge payers extra money to pay for that scandalous advice?

Mr. Stewart: My hon. Friend is absolutely right. There is widespread outrage among community charge payers at the fact that they are having to pay for those who have not paid the community charge. My hon. Friend is also right to refer to the actions of a number of councillors from Opposition parties, although it has to be said that the leaders of those parties have now called off the so-called non-payment campaign.

Mr. Maxton: When will the Minister stop hiding behind the smokescreen of the ludicrous non-payment campaign run by the Scottish National party and admit that the genuine non-collection of poll tax in Scotland is almost entirely due to the total unworkability of the tax? If he recognises that, why does he not institute an emergency programme to deal with the crisis that is developing in local government and will cause enormous problems for all local authorities throughout Scotland unless he takes immediate action to deal with it?

Mr. Stewart: The hon. Member has not explained to the House why the figures are so variable. The reason is that where local authorities have taken determined action early on to keep on top of the problem, such as in Borders and Grampian, they have continued to obtain reasonable collection levels. It is true that there has been a slow-down in payments due to the delay in re-billing because of the reduced headline charge, the Government having reduced the charge by £140. To meet that problem the Government

will ensure that by the end of June Scottish local authorities will have received £281 million more in central Government grant than they otherwise would have done. Frankly, it is up to local authorities to pursue non-payers.

Rural Transport

17. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland when he last met representatives of Strathclyde regional council to discuss rural transport.

Lord James Douglas-Hamilton: My right hon. Friend has received no request from Strathclyde regional council to discuss rural transport.

Mrs. Michie: The Minister may be aware that Strathclyde regional council has delayed yet again the upgrading of three vital roads in my constituency. That is making them very dangerous, particularly during the tourist season. Year after year Strathclyde regional council has done that because it says that it does not have enough money in its roads budget. Might that be partly because the regional council has to finance roadworks on the M8 motorway? Is that not a Scottish Office responsibility?

Lord James Douglas-Hamilton: We are spending some £145 million on trunk roads in Scotland. However, the hon. Lady's complaint is about the allocation by Strathclyde regional council. I shall certainly draw her remarks to the attention of the chairman of the highways committee concerned. In recent years we have enormously increased the resources for trunk roads. Priority is being given to the upgrading of the M74, which is going ahead very speedily.

NHS Trusts

18. **Mrs. Margaret Ewing:** To ask the Secretary of State for Scotland what have been the total funds allocated by the Scottish Home and Health Department to health units seeking to investigate trust status.

19. **Mr. Foulkes:** To ask the Secretary of State for Scotland what guidance he has given to health boards regarding the use of board staff premises and other resources in the promotion of applications for hospitals to opt out of health board control.

Mr. Lang: Units applying to become NHS trusts will remain part of the national health service. It is appropriate, therefore, that health boards should provide adequate support. To that end, and to assist in the implementation of the NHS reforms generally, all boards have been given additional resources.

Mrs. Ewing: In giving additional resources to health boards and units seeking further information on opt-out status, is the Scottish Home and Health Department prepared to keep very close supervision over how that money is spent? For example, will it be spent on private dinner parties, or will it be spent on public meetings to enable all the people in the relevant areas to be well advised of the various implications of the proposals being placed before them so that they can take a clear and objective decision?

Mr. Lang: The hon. Lady may be assured that the way in which the money is spent will be carefully supervised. The object of the exercise is to obtain the best possible input of information, opinion and well-argued cases so that a proper decision can be taken, based on the criteria that I outlined earlier.

Mr. Foulkes: As my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar) said earlier, GPs in Ayrshire have now voted overwhelmingly against NHS trust status, consultants have voted against it and all local ballots show that the public are against it. Is it not therefore a disgrace that public money is being spent on staff time and on Mr. Donald MacNeill's time in promoting NHS trusts, that board property is being used to promote it, and that no similar amount of public money is being used to put the other side of the case? Is not that political propaganda and a matter which ought to be investigated by the Comptroller and Auditor General?

Mr. Lang: I am sure that the hon. Gentleman will agree with me that it is desirable that the proposals should be put together openly and freely, using available resources, rather than cobbled together in some back room. The hon. Gentleman will surely share my view that we want to get the highest possible quality of proposals coming forward so that we can consider the desirability of such applications advancing. As for the GPs, it is highly illogical that they should vote against the sort of contracts that most of them enjoy. I can reassure them that GPs will continue to have rights to refer patients to trust status hospitals and that such hospitals will remain part of the national health service and will continue to treat NHS patients free of charge. The objective is to improve services and the delivery of health care.

Unemployed People

3.33 pm

The Secretary of State for Employment (Mr. Michael Howard): With permission, Mr. Speaker, I should like to make a statement about a further substantial increase in the measures the Government are taking to help unemployed people back to work.

The majority of those who lose their jobs are back in employment after a relatively short time. About 50 per cent. of those who become unemployed leave unemployment within three months. Nearly two thirds do so within six months, and 275,000 unemployed people leave unemployment every month. I am determined to help unemployed people get back to work as quickly as possible.

The Government are already providing a wide range of employment and training programmes helping 650,000 unemployed people this year—much of that focused on those with particular difficulties in finding a job. The measures that I am announcing today will substantially increase that help. In the rest of this year we shall be helping a further 190,000 people; next year an extra quarter of a million. This means that next year we shall be providing help for 900,000 unemployed people.

As unemployment has increased, it has become apparent that for some unemployed people the most effective help that we can give is work experience to keep their skills up to date. The main element of my proposals today, therefore, is a new programme, employment action. This will provide work experience on local projects for 60,000 unemployed people in a full year. It will be targeted on those who have been unemployed for six months or more, including particularly those living in our inner cities. My right hon. Friends and I will be inviting the training and enterprise councils in England and Wales and the local enterprise companies in Scotland to take the lead in setting up this new programme.

We are also increasing the number of places available on employment training so that an extra 15,000 people this year can learn new skills which will help them find a job. In allocating the additional resources we shall be asking the training and enterprise councils and the local enterprise companies to give priority to people with special training needs, particularly those with literacy and numeracy problems.

I shall also be increasing the help available to long-term unemployed people through measures operated by the Employment Service. This is in addition to the extra 100,000 opportunities that I announced earlier in the year. These new measures will include help for a further 40,000 people in job clubs this year and 60,000 next. We shall ensure that in every part of the country where it is needed this help is designed to meet the needs of specific groups, including white-collar workers and executives. Despite the current downturn, about 50 per cent. of those leaving the job clubs do so to go into jobs.

Finally, I propose to provide an additional 80,000 newly unemployed people this year and 110,000 next with extra help in finding a job so that they get back to work as quickly as possible. This will be aimed particularly at those experiencing unemployment for the first time, who may need help in assessing the opportunities available to them. All newly unemployed people are already guaranteed an advisory interview shortly after becoming unemployed, during which they draw up a back-to-work plan.

From next month, those who reach 13 weeks of unemployment will also have the opportunity for a further interview to review progress and, if necessary, to revise their plan. In addition, I am today asking the Employment Service to provide new courses for recently unemployed people to have their career options assessed and to be given expert help and support in looking for work. The Government will make available substantial extra resources for these measures which will cost an extra £110 million in 1991-92 and an extra £230 million in 1992-93.

We are already providing the widest range of measures ever made available to help unemployed people back to work. The package that I am announcing today will increase the numbers helped by a quarter of a million next year at an extra cost of £230 million. It is designed to meet the widely differing needs of individual unemployed people. It includes more training for those who can benefit from training; more expert advice and help in looking for a job for those who can benefit from such help and advice; and an entirely new programme for those who can benefit from work experience.

I said in Swansea on Saturday that I am determined to provide as much help as possible to help every unemployed person back to work as quickly as possible. This package is a measure of that determination and of the seriousness with which the Government undertake their responsibilities to treat unemployed people as individuals with different needs and different expectations. It offers a far better deal for unemployed people than has ever been on offer before. It will be widely and rightly welcomed.

Mr. Tony Blair (Sedgefield): At a time of deep recession and rising unemployment, we welcome any measures that assist the unemployed. The Secretary of State is right to draw attention to the problems of those with special training needs. We also welcome the recognition that we need more training places for the unemployed.

However, some of us remember that last June—only a year ago—we told the Secretary of State of the impact of Government training cuts on the unemployed. Last October, the voluntary organisations and the training and enterprise councils began warning of the catastrophic effects of those cuts. In January, February, March, April and May, at Question Time and during debates in the House, we constantly told the Government that training programmes were closing, training places were being lost, trainers were being made redundant and the Secretary of State's guarantees on youth training and employment training were at risk. Throughout that time, the Secretary of State denied that any such problem existed.

Having at last admitted the problem, is the right hon. and learned Gentleman aware that, through his delay, we have already lost many valuable training providers for the unemployed? Will he confirm that, in the past few days, information technology centres have closed, training programmes for the unemployed and disabled have been shut and schemes for women returners have been abandoned? Will the right hon. and learned Gentleman confirm that his 15,000 places do not come anywhere near the 80,000 places already cut from employment training? Will he confirm that, even after today, he is at best merely preventing further damage, not remedying the damage that he has already done?

Will the Secretary of State also confirm—this point may have been missed—that £230 million is the money for all the packages that he has mentioned, including the job experience programme and training? If that is right, will he confirm that the cash for training today is barely one third of the money cut last year from the employment training budget when unemployment was 600,000 lower than it is today?

The Secretary of State will know that we have been advocating a temporary work programme. He is right to say that not all unemployed people simply require intensive training. Let us look at what he is proposing. Let us look at his response.

Unemployment is 650,000 higher today than a year ago and is rising by 70,000 a month, with 20,000 more unemployed every week. We know from a leak from the Department of Employment that it is estimating another 500,000 unemployed in addition to the 650,000. Does the Secretary of State really believe that an extra 60,000 places—less than one month's rise in unemployment and less than 100 places for the unemployed in each of the constituencies—is a serious response to the unemployment crisis that we face today?

Is the new programme to be on a benefit-plus basis? Will the Secretary of State expect people to work for £50 a week or sometimes less? If so, such a programme has no hope of gaining the consent that it needs to succeed. Will the right hon. and learned Gentleman confirm that, contrary to the advice of his training directorate, there will be no training element in the new job experience programme? Does he believe that that is right? Under the previous Prime Minister, who did not boast of creating a classless society or tell us about opportunity for all, and when unemployment was last at 2 million and falling, the old community programme had a budget of £1·5 billion. Is it not a bitter irony that, under the present Prime Minister, the budget for helping the unemployed, even after today's announcement, is £500 million less than it was then and unemployment is now rising from 2 million?

We know that we have the fastest rising unemployment in the western world and, according to the most recent independent forecasts, by the end of this year Britain will have the highest unemployment rate of any country in Europe except Greece, Ireland and what was East Germany. This package does not even take us back to last year's budget. Is it not a derisory response to unemployment? Is it not indeed, as we predicted in the House a few weeks ago, a Government response that is like so much else—too little, too half-hearted and, of course, too long delayed?

Mr. Howard: The hon. Member for Sedgefield (Mr. Blair) constantly criticises the level of resources that we devote to these matters, but the House will have noticed that he was totally silent on the subject of how much money his party would spend. He was totally silent because he knew that these matters were not included in those subjects that the shadow Chief Secretary identified as immediate spending priorities if the Labour party were ever to gain office. The hon. Gentleman's protestations therefore lack all conviction and meaning.

The hon. Gentleman asked specific questions about employment action. I can confirm that the remuneration for those on employment action will be on exactly the same basis as for those on employment training, and I think that will be understood and accepted by those who volunteer to take part in the scheme.

The hon. Gentleman alleged that employment action would not contain any training element. He was wrong. Where it is necessary to have an element of training to keep skills up to date, that training will be provided.

The hon. Gentleman referred to the Labour party's proposals, but he knows that, even if he got the money for them, they would never get off the ground. His proposals depend—as was explicitly expressed in the Labour party's policy statement—on negotiation area by area, project by project, with the trade unions. In Liverpool, the city with the highest unemployment in this country, the hon. Gentleman's proposals would depend on the consent of the trade union that this very day is threatening the people of that city, telling them that they will not be able to bury their dead. The only promise that the hon. Gentleman makes to the unemployed is that he will bring them reinforcements.

In 1983, when the Government introduced ballots for trade union members, the hon. Gentleman described our proposals as "shabby, scandalous and a disgrace". The Government, in partnership with trade union members and the electorate, have made him eat every word that he uttered then. The Government, in partnership with the unemployed and the electorate, will make him eat every word that he has uttered today.

Several Hon. Members *rose*——

Mr. Speaker: Order. It may help hon. Members if I say that, because there are 32 groups of amendments to the Planning and Compensation Bill to be discussed, as well as the Third Reading and the 10-minute Bill, I shall allow questions on the statement to continue until 4.20 pm, when we shall move on to the 10-minute Bill. If hon. Members ask single questions, perhaps all hon. Members who wish to ask a question can be called.

Mr. Dennis Skinner (Bolsover): What about jobs for ex-Prime Ministers?

Mr. Speaker: Order.

Mr. Ron Leighton (Newham, North-East): As unemployment has exploded for 14 consecutive months, is the Secretary of State aware that we have waited a long time for his statement? Has he not laboured long to produce a very small amount? Is not employment action the new feature of his statement? He said that 60,000 people would be involved, but as it is likely to be a six-month programme, will there not be about 30,000 people on it at any given time? Is not that equivalent to one twentieth of the extra unemployment inflicted on this country since the new Prime Minister took office? Is that really the new programme, or is it perhaps a small pilot project?

Mr. Speaker: Order. Briefly, please.

Mr. Leighton: As employment action will primarily be a work programme, what wages will be paid? Was the right hon. and learned Gentleman so ashamed of the amount that he did not include wages in his statement?

Mr. Howard: I answered that question when it was put to me by the hon. Member for Sedgefield (Mr. Blair). This is very far from a pilot project. It is a considerable response

[Mr. Howard]

to rising unemployment. It will offer practical constructive help to the unemployed and, as a result of the package, we will be helping an additional 250,000 unemployed people next year. If the hon. Member for Newham, North-East (Mr. Leighton) believes that that is not enough, he should have a word with the shadow Chief Secretary.

Sir Norman Fowler (Sutton Coldfield): Entirely contrary to what the hon. Member for Newham, North-East (Mr. Leighton) has just said, I congratulate my right hon. and learned Friend on his statement, which will do a great deal to combat the effects of unemployment. Will he give an assurance that, wherever possible and wherever appropriate, training should be part of the schemes that are introduced? If unemployment continues to rise, will my right hon. Friend confirm that the finance for those provisions will be kept under review by him and by the Government?

Mr. Howard: I am very grateful for my right hon. Friend's support for the package, and I am happy to give him the assurances for which he asks. Where training is necessary to help people on employment action to keep their skills up to date, it will be possible for the training and enterprise councils to make provision for that training. Of course we shall continue to keep those matters under review as my right hon. Friend suggested.

Mr. Andrew Rowe (Mid-Kent): Did my right hon. and learned Friend share my distaste at the manifest glee of the hon. Member for Sedgefield (Mr. Blair) when he tried to predict that the unemployed would not welcome the scheme? Does not the scheme bear out quite clearly our experience, that most people who are unemployed would rather have an opportunity to do something worthwhile, to keep their skills in practice and enhance their opportunities to gain a job? They will welcome the scheme even if the Labour party does not.

Mr. Howard: Of course my hon. Friend is entirely correct. We could have had no more signal example of the antediluvian attitudes of the Labour party than the response of the hon. Member for Sedgefield to the announcement of the package.

Mr. James Wallace (Orkney and Shetland): With unemployment at 2·25 million and rising, any package, however minimal, is better than nothing. Will the Secretary of State confirm a simple point? With unemployment today at 2·25 million and rising, even after the package is taken into account, will not less be spent on training than was spent two years ago when unemployment was 2 million and falling? In other words, the Treasury has won.

Mr. Howard: As we have now heard, even from the hon. Member for Sedgefield, it is undoubtedly the case —as I have been saying for many months—that we need a range of measures to help the unemployed. Training is not the only way to help them, and it is not always the best way to help them. That is why we have sought to provide a range of measures so that different unemployed people with different needs can be helped in different ways.

The hon. Member for Orkney and Shetland (Mr. Wallace) referred to the 2·25 million people who are unemployed at the moment. He will recall that more than 50 per cent. of those who become unemployed leave unemployment within three months. He will also recall, I hope, that in a full year we will now be able to help 900,000 unemployed people. That represents a considerable response to the needs of unemployed people.

Ms. Clare Short (Birmingham, Ladywood): The Secretary of State's answers are too long.

Mr. Colin Shepherd (Hereford): Does my right hon. and learned Friend agree that his commitment to the particular difficulties of those with literacy and numeracy problems will be much appreciated? When he talks to the training and enterprise councils, will he draw into his discussions the particular and difficult needs of those afflicted with blindness, and ensure that the TECs can purchase the proper training for the blind people in their areas in colleges and institutions that may not necessarily be in the particular TEC's area? I refer in particular to the centre of excellence in Hereford, which has a great deal to offer in that respect.

Mr. Howard: My hon. Friend has made an important point. It is important that the range of help that we are making available which the training and enterprise councils are delivering should be available for blind people as for others. I shall ensure that my hon. Friend's remarks are drawn to the attention of the TECs. It is possible through the range of our measures to provide help of that kind. Indeed, I met the 500,000th entrant to a job club in Barnsley just a few months ago. He was visually impaired and he obtained a job through the job club. He is a good example of the way in which we can help all unemployed people.

Mr. James Lamond (Oldham, Central and Royton): Is it not pitiful to see a lame duck Secretary of State twisting and turning to try to avoid the consequences of his own Government's policies? It is only a matter of days since we were told, "If it isn't hurting, it isn't working" and that "unemployment is a price worth paying." Has the Secretary of State lost all confidence in the market economy? Does he not believe the Prime Minister when he says that the recession will end in a few weeks? Will not the market absorb all those unemployed people? What does the right hon. and learned Gentleman see ahead that the Prime Minister does not that makes it necessary for him to introduce such measures?

Mr. Howard: As usual, the hon. Gentleman has got it completely wrong. Employment action and the other measures that I have announced today will help unemployed people to respond to the opportunities that the market will make available. There are 350,000 vacancies in our economy today. I want to see them filled as quickly as possible—and the vacancies that will arise next week, the week after and the week after that. We will help to achieve that through these measures, not through the hon. Gentleman's cheap, snide remarks.

Mr. David Gilroy Bevan (Birmingham, Yardley): Does my right hon. and learned Friend agree with the words of Mr. Eric Hammond this weekend, that Labour does not deserve to win if it sticks to its minimum wage policy?

Mr. Howard: My hon. Friend is entirely correct to remind the House about the damaging consequences for unemployment of the Labour party's minimum wage policy. That policy is now receiving widespread attention

and there is almost universal agreement that its consequences for jobs, prices and skills would be disastrous. Only the hon. Member for Sedgefield remains a prisoner of dogma and unable to see the devastating consequences of that policy.

Mr. Dick Douglas (Dunfermline, West): Can the Secretary of State give the House some information about the numbers that are likely to be involved in Scotland? Will he give me the assurance that, when we meet Scottish Enterprise on Friday, it will have detailed figures about the sums that it will be able to deploy? Turning specifically to training, does the right hon. and learned Gentleman really expect that training will be afforded in industry against the opposition of the trade unions and without any clear understanding of what people will be paid during the process? Will the right hon. and learned Gentleman come clean on those aspects?

Mr. Howard: I can certainly give the hon. Gentleman the first assurance he seeks, which is that the full figures will be available for the debate to which he has referred. Of course I welcome the co-operation of the trade unions in these matters but, as the hon. Gentleman will appreciate, that is an entirely different matter from saying that, before any scheme can be introduced, it must be negotiated with the trade unions area by area and project by project. The hon. Gentleman is not saying that, but the Labour party is.

Mr. Roger Gale (Thanet, North): My right hon. and learned Friend will understand that his statement this afternoon will be of particular interest to the many members of Thanet job club whom he is likely to meet when he visits my constituency this weekend. Is it not a fact that one of the most debilitating effects of long-term unemployment is loss of confidence? Will he confirm that employment action will help to restore that confidence? Does he understand that my constituents do not want half-baked measures that are negotiated by grace and favour with the trade unions? They want work, and this package will help them.

Mr. Howard: My hon. Friend is entirely right. I am greatly looking forward to my visit to his constituency on Friday, when I shall see in action the kind of practical help that we can give unemployed people to get them back to work, delivering the constructive assistance that Conservative Members are so keen to see in action. I very much welcome my hon. Friend's support.

Ms. Short: Having studied the long succession of different and ever cheaper schemes that have been introduced by the Government, I do not accept that what the unemployed need is work experience. Is the Secretary of State aware that I thought that the payment of £10 on top of benefit when peopole were on employment training was miserable, and that forcing people to work for £10 on top of benefit is to use the unemployed to pull down wages even further? The Government's great success is the massive growth of low pay in our economy. A national minimum wage is the answer—*[Interruption.]* It is better in terms of justice for people and it leads to greater economic efficiency than constant wage cutting, which goes with high labour turnover, poor investment and poor training, which is what this scheme will lead to.

Mr. Howard: I had hoped that, during her encomium to the minimum wage, the hon. Lady would give us her estimate of the number of jobs that it would destroy. It is agreed on all sides that a minimum wage would destroy jobs on a massive scale. The only disagreement between the commentators is about how many jobs it would destroy.

Mr. Alistair Burt (Bury, North): This package will be welcomed in the north-west. Does my right hon. and learned Friend agree that unemployment in the north-west fell substantially in the 1980s due to a combination of national economic conditions, diversification of local industry and an attractive atmosphere for investment in all but Labour-run Liverpool, where the city council cast a blight on Merseyside and its people for too long? Does he see anything in these measures that will help the north-west, especially Merseyside, to escape from under this cloud?

Mr. Howard: My hon. Friend is entirely right. When I was in Liverpool on Friday, I was able to see yet again the price that its people are paying for so many years of socialism and Labour government in action in that city. Of course the measures will help the north-west; they will also help Liverpool. The package proposed by the hon. Member for Sedgefield would not. It would be entirely dependent on the consent of the General, Municipal and Boilermakers Union in Liverpool.

Mr. Joseph Ashton (Bassetlaw): Is the Secretary of State aware that, in parts of my coal-mining constituency, unemployment is double the national average? It is not retraining but jobs that people need. When the Common Market offers funds to restore the productivity of coal-mining areas, why do the Government refuse to accept the principle of additionality? Why do they say that, for every pound that the Common Market puts into areas such as mine, the Government will take a pound out, making the area no better off at all?

Mr. Howard: The hon. Gentleman is right to say that what is needed is jobs. Jobs are what we have provided over the past 12 years. There are 3 million more jobs now than there were in 1983. Almost 1·5 million more people are in work than in 1979. As inflation comes down and interest rates fall, the hon. Gentleman will see a resumption of job creation on the scale that we brought about in the 1980s.

Mr. Ashton: Answer the question about additionality.

Mr. Howard: As for additionally—I am coming to the hon. Gentleman's question—if the hon. Gentleman looks even more closely into the matter he will find that the practice that the Government are pursuing is exactly the same as that pursued by their predecessors.

Mr. Jim Lester (Broxtowe): I congratulate my right hon. and learned Friend on the package. Does he agree that the most significant policy change that he has announced today is that help is now available to people who have been unemployed for three months and not only to those who have been unemployed for six months? Will he monitor the effect of that new initiative? If it works in the way that my right hon. and learned Friend suggested and most people hopefully find work within six months, will he consider extending that short-term action?

Mr. Howard: My hon. Friend is right to draw attention to that feature of the proposals which is new and will be of particular help to the newly unemployed. They will be provided with help by an assessment of their skills and potential. Advice and guidance will be given to them about how they can best get back to work. That is an important part of the measures, and I shall certainly monitor the way in which it works and bear in mind my hon. Friend's point in the course of that exercise.

Mr. Alexander Eadie (Midlothian): Bearing in mind the Secretary of State's reply to my hon. Friend the Member for Bassetlaw (Mr. Ashton) about additionality and RECHAR, does the right hon. and learned Gentleman not realise that the statement that he has made today will be treated with great displeasure in mining areas, because he has told the House that he will not disregard the money that the EEC wants to put into the mining areas to create more jobs?

Is the right hon. and learned Gentleman aware that, in my 26 years in Parliament, I have never heard of a Minister coming to the Dispatch Box to introduce measures for the approval of the House and seeking to argue in defence of them that the Government are spending more money than ever in history on unemployment, when unemployment is running at record levels in the history of any Government? Does he not realise that the news that he has given us today is very bad indeed, and nothing more than a public relations exercise?

Mr. Howard: I do not think that the hon. Gentleman speaks for his constituents. They, together with unemployed people throughout the country, will welcome the help that will be available to them. They will see that it is designed to be constructive assistance from which they can benefit; and they will want to benefit from it.

Mr. Barry Field (Isle of Wight): Will my right hon. and learned Friend confirm that sufficient flexibility will be left with the training and enterprise councils to allow them to support vital skill courses, such as those for the construction industry which is facing a downturn, that will help such industries over their current problems?

Mr. Howard: I know that my hon. Friend has taken a close and keen interest in that matter, and that he is actively pursuing it with the Isle of Wight TEC. TECs have greater flexibility than has ever been made available to similar bodies before. I know that the TECs are keen to use that flexibility, where circumstances permit, in the way that my hon. Friend has suggested.

Mr. Jimmy Hood (Clydesdale): The Secretary of State has come to the House to convince us that these measures will help the unemployed. Not one Labour Member, not many in the country and certainly none of the unemployed will believe a word that he has said. If I can borrow a phrase from a former Prime Minister, the Secretary of State's contribution for the unemployed is very minute. How much per week will the people who participate in the scheme be paid? Will they be paid benefit-plus or a decent wage?

Mr. Howard: I take some comfort from the fact that most of the measures announced by the Government over the past 12 years have failed to persuade Labour Members. Happily, they have met with much greater success in persuading the people of this country. We regard the reaction of the people as the final arbiter, and I am sure that their reaction to the package will be very different from that of the Labour party.

Sir Robert McCrindle (Brentwood and Ongar): Although I welcome my right hon. and learned Friend's reference to white-collar and executive unemployment—something to which comparatively little attention has been given—and although I welcome the benefits of the measures for people in those categories, may I urge upon him a further initiative that will cost him nothing? Many unemployed executives are what we still refer to as middle-aged. As there seems to be a continuing bias by many employers against the re-employment of middle-aged people, will my right hon. and learned Friend put his weight behind an approach to the CBI to suggest that, if a vacancy exists, just because one is over 45 or 50 is no reason why one should not be considered?

Mr. Howard: I am grateful to my hon. Friend for his support, but I hope he will not take it amiss if I point out that he is not entirely right to say that we have hitherto ignored the problems of unemployment among white-collar workers and executives. There are already a number of executive job clubs, which have been remarkably successful in helping people in that category back to work.

I note my hon. Friend's point about the importance of not discriminating against older workers. We do whatever we can to encourage employers to adopt good practice in that respect. My hon. Friend will doubtless know that the jobcentres are in the forefront of good practice and take their responsibilities on this matter very seriously.

Mr. Frank Haynes (Ashfield): Is the Secretary of State aware that the policies he has put forward for the unemployed are useless, like him? What am I going to tell the unemployed back in my constituency, bearing in mind that the Government keep coming up with a new scheme every other week? The unemployed in my constituency do not believe the Secretary of State because of what is happening; unemployment is climbing and climbing and climbing. They will not believe the Secretary of State, so what am I going to tell them?

Mr. Howard: I hope that the hon. Gentleman will tell his unemployed constituents to go along to their local jobcentre to find out what practical help is available to them. Then they will not have to take it from me or take it from him; they will be able to take it from the people who have the help available.

Mr. Graham Riddick (Colne Valley): The extra help and resources that my right hon. and learned Friend has announced today will be widely welcomed by unemployed people in my constituency and in west Yorkshire. Will he assure me that he will take no lessons from the hon. Member for Sedgefield (Mr. Blair), whose policy of introducing a minimum wage and unquestionably accepting the socialist charter from the European Community would massively increase unemployment in Britain?

Mr. Howard: My hon. Friend is entirely right: there can be no doubt that, as increasing numbers of independent estimates confirm, the Opposition's job destruction package would spell doom for many hundreds of

thousands of people in Britain. My hon. Friend is right to draw attention to it, and we will not allow the British people to forget it.

Dr. John Reid (Motherwell, North): Why could not the Minister have found even 30 seconds in the last 40 minutes to express regret to the unemployed? Why could he not have had the strength of character to say, "I am sorry that we have created the conditions which have rendered you unemployed, I am sorry that we cut the schemes last year and I am sorry that we did not listen to those who have been saying for 12 months that there should be more money for retraining and job opportunities for the unemployed"? Does he find that impossible?

The 3,500 steel workers in my constituency who have been made redundant in the last four months will not be interested in him or anyone else scoring points here on a minimum wage. They want a wage—any wage at present. They will be convinced that, after 12 months of refusing to bring forward employment and training schemes, the reason why the Minister has suddenly done so has nothing at all to do with the protection of their jobs, but everything to do with the protection of his job and those of his cronies in the Cabinet.

Mr. Howard: The hon. Gentleman is entirely wrong on almost every count. I have expressed my real sympathy with the unemployed on numerous occasions. Nor is this the first measure that we have brought forward. I recently announced £120 million additional money for employment training and £55 million additional money for the Employment Service. We have responded to rising unemployment at every stage and in an appropriate way. The hon. Gentleman should reflect upon the fact that it is clearly on the record that the policies advocated by the Labour party, if put into effect, would have made unemployment worse today, and the policies which his party is putting forward now would make unemployment worse in the future.

Mr. David Madel (Bedfordshire, South): My right hon. and learned Friend has announced welcome help for the shorter-term unemployed, who are often people from the construction industry, and I assume from that that the training and enterprise councils may have to take on more people to help. Will he also have a word with his right hon. Friend the Secretary of State for the Environment to see whether, in the public expenditure round now approaching, we can have an accelerated programme of modernisation of council houses and greater improvement grants, so that the work that the training and enterprise councils do will bear fruit in more jobs in the construction industry?

Mr. Howard: I am sure that my right hon. Friend is already well aware of the point that my hon. Friend makes, and that he will bear it fully in mind.

Mr. John D. Taylor (Strangford): It would be churlish not to welcome the Secretary of State's statement, particularly at a time when the nation is suffering from a rapid increase in unemployment, but does he agree that the opportunities for the unemployed would be better enhanced if the Government created an economic and industrial policy which encouraged industrialists and business men to create new jobs? As the Secretary of State has announced that the programme will be implemented by the training and enterprise councils in England and Wales and the local enterprise companies in Scotland, has he been in contact with the Northern Ireland Office? Does he accept that the highest level of unemployment in the United Kingdom is in Northern Ireland, and will Northern Ireland benefit from some similar scheme to help the unemployed there?

Mr. Howard: This Government have in place the policies designed to lead to job creation, and they will succeed in the future as they have in the past. The right hon. Gentleman will know that the key necessity if we are to create more jobs is to bring inflation under control. That is what is happening, and it is precisely what the policies pursued by the Government are achieving.

The right hon. Gentleman will know that I do not have responsibility for these matters in Northern Ireland. He will also know—and give credit for the fact, I am sure—that my colleagues in the Northern Ireland Office take their responsibilities for unemployment and training in the Province very seriously.

Mr. Patrick Nicholls (Teignbridge): May I congratulate my right hon. and learned Friend on introducing a package of proposals which acknowledges that training is not the only answer when it comes to helping the unemployed? What does he make of the call heard today from the Labour Front Bench spokesman for increased funds for employment training, given that, in 1988, the Labour party conference called on all Labour authorities and councils to oppose the provision of employment training in every way? What will be the verdict of the unemployed on this brazen disregard of the Labour party's recent past?

Mr. Howard: My hon. Friend is right. Not only was employment training opposed by the Labour party; it has opposed tooth and nail every training initiative that the Government have come up with—even the technical and vocational education initiative, which was described by the Leader of the Opposition as fit only for hewers of wood and drawers of water. The Labour party's record on training, in government and in opposition, has been negative from beginning to end.

Mr. Eddie Loyden (Liverpool, Garston): Does not the Secretary of State recognise that the Government have been in power for almost 12 years and have created the climate in which unemployment has again risen to record heights? Will he take into account the fact that the unemployed themselves view with great cynicism the schemes introduced by the Government over the years, which have done nothing to contribute to a permanent decline in unemployment? When will he begin to think about getting Britain back to work?

Mr. Howard: The hon. Gentleman is wrong in almost every respect. Unemployment is not at record heights. Millions of people have benefited from the programmes that the Government have introduced, which have helped many of them back to work. If the hon. Gentleman wants to learn the lessons of the past, I suggest that he examine the long period when he and his friends have been in office in the city of Liverpool. He will see surrounding him in his own city the results of socialism.

Mr. Peter Viggers (Gosport): Does my right hon. and learned Friend agree that older workers in their 60s, 50s and even 40s can find it particularly difficult to regain

[Mr. Peter Viggers]

employment? Does he agree that the measures announced today for further appraisal and training will be especially helpful to this group, who have much to offer in terms of discipline and loyalty?

Mr. Howard: My hon. Friend makes an important point. The help in some of the measures that I have announced today will be of particular value to people in the age groups that he identified, and I am delighted that we shall be able to help them in this way.

Mr. John Battle (Leeds, West): Can the Secretary of State explain how my constituents can go along to their job club when recently his Department closed the only jobcentre in my constituency, in Bramley? His colleague told them to go to Horsforth in the constituency next door after promising the hon. Member for Pudsey (Sir G. Shaw) that that jobcentre would be kept open. It has also now closed, so how will the unemployed even gain access to these fringe initiatives when the Department has in the past year closed 1,000 jobcentres—their numbers have fallen from 2,000 to 1,000? Would it not be better to deal with that problem first?

Mr. Howard: I hope that the hon. Gentleman is not confusing jobcentres and job clubs.

Mr. Battle: I meant jobcentre.

Mr. Howard: The Employment Service always keeps under review the provision that it makes through jobcentres. When that provision needs to be modified, changed or adjusted, it acts accordingly. The hon. Gentleman will find that his constituents will have no difficulty in taking full advantage of the help that we provide through job clubs and other means. I hope that he will examine the extent to which they are benefiting from these measures and come back and tell the House how much help they are getting from them.

Mr. Tony Favell (Stockport): My right hon. and learned Friend's plans to help those who cannot read or write are most welcome. It has been estimated that 30 per cent. of the long-term unemployed are innumerate or illiterate or both. Would he like to come to Stockport to see the adult literacy and numeracy unit run by Mrs. Lois Haslam? The unit conducts one-to-one contact with those who cannot read or write, and is staffed largely by volunteers. A person who cannot read or answer a job advertisement is at an enormous disadvantage. Good work has been done at the unit, and I recommend that my right hon. and learned Friend has a look at it.

Mr. Howard: I was in Stockport only a couple of weeks ago, but I regret that I did not visit the centre to which my hon. Friend referred. I should like to do so the next time that I am in Stockport.

Mr. Ron Brown (Edinburgh, Leith): Surely the Secretary of State is weeping crocodile tears for the unemployed. In my constituency, a large fertiliser plant, SAI, is being deliberately closed down, although it is one of the most efficient plants in the United Kingdom, because the Government are opposed to its takeover by Kemira, a Finnish state-owned company. Is that not a disgrace and a kick in the teeth? It shows the Government's double standards.

Mr. Howard: If the hon. Gentleman is suggesting that the Labour party should not adopt a proper competition policy that requires scrutiny of such matters, he should put his question to his Front-Bench colleagues.

The Labour party is expert at shedding crocodile tears. It declaims about the rise in unemployment while constantly pressing for measures that would be certain to increase unemployment substantially.

Mrs. Edwina Currie (Derbyshire, South): Is my right hon. and learned Friend aware that in my constituency —also a coal-mining area—employment has risen much faster than the national average in recent years? We do not moan about the problems; we talk about the strengths and invite private industry to come to our area.

There are excellent job clubs in Derby and in south Derbyshire. Will my right hon. and learned Friend build on the strengths of such job clubs, especially by making their services available to unemployed people on a much shorter time scale than the current six months that they have to be unemployed to qualify?

Mr. Howard: I shall certainly consider my hon. Friend's suggestion. She will appreciate that the package that I announced today includes help for the newly unemployed, which will be useful to the people to whom she referred. I shall bear her suggestion in mind for the future.

Mr. Tony Worthington (Clydebank and Milngavie): Sadly, this will not be the last time that the Secretary of State will come to the House to complete a U-turn on training. It is a pity that there could not have been a more substantial return at least to the levels of payment of a few years ago. The sickest thing about today's announcement is that the 60,000 makework opportunities will be counted in the Government's figure for the jobs that they have created. They will be counted as employment when no one on the scheme will regard them as proper jobs. People will not get the rate for the job, and they will have no employment rights.

To put the matter in context, the proposal involves 6,000 places—that is the number by which the level of unemployment in Scotland increased in one month. Will the Secretary of State confirm that, if the community programme had been continued and had paid the rate for the job, people on the programme would have received over £90 a week, while people on this new scheme will receive £50 a week?

Mr. Howard: I think that the hon. Gentleman is confusing the facts. I did not refer to 6,000 places. Next year, 60,000 people will be helped by employment action, and 250,000 people, in addition to the 650,000 we help now, will be helped by these measures.

The precise level at which people on the scheme will be paid will depend on the level of benefit to which they are entitled, as I made clear in my statement. *[Interruption.]* Perhaps the hon. Gentleman and the hon. Member for Sedgefield, as they mutter about this aspect, will reflect on how much help they would be able to give the unemployed if they introduced a scheme that insisted on payment of not only the rate for the job, but the rate of the minimum wage. The amount of help would be truly derisory, even if they were able to get any money from the shadow Chief Secretary to the Treasury, and they know it.

Several Hon. Members *rose*——

Mr. Speaker: Order. I am genuinely sorry not to have been able to call every hon. Member, but I shall bear in mind those whom I have been unable to call when we next deal with this matter.

Point of Order

Mr. Elliot Morley (Glanford and Scunthorpe): On a point of order, Mr. Speaker. May I seek your guidance on a procedural matter relating to amendments to the Natural Heritage (Scotland) Bill? I served on the Standing Committee considering the Environmental Protection Bill 1990, which led to the formation of the three countryside agencies and Scotttish Natural Heritage. During the Bill's passage, Committee members were assured that no changes would be made to sites of special scientific interest on a national basis, and that such changes would not be included in a Scottish Bill either, as they were a national issue.

On 6 June, contrary to those assurances, the Government accepted an amendment in the other place allowing a right of appeal in relation to SSIs, in Scotland only. Should not the Secretary of State make a statement about that? Is the Natural Heritage (Scotland) Bill the right legislation in which to frame such amendments, bearing in mind that the Government have pandered to vested landowning interests contrary to the assurances given in Committee?

Mr. Speaker: I do not think that that is a matter for me. It is very much a matter for the Government, but if the Bill is now in the other place, it will return to the Commons and the Government will have to explain the amendment. The hon. Gentleman will then have the opportunity to put his point.

BILLS PRESENTED

Licensing of Ticket Sales

Mr. Menzies Campbell presented a Bill to provide for the licensing of ticket sales for sporting events and entertainments; and to make further provision with respect to the powers exercisable by local authorities in relation to such sales: And the same was read the First time; and ordered to be read a Second time on Friday 5 July and to be printed. [Bill 189.]

Sexual Offences (Amendment) Etc.

Mr. Harry Cohen, supported by Ms. Mildred Gordon, presented a Bill to amend the Sexual Offences (Amendment) Act 1976; to make further provision in respect of the offences of rape and sexual assault; to provide protection for women at risk of rape, sexual assault or domestic violence; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 28 June and to be printed. [Bill 190.]

Pet Animals (Amendment)

4.26 pm

Mr. David Amess (Basildon): I beg to move,

That leave be given to bring in a Bill to amend the Pet Animals Act 1951.

The inspiration for the Bill comes from a song that my children are often heard singing:

"How much is that doggie in the window,
The one with the waggly tail,
How much is that doggie in the window,
I do hope that doggie's for sale."

My Bill is about animal welfare. It is not an attack on pet shop owners, and it is certainly not an attempt to spoil children's enjoyment. For a number of years, my long-suffering parents lived in fear of whatever animal their wayward child would next bring home. There was no limit to the range of animals that I might capture or purchase from a pet shop: goats, peacocks, pheasants, ducks, geese, salamanders, newts, snakes, frogs, toads, dogs and many others.

As a small child, I should never have been allowed to buy those animals. I had, and still have, responsible parents, who made sure that the animals were well looked after; sadly, however, there are too many instances throughout the country of cruelty to animals, which are reported by the RSPCA and other well-meaning, caring groups.

"Which?" recommends that anyone who purchases an animal should first consider

"who'll be responsible for your pet? Remember, children can lose interest".

"Which?" also asks:

"how much time do you want to spend looking after your pet?

Who'll look after it when you're on holiday?

Is someone at home for most of the day, or should you choose a pet that's happy on its own?

Can you afford to keep the pet of your choice? Consider vets' bills, food, insurance and the cost of boarding when you're away.

Which kind of pet is most suitable for the size and type of home you have?

Do you want a long-term or short-term commitment?"—parrots, for instance, can live for more than 100 years—"many young animals need peace, quiet and lots of your time when they're new; never buy a pet as a surprise for someone, unless you're prepared to keep it yourself if it's rejected".

"Which?" says that it should be remembered that a pet is a commitment for 365 days a year.

Only last year, the "Which?" organisation visited 100 pet shops and made return visits to 29. The majority had good practices, but in a minority it was clear that the owners had no idea how to keep the animals that they were offering for sale. I have a few examples. One shopowner told a child who wanted to purchase two guinea pigs that it was all right to keep two males together in the same cage, but very soon, one male guinea pig killed the other. Another told a child that he could keep a red-eared terrapin in an unheated tank, but terrapins need to be kept in warm water at a temperature between 23 and 30 deg C, so the terrapin died very soon after it had been bought.

Perhaps the most appalling example concerned a baby alligator. I do not know whether hon. Members have seen baby alligators, but they are rather cute, and look like a lizard. A pet shop owner sold a baby alligator to a child and, within a short time, the parents had to keep the alligator in a bath.

My Bill amends the Pet Animals Act 1951. This legislation is now 40 years old, and the range of animals

[Mr. David Amess]

that are for sale in pet shops has altered tremendously in that time. There was an amendment to the Act in 1983, but my Bill will bring it much more up to date. My proposals are as follows.

First, it should be mandatory for a qualified veterinary surgeon to carry out an inspection before the local authority decides whether to issue a licence. At the moment, the inspection can be carried out by a vet or "such similar person". Local authorities should have right of entry to unlicensed premises where they suspect that animals are being sold. Most important of all, it is crazy that, at the moment, a 12-year-old can go into a pet shop and buy a piranha or a python. My Bill would ensure that no animal will be sold to a person under the age of 16 unless a parent is present and has given permission.

Furthermore, no animal should be kept for sale unless the vendor is familiar with how to care for the health and welfare of that animal. Without appropriate written instructions on this, no animal should be entrusted into the prospective purchaser's hands.

So as to improve control over the trading of dogs, the Bill requires every person who keeps a breeding establishment or who carries on a business that includes the selling of dogs as a pet to keep a record showing details of the dogs and where they have been bought and sold. I know that another Bill deals with puppy farming. This should make it difficult for a dog breeder to claim that he is operating only on a small scale or with only one or two bitches. Local authorities that license pet shops under the Pet Animals Act 1951 and the Breeding of Dogs Act 1973 will have the power to demand to see the records. Schedule 3 to the Deer Bill contains a form of record that could serve as a model for the proposals in my Bill.

I make no apology for attempting to introduce yet more animal welfare legislation this year. I trust that I take the House with me when I assert that at the very heart of a civilised society is the judgment of how animals should be treated. My Bill will help to improve the general welfare of animals. I hope that the House will be seen to have a big heart today.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Amess, Sir Bernard Braine, Mr. Tony Banks, Mr. Andrew Bowden, Mr. Harry Cohen, Dame Janet Fookes, Mr. Roger Gale, Mr. Ken Hargreaves, Mr. Simon Hughes, Mr. Terry Lewis, Mr. Alan Meale, and Mr. Phillip Oppenheim.

PET ANIMALS (AMENDMENT)

Mr. David Amess accordingly presented a Bill to amend the Pet Animals Act 1951: And the same was read the First time; and ordered to be read a Second time upon Friday 28 June, and to be printed. [Bill 191.]

POINT OF ORDER

4.34 pm

Mr. Bob Cryer (Bradford, South): On a point of order, Mr. Deputy Speaker. I want to inform you, as briefly as I can, of the circumstances in which I escorted around Parliament today blind and partially sighted students from Temple Banks school in my constituency. It is appalling that the House has no facilities, such as a rest room, that members of the public use. If they wanted a meal, those students had to be led off by the people who accompanied them as their guides. There should be more facilities in the House for such people, and an opportunity to book a suitable room in advance.

I know that such matters are being considered by a committee, which is awaiting the completion of the building in Westminster Bridge road—but that is a long time away. It should be possible to provide suitable accommodation in the House, bearing in mind the lavish facilities that are available in the House of Lords, and which are mostly under-used by members of another place. There is also a proposal to provide MEPs with facilities within the House, but surely the needs of disabled constituents, for example, should receive priority.

I know that you cannot make a decision alone, Mr. Deputy Speaker, but I trust that you will add your weight to bringing pressure on the administration to speed up matters. It is less than adequate for so few facilities to be available to our visitors.

Mr. Tam Dalyell (Linlithgow): Further to that point of order, Mr. Deputy Speaker. I want to reinforce the point made by my hon. Friend the Member for Bradford, South (Mr. Cryer). Having not only met members of his visiting party this morning, but taken around pupils from Donaldson's school for the deaf and others, I know that the problem he mentions is one faced by all right hon. and hon. Members. Most of us find ourselves hosting a party of handicapped persons at some time or another, and better facilities should be provided.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Deputy Speaker. My hon. Friend the Member for Bradford, South (Mr. Cryer) mentioned the proposal to provide facilities for MEPs. It is a fact that the Leader of the House is considering proposals to extend federalism into the House. MEPs will be allowed to use its facilities, and will be found rooms at a time when, as my hon. Friend says, he is campaigning along with many other hon. Members for proper meal and other facilities for constituents on visits to Parliament. It is high time that the Lord President was told by Mr. Speaker that he should make sure that, instead of allowing people from the Common Market to come here willy-nilly, priority should be given to our constituents.

It says something about our society when the Government are more concerned with setting up avocado soup kitchens for distressed Lloyd's members than they are about people from Bolsover.

Mr. Deputy Speaker (Sir Paul Dean): Order. As hon. Members have said, the matter is now being considered by the Services Committee, and I can suggest only that hon. Members may wish to draw to the Committee's attention the incidents that occurred today.

Orders of the Day

Planning and Compensation Bill [Lords]

As amended (in the Standing Committee), further considered.

New Clause 20

STATUS OF DEVELOPMENT PLANS (NO. 1)

'. At the end of Part II of the principal Act there is inserted—

"CHAPTER III
GENERAL

Status of development plans.

54A. Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise".'.—*[Sir George Young]*

Brought up, and read the First time.

4.40 pm

The Minister for Housing and Planning (Sir George Young): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take Government new clause 21—*Status of development plans (No. 2).*

Sir George Young: The purpose of new clause 20 is to fulfil the commitment that I gave to the House on 16 May when we debated new clause 13. New clause 21 makes equivalent provision for Scotland.

New clause 13, tabled by the hon. Member for Hammersmith (Mr. Soley), was designed to enhance the status of the development plan in the decision-making process—specifically when the planning authority deals with an application for planning permission under section 70 of the Town and Country Planning Act 1990. In responding to the substantial debate on 16 May, I said that we were prepared to concede new clause 13, subject to correcting some defects in it. Our decision to make that concession was widely welcomed. Indeed, no less a body than the Council for the Protection of Rural England hailed it as a "historic promise", strengthening
"the whole basis of the planning system"
and moving forward to a
"new era".

In the event, we did not reach a vote on the new clause. That has given the Government the opportunity to table our own new clauses, which achieve the basic objective of new clause 13 but without the defects.

Our new clauses make clear what having regard to the development plan means—not just in section 70(2) of the 1990 Act, but in all places where the planning Acts require regard to be had to development plans. In future, it will mean that the determination is to be in accordance with the plan, unless other considerations indicate otherwise.

That would make clear to local planning authorities and others how to go about making the decision. If the development plan has something to say on a particular application, the starting point would be that the plan should be followed unless the weight of the other considerations tell against it. In other words, there would be a presumption in favour of the development plan. But it would still allow appropriate weight to be given to all other material considerations.

One material consideration would, of course, be the extent to which the development plan was up to date. Clearly, if the development plan is to carry its full weight it needs to be up to date and consistent with national and regional policies as well as relevant to the proposal in question.

The Government have tried to be helpful, and if the House accepts new clauses 20 and 21 there will be no need to move new clause 13 and no need for us to table amendments to it in another place. I commend the new clauses to the House.

Mr. Clive Soley (Hammersmith): I am delighted to welcome new clause 20. It has been described as by far the most significant concession that the Government have made on the Bill in either of the Houses of Parliament. It gives force to the Minister's statement on Second Reading that he wanted development to be plan-led rather than market-led. I have taunted him about that, but I must withdraw my taunt now, because this concession shows that the plan now has an important status in determining development outcomes.

When we tabled new clause 13—which, as the Minister said, was the parent of new clause 20—I did not expect that such a concession would be made. The Minister has gone further than we expected, and it would be churlish of me not to put on record our gratitude for the Government's move. It will be welcomed not only by the Labour party but by many Conservative Members and many outside organisations.

The new clause will enable local authorities to plan more sensibly and effectively for their areas. It deals with problems that have been caused to planning authorities and developers in both the north and south of England. A major step forward has been taken. That is a good start to today's debate, and I welcome it. I shall not persist with new clause 13.

Mr. Anthony Steen (South Hams): Will my hon. Friend be sending out a direction to the planning inspectorate with a definition and explanation of the phrase "material considerations", so that the inspector has an idea what the Government have in mind and does not let his imagination loose on what could constitute other material considerations?

Sir George Young: I shall reflect on my hon. Friend's question, but the notion of "material considerations" is not new. It already appears in planning legislation, so I suspect that there may be no need to redefine exactly what it covers. I shall think about what my hon. Friend has said and decide whether fresh guidance is required for my planning inspectors in order to clarify the Government's policy.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 21

STATUS OF DEVELOPMENT PLANS (NO. 2)

'At the end of Part II of the 1972 Act (development plans) there is inserted—

"General
Status of development plans.
18A.—Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.".'.—
[Sir George Young.]

Brought up, read the First and Second time, and added to the Bill.

New Clause 14

AGRICULTURAL BUILDINGS

'—After section 59(3) of the principal Act (Development orders) there is inserted—

"(4) No development order may grant permission for the erection of a building for the purposes of agriculture.'."—
[Mr. Win Griffiths.]

Brought up, and read the First time.

4.45 pm

Mr. Win Griffiths (Bridgend): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take new clause 18—*Agricultural buildings (No. 2)*—

'Planning Permission shall be required for the erection of a building for the purposes of agriculture in specially designated conservation areas including national parks, areas of outstanding natural beauty, national nature reserves, sites of special scientific interest, heritage coastline, marine nature reserves, conservation areas and any other areas of special landscape value identified by local authorities.'.

New clause 19—*Planning control over agricultural and forestry roads*—

'After section 59(3) of the principal Act (Development orders) there is inserted:

"(4) No development order shall grant permission for the formation of a private way for the purposes of agriculture or forestry.".'.

Mr. Griffiths: Quite a lot of water has flowed under the bridge since we last considered the Bill. I am a new Member of the House, having been elected at the previous general election—I had hoped that I would have been re-elected by now, but things have happened to put off the next general election. As a new Member, I was intrigued by the Government's failure on 16 May, the day of the Monmouth by-election, to move the business motion on the Order Paper to continue and complete business on the Bill on that day. I checked to find out how often that had happened in the past decade, and I could find only three other examples. On two of those occasions the business was considered the next day, as the previous evening's motion suggested, and on the other occasion the business was considered immediately after the weekend. This time, however, we have had a five-week wait.

In some ways we have benefited from having had to wait, because in the meantime the Government have made significant concessions. The most important of those was embodied in new clause 20, but there have also been some concessions in relation to the new clauses on agricultural and forestry buildings and roads—the subject of our new clauses.

We welcome the further Government concessions on special exemptions from full planning control of agricultural and forestry buildings and roads, which have long been the cause of one of the great anomalies in the planning system. Although I welcome the Government's attempt to take account of the anomaly, I must still say that it does not go far enough. We believe that the only satisfactory solution is that embodied in our new clauses—that agricultural and forestry buildings and roads should be the subject of proper planning approvals.

The present situation is unsatisfactory. I shall cite two examples from my constituency to illustrate the problems. One example relates to my own village of Cefn Cribwr. The village runs for a mile or so along the top of a ridge, so that from almost every house in the village there is a magnificent view of the surrounding countryside. I am talking in this case about the view from the common, by the Wesleyan Methodist church, towards Margam park, the mountains and the Llynfi and Afan valleys. It is an absolutely magnificent view—one of the best that one could wish to find anywhere in the world.

Recently, a local farmer was able to put up a building for agricultural purposes which, to all intents and purposes, blocked the view enjoyed by a number of people. Right next to the site of that building there is a waterworks holding water for the village of Cefn Cribwr. The farmer could easily have placed the building below the waterworks without affecting the visual amenity enjoyed by anybody. The farmer claims that the planning authority said that the place that he had chosen was perfectly all right and that the building would offend nobody, although the planning authority vigorously denied that it had ever made such a recommendation in its discussions with him. Because the building was not subject to any proper planning procedure, the farmer was able to site it in such a way that it is severely detrimental to the visual amenity enjoyed by those living in Cefn Cribwr.

My second example concerns the laying of agricultural roads, sometimes to the anger of many in my constituency of Bridgend. I shall cite only one case although, on several occasions in the few years for which I have been the Member of Parliament for Bridgend, the actions of Mr. Boland, the estate manager in question, have caused consternation and anger to those living in and around the community of Penyfai. On just about every occasion, it has been found that he has acted within the law—or, rather, right up against the edge of the law—so that it has been very difficult for the planning authority to act. A matter of weeks ago, he built a new road. So large were the mounds of earth and so extensive were the works being undertaken that it looked as though a motorway was under construction. It is generally agreed that the agricultural purpose of the road is very difficult to define, although no doubt when pressed by the local planning authority, Ogwr borough council, Mr. Boland will produce an explanation of the road's agricultural purpose; indeed, he has probably already done so. Nobody in the community can see what that purpose is. If that road had been subject to proper planning procedures, there would have been an opportunity for its true use to be estimated and for the planning authority to make a real decision about whether it should be approved or not. As it is, the planning authority has no power to do that, and it would not have such power even under the Government's concessions.

I appeal to the Government to reconsider the concessions that they have made and consider some means —without the need to introduce primary legislation—by which the notification to local authorities of new buildings

or roads can be made the subject of a proper planning application if concern is expressed either by the planning officer or in observations made by local people.

I accept that the Government have made considerable concessions and that they have improved matters. Nevertheless, I look forward to hearing that they are prepared to go even further and accept the new clause.

Mr. Steen: The Minister will know that, in Committee, I expressed my concern about the way in which agricultural buildings under 5,000 sq ft could be put up without any planning consent being given. I emphasised the problems that I face in south Devon where a few farmers—I stress that it is only a few—have cocked a snook at the planning system and have put up agricultural buildings of 5,000 sq ft and under in very sensitive areas. One is on the heritage coastline, right on the edge of the cliff, and can be seen for miles around. Another was sited in the most sensitive of all areas, on the banks of the river Dart. It is a white concrete structure that can be seen for miles around and a long way up the river. The farmer in question said that he used it to store apples. Only two weekends ago a third building of just under 5,000 sq ft was put up at the 850 ft contour—the top of the hill is at 860 ft—just above Totnes Cross, a landmark that can be seen for miles around. We are not quite sure of the purpose for which the building is intended but, to many people for miles around, it is a tremendous eyesore. It does not do the countryside any good, it certainly does not do tourism any good and it ruins the quality and value of the landscape.

I should stress that the majority of farmers throughout the country and in south Devon are highly responsible, admirable people who have the highest regard for the environment and the countryside and would not dream of acting in that way. A few rogue farmers, however, have put the whole profession in a bad light.

The Government rightly decided that something would have to be done about the problem, even though a minority rather than a majority of farmers were involved. I am delighted that, since the Bill left the Standing Committee, the Government have answered at length a question tabled by my hon and learned Friend the Member for Burton (Mr. Lawrence) in connection with the problem. That answer appeared at column 487 of *Hansard* on 7 June.

The Government have advanced an ingenious idea. As I understand it—perhaps the Minister will confirm that my understanding is correct—the Government are saying that, whenever an agricultural building of whatever size is to be built, the farmer must go to the planning authority and explain that he intends to put up that building on a particular site. I am sure that the planning authorities would never have agreed to the siting of the buildings on the heritage coastline, on the banks of the Dart and at 850 ft above Totnes Cross. The planning authority must then suggest to the farmer an acceptable alternative site on his land. If the farmer is not prepared to accept the decision, he must go to appeal and have the planning inspector hear his case. I want to be clear whether that applies to all buildings, including buildings of 5,000 sq ft and under, and whether it is also relevant to areas of outstanding natural beauty. Am I right in thinking that the whole countryside will be covered by regulations stating that farmers can no longer put up barns without the planning authorities' agreement to the site?

New clause 18 was tabled by my hon. Friend the Member for Harrow, East (Mr. Dykes) who is unfortunately attending a Select Committee at present. He informs me that there are four farms in Harrow, East and he is concerned about the problem to which I have drawn the attention of the House. He has told me that, if I have it right, and no more farm buildings will spring up on sensitive sites, as they have in south Devon, he would not wish to press the new clause to a Division. I would not wish to press it either because I think that the Government have done a very good job. I merely want to make sure that I have understood the Government's position correctly and, more important, that my farmers understand it correctly. I look forward to hearing the Minister's confirmation that agricultural buildings under 5,000 sq ft will no longer be built in sensitive places if the planning authorities say that they may not.

5 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tim Yeo): These amendments seek to end the limited permitted development rights for constructing agricultural buildings and farm and forestry roads, so that specific planning permission would be required in every case. New clauses 14 and 18 would end such rights throughout England and Wales and resemble an amendment tabled by the Opposition in Committee —both then and now, they reflect the Opposition's traditional hostility to agriculture and a lack of sympathy for the difficult circumstances in which many farmers find themselves today.

I am not sure whether new clause 18 has been moved, but it has been referred to by my hon. Friend the Member for South Hams (Mr. Steen) and it aims to end permitted development rights for erecting agricultural buildings in national parks, areas of outstanding national beauty, sites of special scientific interest and in other specially designated conservation areas. That would mean that every small change in the line of a farm road and every farm building, however small, would require a full planning application to the local authority. That would be out of proportion, and has not been justified.

However, we take such issues seriously and recognise that there is concern in rural areas, which, as my hon. Friend the Member for South Hams said, is caused by insensitivity on the part of a small number of farmers, who unfortunately tar the agricultural community with their reputation because of the occasional erection of a farm building in an objectionable position.

I am glad to assure the hon. Member for Bridgend (Mr. Griffiths) that the two examples that he quoted in his constituency would be completely and satisfactorily dealt with by the changes that the Government propose to make. When we announced a significant extension of planning controls over agricultural buildings and farm and forestry roads last week, we dealt with precisely the sort of problems that he referred to.

For some time, there have been discretionary controls in national parks over permitted development. The White Paper last year proposed to extend the system to other parts of England and Wales as well as to introduce controls over small farm buildings. Following public consultation, we announced that we would not only implement those two proposals but we would go further. In national parks, farmers and foresters already have to

[Mr. Tim Yeo]

notify the planning authority of all new buildings that they propose to erect under permitted development rights. The authority may then choose to exercise control over the siting, design and external appearance of new buildings on visual amenity grounds. That system works well and we have decided to extend the arrangements to all parts of England and Wales, and to extend the scope of the control.

The new arrangements will cover not only new buildings, as we proposed in the consultation paper, but also significant extensions and alterations, and farm and forestry roads. The considerations to be taken into account by local planning authorities will not be limited to visual aspects, but will extend to the desirability of preserving ancient monuments and their settings, known archaeological sites, the settings of listed buildings, and sites of recognised nature conservation value, including SSSIs.

The new arrangements will be accompanied by guidance to local planning authorities, stressing the importance of reconciling environmental considerations with the operational requirements of farm and forestry business.

The second main strand of our announcement, which has not attracted much controversy in this short debate, is the extension of full development control to all farm holdings of less than five hectares.

Mr. Win Griffiths: I was anxious not to disturb the Minister in the early part of his speech, but I wish to ask him about one aspect of the notification procedure. If there were no agreement between the developer—the farmer—and the planning authority about the siting of a building or road, would the developer have to accept the local authority's point of view? Also, is there any scope for the public to be involved in the procedure, as is the case in a normal planning application?

Mr. Yeo: It is not quite a normal planning application, but the farmer will have to accept the view of the local planning authority. If he cannot reach agreement about where a building should be sited through negotiation and discussion with the authority, he will have to take the matter to the Department of the Environment, to appeal. In that case, he may be able to secure his building.

These proposals will give the local authority adequate controls to prevent farm buildings from being constructed in places which are considered to be objectionable or offensive for any of the reasons that I have given.

Experience in the national parks shows that it is usually possible to reach agreement. Common sense will prevail in the vast majority of cases, and I have every reason to believe that that will turn out to be the case. In the majority of the examples that hon. Members come across, a small alteration in the position or the design of a building will remove most of the objections to it.

I hope that that also deals with the concerns expressed by my hon. Friend the Member for South Hams. Any farm building and some extensions will now be covered by these new proposals. Therefore, a farmer who intends to undertake such development will effectively be brought under control as regards the position and design of the buildings.

Mr. John Home Robertson (East Lothian): I apologise for missing the earlier part of the debate.

The Minister is referring to the effect of the new legislation in England and Wales. Can he confirm that similar changes will apply in Scotland, since his hon. Friend the Under-Secretary of State for Scotland is sitting beside him?

Mr. Yeo: In Scotland, the Scottish Office issued a consultation paper on 15 February.

Mr. Home Robertson: Not another.

Mr. Yeo: As the hon. Gentleman recognises, we are the listening Government. The paper invited views on the position throughout Scotland. Responses are still being considered and the Scottish Office is unable to announce its conclusions yet. However, I know that my hon. Friend the Under-Secretary will have noted the matters that have been raised from both sides of the House in this debate and I hope that they will be reflected in the decision that his Department reaches in due course.

These measures will provide more effective control over development of all kinds associated with agricultural holdings. They will produce substantial environmental benefits and will ensure that the rural economy can continue to prosper and to make its own contribution to the quality of the environment, while controlling those effects of agricultural and forestry development that are potentially damaging to that environment. They represent a significant extension of local authority controls over agriculture and forestry, and we look to local authorities to operate them sensibly and efficiently. We will monitor the operation of the new system carefully. We intend to review the position in three years, with a view to making any further modifications shown to be necessary, either by increasing or by reducing control.

Mr. Steen: Will the Minister explain how he will let local authorities know? What will be the process—a circular or a general practice note—and how soon will they know?

Mr. Yeo: We shall advise local authorities about the new arrangements with a planning policy guidance note, which will not only set out exactly what is required, but will offer some help as to how the rules are to be interpreted.

In the light of my remarks and due to the fact that the proposals will be subject to review in three years' time, I hope that the hon. Member for Bridgend will decide to withdraw the new clause.

Mr. Mark Wolfson (Sevenoaks): I thoroughly welcome the statement that my hon. Friend the Under-Secretary made. The Government have struck an entirely sensible balance between giving proper importance to environmental considerations—in line with their policy on the environment—and commitment to preserving a balanced way in the countryside. They have been fully aware of the pressures on farmers and the need not to make constraints upon them too onerous. The ball is now in the farmers' court; it is up to them to come up with a sensible proposed siting and to discuss it with the local authorities. If it is not found to be suitable at that stage farmers will have to be flexible when finding a proper balanced solution, thus avoiding the need to go to appeal. That view will be

welcomed on both sides of the House, especially by hon. Members who represent shire counties. It is a major step forward and is most welcome.

Mr. Home Robertson: Again I apologise for the fact that I was not present for the earlier part of the debate. This is an important issue. I represent a largely rural constituency. I have always thought it absurd that householders require planning permission for even the most minor alterations to their houses—a dormer window or a porch—whereas farmers are able to erect very large and sometimes unsightly buildings without needing anyone's consent.

I refer briefly in passing to a problem that afflicts my constituency. Developers are acquiring whole farms and, in effect, asset stripping them by turning rows of cottages, or old farm buildings, into houses because they have a fast track to getting planning permission for that purpose. It is a very profitable exercise. There is a market for such properties within commuting distance of Edinburgh. However, it is undermining the rural economy and destroying long-established farming units. There is a need for more effective control over that change of use of farming units. That point ought to be taken into account in any Scottish Office review into the planning procedures that affect such buildings.

Mr. Win Griffiths: As I said in my opening speech, I welcome the Government's concessions. They represent an improvement. Nevertheless, there are two matters that still worry me and, I know, very many other people.

First, the Minister made glowing references to the experience of the national parks. When national park officers were consulted, seven out of nine of the national park authorities said that they wanted proper planning controls. However well the Government may think the system is working, there is an element of disquiet. The vast majority of national park authorities would like proper planning permission to prevail.

Mr. Yeo: I acknowledge that the majority of national park officers have stated their preference for full planning controls, but I am sure that the hon. Gentleman will also acknowledge that they have said that they feel that the notification system now in operation provides a rapid, relatively cheap and non-controversial method of control over the visual impact of developments.

Mr. Griffiths: I readily acknowledge that that has been said, but it has to be placed in the context of their preference for full planning permission to prevail.

As for the negotiation procedures, it is generally reckoned that the planning permission process need be no longer than the average time taken in private negotiations. As we believe that proper planning control is needed, and also an opportunity for public participation when particularly controversial proposals are notified to the local planning authority, we should like the will of the House to be tested in a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 164, Noes 299.

Division No. 180] **[5.12 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Bell, Stuart
Benn, Rt Hon Tony
Blair, Tony
Blunkett, David
Boyes, Roland
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Duffy, Sir A. E. P.
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Edwards, Huw
Ewing, Harry *(Falkirk E)*
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Griffiths, Win *(Bridgend)*
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Lamond, James
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKelvey, William
McMaster, Gordon
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Neillist, Dave
Oakes, Rt Hon Gordon
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Rooney, Terence
Rowlands, Ted
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Ken Eastham and
Mr. Jimmy Dunnachie.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Barnes, Mrs Rosie *(Greenwich)*
Beaumont-Dark, Anthony
Beith, A. J.
Bellingham, Henry
Bellotti, David
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchanan-Smith, Rt Hon Alick *(Epsom)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlisle, John, *(Luton N)*
Carr, Michael
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Favell, Tony
Fearn, Ronald
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fowler, Rt Hon Sir Norman
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Rt Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Holt, Richard
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mellor, Rt Hon David
Meyer, Sir Anthony
Michie, Mrs Ray *(Arg'l & Bute)*
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Needham, Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Rathbone, Tim
Rhodes James, Sir Robert
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Rt Hon Sir Wyn
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Ryder, Rt Hon Richard
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Sir Ian
Stokes, Sir John
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Walters, Sir Dennis
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wigley, Dafydd
Wilkinson, John
Wilshire, David
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor and Mr. Tom Sackville.

Question accordingly negatived.

New Clause 16

COMPENSATION FOR WORKS IN CONNECTION WITH RAILWAYS

'.—After section 27 of the Land Compensation Act 1973 (Execution of works etc. in connection with public works) there is inserted—

"27A.—(1) The Secretary of State may compensate any person with a qualifying interest in land the enjoyment of which will in his opinion be seriously or injuriously affected by the carrying out of works or the use of public works or the intensification of operations by or in connection with the activities of the British Railways Board.

(2) In the section 'qualifying interest' has the meaning given in section 149(2) of the Town and Country Planning Act 1990.

(3) In this section the power to compensate includes the power to acquire by agreement property at a value established by reference to the value of the property which would have obtained if the relevant operations had not been subject to intensification.

(4) Save as provided in subsection (3) the provisions of Part I of the Land Compensation Act 1973 (Compensation for depreciation caused by use of public works) shall apply to compensation paid under this section.".'.—*[Sir J. Stanley.]*

Brought up, and read the First time.

Sir John Stanley (Tonbridge and Malling): I beg to move, That the clause be read a Second time.

Although the new clause has been tabled by right hon. and hon. Members of different parties who represent constituencies in London, Kent and Surrey, it raises an aspect of compensation policy which is of considerable importance to any constituency, wherever it is located, if, like ours, it faces a quantum leap in noise levels from the railways as a result of a different type of train which will travel with much greater frequency on the existing railway system. The issue that we are about to debate will be seen to be a part of general compensation policy, not one that flows from the channel tunnel project.

The problem faced by our constituents can be stated relatively simply. The Government have so far been unable—or unwilling—to agree to the construction of a new high-speed line from London to the channel tunnel portal. Therefore, it is inescapable that for at least five years after the channel tunnel opens in 1993, all through international passenger and freight trains to and from the continent will travel on the existing designated railway system between London and the continent. They will travel especially on two lines—the main line that has been used by the previous boat train service through Tonbridge down to Ashford, and the secondary line through Maidstone east.

The implications for people who have properties close to the railway lines are little short of disastrous, because the increase in usage, especially at night, will have drastic effects. At present, virtually no use is made of the Tonbridge to Ashford line at night. Equally, there is really no use of the Maidstone east line at night.

According to British Rail's own forecast of the international freight traffic alone, international freight trains about half a mile long and travelling at about 75 mph will take at least half a minute to pass a given point which, as far as our constituents are concerned, will be their bedroom windows, which may be a few metres from the railway line. The trains will pass by about every 20 minutes throughout the night from 10 pm to 6 am. They will pass every night of the week, every week of the year. I am happy to say that it will affect relatively few people who are unfortunate enough to have property alongside the designated channel tunnel routes.

5.30 pm

New clause 16 seeks to deal with that problem by conferring on my right and hon. learned Friend the Secretary of State for Transport two discretionary powers. The first power would enable him voluntarily to acquire, with the agreement of the owner, homes that are seriously affected by the build-up of rail traffic. In practice, I would expect that power to be used in the case of houses that have, to all intents and purposes, been rendered valueless and uninhabitable by the rail traffic build-up. My hon. Friend the Minister of State kindly visited a house in my constituency, which I believe that he will agree will be rendered effectively valueless.

The second power is a discretionary power to apply the injurious affection provisions of the Land Compensation Act 1973 to those houses that are not made totally uninhabitable but whose value is seriously affected. Those two powers will provide a sensible and fair answer to the problem.

The House may ask, what are the objections to new clause 16? I shall anticipate two arguments that may be used by my hon. Friend the Minister. The first argument—he would be ill-advised to use it—is that compensation is paid only in relation to new works and not in the case of intensification of existing use. He may claim that this is an example of intensification of existing use and that, therefore, compensation cannot be paid. That argument cannot run. To try to pretend that the build-up of rail traffic as a result of the channel tunnel is simply an intensification of existing use without any new works does not accord with reality. There are massive new works which are making it possible for the intensification to occur.

At one end of the line we have the biggest single new work that has ever been undertaken by the British civil engineering industry—the channel tunnel. It will link the entire continental rail system with the British rail system. That is a pretty good new work. At the other end we have the £150 million new work taking place at Waterloo station. Some of us went to see it the other day. There is a new international terminal with five new platforms, each a quarter of a mile long, to take the new international passenger trains. There is a massive new work between Tonbridge and Redhill where the line is being electrified to take the international freight trains. Mile upon mile of continuous rail is being installed, bridges are being reconstructed, there is tremendous investment in new signalling and track is being reconstructed. My right hon. Friend the Minister recently confirmed in a parliamentary answer that, even ignoring the cost of the channel tunnel, the associated rail works to enable the channel tunnel trains to travel on the existing designated routes will total £700 million. By every possible argument, major new works are involved and the issue cannot be dismissed as simply an intensification of existing use.

Mr. Andrew Rowe (Mid-Kent): My hon. Friend suggested that if the Government had been able or had wished to approve a new line, some of the problems might have been avoided. Is it not the case that British Rail has

[Mr. Andrew Rowe]

stubbornly persisted in its view that there is no need for a new freight line and that, therefore, our constituents will be subjected to this burden for the foreseeable future?

Sir John Stanley: I agree with my hon. Friend. British Rail's proposals, which as far as we know have not yet been accepted by the Government, envisage a new line for passenger traffic only. Therefore, the problem will arise for freight.

My hon. Friend the Minister may concede my first point about intensification of existing use. The real issue is what type of new works should trigger an entitlement to compensation. My hon. Friend the Minister may fall back on a second line of resistance. He may say, "Yes, I acknowledge that there are major new works but, I am afraid, the works are of the wrong type. In a road scheme no compensation is payable unless there is a new road or a new carriageway to an existing road. In this case, by and large, there is no new track and compensation cannot be paid." If my hon. Friend is tempted to use that argument, I hope that he will think again. An analogy between the compensation problem for railways and the compensation problem for a road scheme is wholly bogus because the railway noise profile is totally different from that of a highway. The noise profile is critical. It is that which depreciates the value of homes and possibly creates the entitlement to compensation.

I invite the House to consider the noise profile of an international freight or passenger train. First there is a total silence. Then, from a very faint noise, there is a gradual crescendo, which builds to an intense noise for those whose homes are right by the railway line. That noise is sustained for at least half a minute as the train passes. The noise then diminishes back into total silence until the next train in about 15 minutes or so. That is not the noise profile of a passing car or lorry or of continuous traffic from a highway scheme. That noise profile approximates to that of an aircraft. The passage of an aircraft overhead is the correct analogy for the problem facing our constituents.

When we consider this as an issue of compensation policy in relation not to a highway scheme, where the analogy is false, but to aircraft, a different perspective emerges. As I hope to demonstrate, existing practice for civil and military aircraft is wholly in line with what we propose in new clause 16. We are not asking the Department of Transport to take a radical step forward or to create a dangerous new precedent. We are asking the Department to bring itself into line with the practice of those operating civil and military airfields and accept the same responsibility to householders in the vicinity of railway lines as is already accepted by those operators.

Mr. Bob Dunn (Dartford): Before my right hon. Friend extends the theme a little further, will he confirm that the problem with the noise profile will be worse during the day and evening? The noise from passing trains will not be confined to office hours from 8 o'clock in the morning until 6 o'clock at night but will continue through the night. On returning from work to home, where people want to enjoy their leisure and rest, owners will find that the noise profile is distinctly disturbing and wrecks their tranquil hours.

Sir John Stanley: My hon. Friend is correct. There will be noise disturbances on a 24-hour basis. My hon. Friend's point is extremely telling, not least because there is a ban on night-time flying by civil aircraft. Our constituents will be in a worse position than those affected by civil flights.

I remind the House of the two key powers that are available under new clause 16—the power to set up a voluntary acquisition scheme for owners of houses that are, in effect, made valueless and the power to pay injurious affection compensation.

I have considered the existing practice of civil aviation operators and the Ministry of Defence. On the civil side, I start with the issue of a voluntary acquisition scheme. Sir Norman Payne, the chairman of the British Airports Authority plc, has confirmed to me that BAA already operates a voluntary acquisition programme for houses seriously affected by noise from BAA airports, whereby those home owners who wish to sell are bought out for an amount equivalent to the unblighted value of their homes. Ironically, that power was made possible only by the Government's action in privatising the British Airports Authority. It would be sad and paradoxical if, having introduced those powers in relation to civil aircraft, the Government resisted introducing similar powers to cover those who are equally seriously affected by railway noise.

Sir Norman Payne confirmed in his letter that injurious affection compensation was payable. In respect of what new works is it payable by BAA? My hon. Friend the Minister may be under the impression that injurious affection compensation is payable only where there is the equivalent of new track—a new runway or an extension of an existing runway.

Sir Norman Payne confirmed that BAA is willing to pay injurious affection compensation where new works stop short of a new runway or an extension of an existing runway. As that point is fundamental, I hope that the House will forgive me if I read the key sentence in Sir Norman Payne's letter, and I ask hon. Members to consider in particular the end of that sentence. Sir Norman Payne said:

> "With regard to injurious affection compensation BAA's airports, in common with all other airports in the United Kingdom, are liable to pay compensation under the Land Compensation Act 1973 where the value of property has diminished as a result of physical factors, including noise, vibration, smell, fumes and artificial lighting, resulting from any works at the airports which involve the construction, realignment, extension or strengthening of an existing runway"—

and this is the crucial passage—

> "or substantial additions to or alterations of taxiways or aprons where those additions or alterations are designed to provide facilities for a greater number of aircraft."

5.45 pm

In other words, injurious affection compensation is triggered by new works which may necessarily fall short of a new runway or an extension to an existing runway but which provide facilities for a greater number of aircraft. Those of us who tabled new clause 16 argue strongly that that is precisely the position with which we are dealing —major new works which provide facilities for much greater use of railway lines by international trains.

I turn to the defence sector and military aircraft. I can speak with a little first-hand experience because I was Minister of State for the Armed Forces when the Ministry of Defence had to deal with this problem in relation to military aircraft. A massive increase in noise was predicted at an airfield, resulting in those with homes nearby finding the value of their homes, if not destroyed, at least seriously

reduced. The airfield was RAF Leeming in north Yorkshire, which at that time was a training airfield, deploying Bulldog basic trainers and Jet Provost trainers, which are the first trainers used in converting to flying jet aircraft. They are relatively small and not particularly noisy aircraft.

It was decided to use RAF Leeming as one of the main operational bases for Tornados in this country. That occasion mirrored the present situation with channel tunnel trains. A new type of aircraft was deployed, with much longer hours of operation and causing much greater noise disturbance.

The House will not be surprised to hear, perhaps, that our policy response was precisely the same as the provisions in new clause 16. We introduced a voluntary acquisition scheme for owners of those houses most seriously affected by noise and injurious affection compensation. I am glad to be able to tell the House, because of written answers given to me by my successor, the present Minister of State for the Armed Forces, that the principles that we applied to RAF Leeming have been applied to a considerable number of other RAF airfields where the same problem has arisen. On 3 June, my hon. Friend the Minister said that the voluntary acquisition scheme applied at Stornoway, Leeming, Upper Heyford, Fairford and Yeovilton and that injurious affection compensation applied at Upper Heyford, Leuchars, Cottesmore, Coningsby, Marham, Wattisham, Honington, Leeming and Yeovilton.

What new works triggered an entitlement to injurious affection compensation at RAF Leeming? There was no new runway or extension to the existing runway. There was no new taxiway or new apron. The new works were of a different variety, but they still triggered an entitlement to injurious affection compensation.

I hope that I have been able to show that the principle in new clause 16 is well precedented in relation to aircraft and we should draw the parallel with a passing aircraft. There is a precedent for a voluntary acquisition scheme at the unblighted value of a property. There is a precedent for the operation of an injurious affection compensation scheme where there is intensification of existing use accompanied by new works, but where those works do not necessitate the construction of a new runway or railway track.

Although the Department of Transport may claim that the principle is difficult and dangerous, we are asking the Department and British Rail to accept the same degree of responsibility for folk, the value of whose houses may have been devastated, as is already accepted by the operators of civil airfields and by the MOD.

Ultimately we must consider the individuals concerned. We must ask whether it is fair and reasonable with regard to a channel tunnel project that is required in the national interest that relatively small numbers of people should have the value of their main asset destroyed or substantially reduced as a result of the construction of that project and the proper utilisation of the tunnel by rail traffic. We believe that that is unreasonable. The Government must act to ensure that that injustice is rectified. Justice would be done under new clause 16 and therefore I hope that the House will support it.

Mr. Simon Hughes (Southwark and Bermondsey): I am grateful, as other hon. Members must be, for the initiative taken by the right hon. Member for Tonbridge and Malling (Sir J. Stanley) in tabling his new clause and seeking to discover whether there is widespread support for it. He does not need to look far for such support. Since 1986, hon. Members have been aware of the concern expressed by their constituents about the effect of the current policy on the construction of railways and the issue of compensation. New clause 16, which has cross-party support, is an attempt to rectify the unfair balance in favour of the national interest, to the great detriment of private interests.

The right hon. Member for Tonbridge and Malling made a carefully argued and persuasive point about the precedent for his proposition, which is already adopted by the Government. I will not elaborate on that, as the right hon. Gentleman quoted chapter and verse in respect of two clear and obvious examples. He also stated clearly that the best parallel lies not with road traffic, but with other forms of transport which have comparable effects on the residential population and on householders.

My first point is obvious, but it underlines the importance of what the right hon. Member for Tonbridge and Malling has just said. The cost of a channel tunnel link —or a similar railway route—is shared among many taxpayers. It is spread abroad among those who contribute to the public purse. If someone is not adequately compensated, probably his largest asset is lost, and that may have a catastrophic effect on that family and its wealth. There is an inordinate and disproportionate unfairness in the way in which one could attribute the cost of what new clause 16 seeks to achieve.

Under new clause 16, the public purse would compensate or permit compensation at the objectively assessed value for loss suffered by anyone who, in the public interest, must pay the personal price of forfeiting his home in total, or the benefit of the value of that home as it was before the scheme was proposed.

We should address the issue now, not later. As the Minister for Public Transport is aware, there have been a couple of false starts in relation to the channel tunnel route. I do not want to make a prejudicial point about that; I heard the Minister on the radio this morning refer to the timetable. British Rail has had a rethink and has produced a proposal about the options for the channel tunnel rail link from its agreed end point in Kent to London. It has produced a preferred option which is on the Secretary of State's desk, and the Secretary of State and the Minister for Public Transport are considering the options.

Some weeks ago, the Secretary of State confirmed to me that, when the Government select an option, they will consult about the environmental implications. We all come to this debate unaware of the proposal. We come to argue from a point of principle. I hope that it is accepted that this is not a NIMBY argument. It should not be. None of us would like to see such problems occur whether or not they affected our constituents, constituents in our local authority areas—as applies in my case—or constituents more widely. It is a matter of public policy. We are not praying for exceptional treatment for people who may be affected by the proposal for the channel tunnel link, but in the immediate future the problems are likely to apply to those affected by the channel tunnel link.

The issue has political significance because this kind of issue—a proposal made or endorsed by the Government —will affect the Government supporters who may be criticised if the proposal does not compensate their

[Mr. Simon Hughes]

constituents adequately. The channel tunnel link will affect the south east and the majority of the constituencies affected have Conservative Members. Only a handful of seats in inner London held by Labour Members will be affected, as will my constituency. Quite rightly, Conservative Members will hope to persuade the Government of the political and the personal significance of the case.

In a way, the new clause is a minimalist proposal. I tabled the same proposition in relation to underground works in new clause 23. My new clause raises the same issue, but relates to different legislation. The Minister for Public Transport is aware that proposals currently before the House to construct new underground lines raise similar issues. It is not simply a matter of which property is to be demolished: the issue relates also to which properties are affected by existing activity or by intensification of activity.

I hope that the Minister will acknowledge that, if the general argument is acceptable, it is logical that the provisions should apply to those who are affected in any way by railway works, whether they are above or below ground. The similarity between the railways and the channel tunnel proposal will be the closer because the latter will also be underground in London, although it will be above ground in outer London and Kent.

6 pm

As the right hon. Member for Tonbridge and Malling said, the present law is anomalous. That has happened not as a matter of public policy but because of the failure of legislation to catch up with what should be the natural justice principle. As a result, some people have suffered disproportionately and in a particular way, while others have not suffered at all. As the right hon. Gentleman said, and as the new clause proposes, we are most concerned to ensure that we include in the "powers to compensate" provisions those who are suffering from an intensification of works as opposed to the commencement of new works only. Their previous omission from the compensation provisions is the most obvious anomaly, but there are others.

I have in mind the case of two constituents, living in neighbouring properties. One has been told that he will be compensated because he works at home, while the neighbour will not be compensated because his home is not his place of work. They live in similar and adjacent properties, but the law does not treat them the same. That is unfair.

This may be Parliament's last opportunity on this Bill to amend the existing law. Given that Ministers normally have a greater ability than other hon. Members to find technical defects in proposed provisions, the Minister may well do so. However, even if there are technical defects in the new clause, and even if it does not go as widely as some of us would wish, I hope that the Minister will acknowledge that the Government now accept the principle of compensating people for any loss—objectively assessed—in the value of their property as a result of railway proposals that would be a public benefit and increase the use of the railways.

I hope that principle will be accepted now, before the consequences become particular to certain constituencies and their Members of Parliament. I hope that it will be accepted as a matter of general principle to apply across the United Kingdom and in all such cases from now on.

I think that I am right in saying that this question will not go away if the Minister finds, for whatever reason, that it is not possible to accept even that proposition. That is not an unreal threat, because the problem affects many people's largest investment. Effectively, everything that people have built up as their community, home and base could be at risk if we do not amend the law.

For many people today, the most worrying thing, in any political agenda, is whether, as a result of legislation and Government policy decisions in the coming months, they will lose their home or a significant part of its value. That could finish those people, and it should not be acceptable as a matter of public policy. I hope that the Government will accept that the new clause gives us all a way off this hook and out of this dilemma. It is a straightforward principle of justice, and I hope that it will be accepted.

Mr. Wolfson: I start by congratulating my neighbour, my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley), on so clearly outlining the case for the new clause. That it was masterly is no surprise.

I should like to comment specifically and briefly on two or three of my right hon. Friend's points. The new clause deals with compensation policy as a whole and could provide a way of dealing fairly with relatively few people. It provides the Secretary of State with a discretionary power. It was important that my right hon. Friend drew an analogy with airports rather than roads because that is the proper comparison. As we know, there are currently tight controls on night flying at airports. We know, equally, that the channel tunnel will not operate effectively if similar night controls are applied. As my right hon. Friend said, night trains will be running and that fact pushes up the agenda the crucial importance of properly looking after those relatively few people whose lives will be seriously damaged by them.

If ever the small man needed the protection of Parliament, it is upon the issue that new clause 16 addresses. The Englishman's home is his castle, but for the great majority of the population it is also his, or her, main —and often sole—investment. We should not forget those who rent, for whom the security of their own home, in known surroundings, in a settled community and among familiar sights and sounds is a large part of what makes life worthwhile. I ask hon Members to think of their own home—their families and their own feelings for it—in relation to what I have just said. Are those things not true for you, Mr. Deputy Speaker, as they are for all of us?

It is for those reasons that the prospect of a sudden and dramatic change in the level of rail traffic—immediately the channel tunnel opens, on the lines that run through my constituency and those of other hon. Members representing Kent, but possibly in other parts of the country in the future—is causing such understandable alarm and dismay. Householders who live close to the existing rail lines—Maidstone to Swanley, Tonbridge to Redhill, and the line from Tonbridge to Sevenoaks and then direct to London —have up to now been little troubled by rail traffic, especially at night. Daytime activity is not great at the moment on two of those lines, which will be used for British Rail freight for the foreseeable future. The trains

are relatively slow and short. Until recent years, disturbance between the night hours of 11 pm and 6 am has been minimal. They are quiet lines.

The sale of houses had not, therefore, been much affected by proximity to the railway. Indeed, within the past five years new houses have been built at Swanley right under the embankment and, in the past, have sold well and readily. That was because the line was relatively little used. Now, all that is horribly changed. Those houses and others similarly situated are blighted. Individuals have had their lives disrupted. Their retirement or job change plans have been aborted, causing real worry and sometimes serious distress. And why? Not because they have made any mistakes or even errors of financial judgment themselves; not because the national housing market has been flat and not because their neighbourhood is old or run down—for none of those reasons. The blight has been caused by a factor quite outside their own control, let alone their ability to foresee.

On the day the channel tunnel opens, British Rail will inevitably make a quantum leap in the volume of trains using those lines night and day. Trains will be more frequent, longer and heavier. They will also be noisier and cause more vibration. Whatever the improvements that can be achieved by welded rails and modern rolling stock, international freight trains running through the night on previously empty tracks will be the cause of major and unacceptable disturbance.

Controls exist to minimise disturbance from night flights at airports. As my right hon. Friend the Member for Tonbridge and Malling has said, rail disturbance could be similar for some houses. Radical measures are therefore essential to mitigate the injurious effects that may be suffered, and that is what new clause 16 seeks to achieve.

As the law stands, when new railways are built, however short, or when an additional track is laid alongside a railway to widen the line, this counts as new development and compensation may be paid to those who are affected. In my constituency a new loop line is being constructed to allow a stationary train to be overtaken —in other words, a train parking line. Compensation may be payable to people who are affected. Yet to those who suffer from the vastly increased use of an existing line no compensation is available. In an age when environmental issues, quality of life and noise control measures are high on the social and political agenda, that position is unacceptable to me, to my constituents and, increasingly, it will be unacceptable to the nation as a whole.

It has already been said that this issue will not go away. The law must be changed to give householders who are injuriously affected, or whose enjoyment is seriously affected by an intensification of the use of existing lines, the opportunity to be treated in a way similar to those who live beside new works. My right hon. Friend the Member for Tonbridge and Malling argued clearly and eloquently that the development of rail traffic from the channel tunnel to London can be described as new development. That was one of the points that he made. The other and most important one—I finish where I began—was that the nuisance should be equated with that of airport noise, not with that of roads.

Mr. Gerald Bowden (Dulwich): My right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) analysed with great clarity the problem, outlined the planning principles and procedures which are relevant to it, and suggested a practical solution to alleviate the difficulties of disturbance and nuisance, loss of amenity and environmental damage which will arise for those who live near lines, the use of which is intensified, particularly by the passage of freight trains during unsocial hours.

I cannot add to or better what my right hon. Friend said but I am prompted to speak on behalf of my constituents in the Dulwich area who will be affected by the increase in the use of the West Dulwich line from Sydenham Hill through West Dulwich station to Herne Hill and also of the East Dulwich line which runs through Peckham and Denmark Hill to Loughborough junction and takes in the Warwick gardens area. My constituents face not only the threat of intensification of use but the blight that lies on all properties in the area as a result of British Rail's ill-conceived high-speed passenger link. In those circumstances, the time is right to consider the high-speed link, whether it covers freight and passengers or only passengers, and to determine what compensation should be available to those who are injuriously affected.

I speak not only for myself today. I have been asked to say that I speak on behalf of my hon. Friend the Member for Lewisham, East (Mr. Moynihan), whose duties do not allow him to participate in the debate but who nevertheless shares the problems that I face. To alleviate the problem that lies with my constituents and, indeed, those of my hon. Friend, we need a proper compensation package which deals with this new threat and the problem that arises as a result of the intensification of use. There is no doubt that if British Rail persists in planning to pass freight traffic over existing commuter passenger lines, the problem will be greatly intensified beyond what is predicted.

Another issue perhaps runs beyond the scope of this debate but is relevant to it. There is an urgent and immediate need for a dedicated freight route to take freight off the passenger lines of south-east London, perhaps via the route that has been suggested through north-east Kent, crossing the Thames at Dartford, south-east Essex and on to the remainder of the United Kingdom beyond the capital. That issue and the issue of compensation cannot properly be separated. We must consider a dedicated freight route to take the majority of freight which is not destined for the capital. That would reduce the amount of freight that travels on existing lines.

6.15 pm

Sir Philip Goodhart (Beckenham): My hon. Friend describes the Thurrock route. Does he agree that an alternative for freight is to take it, as it were, left of London from Tonbridge, via Redhill and Reading and that way? I entirely agree with my hon. Friend that it is insane to push the main bulk of our freight through the already crowded lines of south London.

Mr. Bowden: My hon. Friend is right. It is crazy to consider that the only way to transport freight from the channel tunnel through to London or the rest of the United Kingdom is by pushing it through the bottleneck of London on passenger lines which go through built-up areas, over viaducts and bridges and near houses, with all the danger that that involves. There have been several disasters in the past few years in which trains have come off the rails and done great damage, not only to those travelling in them but to those who live near the lines. It is imperative to create a dedicated freight route. If we had

[Mr. Bowden]

that, the amount of freight that travelled on the lines that we are discussing today would be reduced. If we used the other line, which my hon. Friend suggested, the amount would be even smaller. A dedicated freight route would also reduce the intensification of traffic which is threatened by the present proposal.

I urge my hon. Friend the Minister to produce a package that not only meets the need to convey freight but recognises that those who live near freight or passenger routes that will carry freight must be compensated for the loss that they will sustain. They will suffer loss in the value of their property, loss of amenity, damage to the environment and loss of quality in their lives.

Mr. Roger Sims (Chislehurst): The hon. Member for Southwark and Bermondsey (Mr. Hughes) referred to current speculation about the route to be taken by the channel tunnel fast link. We know that papers are on the Minister's desk. Many of us in south London hope that they will be published sooner rather than later so that at least we know the worst or the best.

One thing is clear. During the time between the opening of the channel tunnel and the completion of the fast link —along whatever route—there will be very much more traffic on existing routes, because it will not be able to go anywhere else. Whereas the fast link and its construction will be covered by completely fresh legislation which is likely to include compensation, environmental protection and other requirements, there are no requirements, either legal or moral, for British Rail to recognise the effect of the increased traffic along the existing routes, especially between the inner parts of Kent and central London.

I join my hon. Friends in congratulating my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) on raising this issue and putting the case so effectively. I do not intend to protract the proceedings by speaking at length, but I have to take issue with my right hon. Friend on one point. At two stages in his otherwise admirable speech, he referred to the effect of intensified traffic on, in his words, "relatively few properties". It may be relatively few properties in his constituency, and perhaps in the constituency of my hon. Friend the Member for Sevenoaks (Mr. Wolfson), but in suburban London in, for example, the London borough of Bromley—all four Members of Parliament who have constituencies in that borough are present in the Chamber—it is not relatively few properties but scores or hundreds of properties that will be affected.

I was grateful to my hon. Friend the Minister for taking the time to come to Bromley and see for himself how close some properties are to existing lines, the effect of present train traffic and the effect that much more intensified traffic will have. My hon. Friends and I have files of letters that we could show the Minister from people who have houses adjacent to railway lines and who are naturally concerned about the effect of much more intensive use of the lines.

It can be argued that if one buys a house with a railway line at the bottom of the garden, one would expect trains to use it. That is a perfectly fair argument, but we are considering an increase in the use of lines that was entirely unforeseen. No doubt it will be argued that they are not new lines, but existing ones and literally that must be so. However, let us bear in mind that the existing lines will link up with the channel tunnel and, in turn, with the entire rail network of continental Europe. If that is not the construction of a new line, what is? It is a completely new network.

I hope that my hon. Friend the Minister will not fall back on the argument that they are not new lines. It is a completely new network and was unforeseen by anybody buying property except, perhaps, by those buying in very recent years. Most of my constituents have lived in their properties for 10, 20 or 30 years and more and could not possibly have foreseen the increase in traffic.

It is not the first time that this type of issue has been debated in Parliament. There is a British Railways (No. 3) Bill, involving works along the line, which will no doubt come before the House in the fullness of time. The House will be aware that it has already been discussed in another place. A House of Lords Select Committee issued a report on the Bill and the various petitions that were presented, which included petitions from Kent county council and Bromley borough council.

The special report on the Bill from the Lords Select Committee said:

> "The Committee have very considerable sympathy with the predicament of the Petitioners and others who live alongside the railway that will be used by traffic arising from the Channel Tunnel."

It is worth noting that the Committee accepts

> "that there will be a substantial increase in noise levels once the Channel Tunnel opens."

The report then considers how the matter should be dealt with and whether it is appropriate to deal with it through the British Railways (No. 3) Bill. The Committee adds that the provisions

> "would be better dealt with by general legislation"

and it recommends that

> "the Government give urgent consideration to the question of compensation for those directly affected by major and relatively sudden intensification of the use of existing railway lines. This is a national problem, requiring national solutions".

We have a solution at hand in this Bill. The insertion of the new clause tabled by my right hon. Friend the Member for Tonbridge and Malling would deal with the problem, and I hope that the House will support it.

Mr. Roger Moate (Faversham): I recall taking part in the proceedings on the Land Compensation Act 1973. I was very proud that a Conservative Government was introducing a long-overdue measure to extend compensation to individuals who would suffer in the public interest as a result of major road developments. I am also proud that this Bill goes a long way in handing out justice to individuals, especially those likely to suffer the loss of their homes because of public works. The extra compensation due to them is generous and fair, albeit overdue.

We are discussing another major step that should be taken to offer justice to individuals whose homes are likely to be damaged in some way or other because the public interest decrees that there should be major public works. I hope that my hon. Friend the Minister will accept the point that was made earlier—it is not an issue that will go away. We are discussing an important principle, and if it is not resolved by the Bill it will come back time and again, especially during our proceedings on the high-speed link.

I hope that my hon. Friend the Minister will be able to help the House and the country by at least conceding the principle—and, I hope, accepting the new clause moved eloquently by my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley). It has been pointed

out that it is not a NIMBY—not in my backyard—proposal. Many hon. Members from Kent and other areas that could be affected are present, but many others are too. The point is that we do not know where the high-speed link will go. It could be any one of a number of routes. It could be in Essex, Kent or south London. I favour the Ove Arup route, but I recognise that if that is selected many people in Essex will be affected. If some of the more far-fetched Labour schemes come to fruition, we shall have high-speed links all over the country and many householders will be affected by new railway development.

We are dealing with a major principle which could affect many areas. I therefore hope that the House will treat it as a national issue and that we shall not leave those constituencies which are ultimately affected forlornly to fight their own corner when a private or hybrid Bill is introduced. I hope that the House will speak for the people and treat the issue as a matter of principle, wherever new railway lines go.

In the meantime, long before consideration of a high-speed link, there was a major generation of new traffic on existing routes as a result of the channel tunnel. I heard my hon. Friend the Minister on the radio this morning and he was challenged on when we would have a high-speed link and asked whether anything would be in place by the time the channel tunnel opened. I was a bit disappointed again by his reply and I have yet to hear British Rail proclaim that when the channel tunnel opens in 1993 there will be a high-speed link in existence so that people can travel directly from Waterloo to Paris or Brussels in roughly three hours. I am surprised that we continue to hide our light under a bushel and allow our railways to be denigrated by failing to remind people that nearly £1,500 million has been spent to ensure that when the tunnel opens one can take a fast rail link from London to the major capitals of Europe. The corollary is that those trains will run on existing lines.

The lines in Kent that have been mentioned will be used by high-speed trains on a scale which has not been experienced before. It is also significant that British Rail has pointed out it can operate a considerable amount of capacity which is not used at the moment to cope with the extra freight traffic that it hopes to attract through the tunnel. That traffic will travel on existing routes, not just during the day, but at night as well. Many of our constituents will be facing noise and traffic on a scale that they have never previously experienced. It might be rightly decreed that that is in the national interest, and so be it, but the national interest will also accept that people suffering from the intensification of noise on that scale should receive some help and compensation. We are not asking for very much. The proposal of my right hon. Friend the Member for Tonbridge and Malling is modest.

In some cases a house close to a line where there is major intensification of day and night-time traffic could lose a great deal of its value, but I suspect that in most cases we are talking about the need for noise insulation and the like. I do not believe for one moment that the British people or hon. Members would deny the justice of extending to such individuals the right to receive some assistance by way of noise insulation or compensation for loss of value if that arose. That is the principle that the House should and must endorse today. Just as Kent Members speak in a united way for the county of Kent, I hope that others will also speak much more broadly in the national interest.

So often great national projects take much longer than necessary, and vastly longer than they do in other countries, fundamentally because we are mean-minded in our approach to compensation. How much more readily would people accept proposals such as this if compensation was reasonably generous. If the country knew that there would be reasonable noise insulation and some compensation for those who suffer from rail projects such as this, it is likely that my hon. Friend the Minister and others would find it much easier to get such projects on the statute book and constructed much more quickly. It is in the interests of the project as well as in the interests of justice that the new clause on which my right hon. Friend the Member for Tonbridge and Malling spoke so eloquently should be accepted.

6.30 pm

Mr. Ivor Stanbrook (Orpington): My right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) has made a powerful and convincing case for new clause 16, which I accept and wish to support. In addition, my hon. Friend the Member for Chislehurst (Mr. Sims) has put the argument for a constituency such as mine, which neighbours the constituency of my hon. Friend. Therefore, I do not feel called upon to delay the debate unnecessarily.

We are dealing with a matter of fundamental importance, so I hope that the Government will not say that the Bill is not the appropriate vehicle for deciding such a matter. Great events often turn upon comparatively small things, especially in relation to the House. This is a way in which the matter can be determined without all the palaver, delays, commissions of inquiry and so on which often go into deciding matters of great moments.

We are dealing with what may well be a change in the attitude of Government towards public works. No longer, as may have been the case in the 19th century, can public utilities expect statutory permission to execute works which, while in accordance with statutory duties, nevertheless do great harm to private individuals. We have passed that stage in our history. There should now be a balance between the interests of a statutory undertaking, whether it be British Rail or any other, and the interests of private housholders. That is the situation with which new clause 16 deals.

Whether or not the rail link goes through Bromley, the use of existing tracks through Bromley and my constituency will intensify. Already, not only due to the recession and the recent, I hope temporary, fall in land values, but because of the expectations of such developments, there has been a fall in property values in areas adjacent to existing railway lines. It is fully expected that those railway lines will be used to an ever greater extent, especially by freight traffic. Freight traffic will travel during the night on occasions and to an extent which has never been experienced before.

Many of my constituents are suffering now from their inability to obtain any sort of compensation for the dramatic fall in values of their properties. There must be a remedy for that, and that remedy is contained in new clause 16. That is why I am happy to support it, and I am anxious that others will do so too.

Mr. Edward Heath (Old Bexley and Sidcup): I support most strongly new clause 16, tabled by my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley), to which I put my name—the first time that my

[Mr. Edward Heath]

name has appeared on the Order Paper since March 1975. I have done that because I regard the new clause as vital, first to my constituents and, secondly, to all those who may also be affected either in the Greater London area or in Kent.

But the matter goes much further than that. It is a national question. Those who are looking ahead realise that the channel tunnel will lead to dramatic changes in transport throughout Britain which will affect British Rail going up to Inverness and further. Therefore, we are dealing not just with the present proposals but with what will be the eventual result of the channel tunnel and the resultant changes in transport. That is why I ask the Minister to take a national view and to recognise how wide are the implications of the changes and the way in which the new clause seeks to deal with them.

The effect of the original proposals has been catastrophic in many ways. When rumours first began to circulate about where the line for the fast link would go, people asked, "Are we going to take the chance of it coming here?" When the four alternative plans were produced, the whole area was intensely affected. It was a case of widespread blight. My hon. Friend the Member for Orpington (Mr. Stanbrook) was quite right—it is not just a question of a few houses; many hundreds of houses are affected by blight.

Although the plans were withdrawn, the blight continues, and my constituents and many others who wish to move for some reason or other—they may receive promotion and have to go to another part of the country, or be offered a new job in another firm further away—cannot do so because they cannot sell their properties. I am constantly being shown lists of people who have applied to view my constituents' properties who, on seeing their position, at once say that it is not on because they do not know what will happen about the railway line. That situation has continued for many months—indeed, years.

I hope that the Minister will try to use his influence with the Secretary of State for Transport to rectify that situation at the earliest possible moment. I do not think that the Department of Transport realises the effect that it is having on individuals in the Kent and London area at this moment.

When it comes to the wider issues of compensation for noise and disturbance and the change in people's lives, the Government would be justified, as my right hon. Friend the Member for Tonbridge and Malling said, to take not roads but airports as the model on which such compensation should be based. I apologise to the House because I was not here for my right hon. Friend's speech, but I have been able to read it in his notes since I arrived, and he is right in what he said.

If I may cast my mind back, I remember well the problems that arose when the A2 was doubled in order to go into the M2. That went through my constituency. All the problems of noise and disturbance, as well as those created by taking people's land and in some cases their houses, had to be dealt with. It is perfectly true that the two cases are not the same and are not comparable, but if the Government are to offer the valuation plus 10 per cent. for buildings, I welcome that.

The Government have done a good job, but we must remember that 10 per cent. on top of the valuation is what is on offer. In the years when we were dealing with the road that I mentioned before, district valuers were told to offer the lowest possible amount and that, if people did not like the offer, they could get their lawyers to challenge it in the courts. That went on for years; I remember a case in point to do with a piece of land on a corner of the road, which continued for three years. So it is not enough to give compensation plus 10 per cent., because that all depends on what the 10 per cent. is based on. I want district auditors to be told to make an initial offer based on a fair valuation, not on the lowest possible amount which would force people to negotiate in the courts.

Fair offers must not be based on the prices of houses in areas through which the line will pass. When the first plans were produced and the resulting blight was obvious, British Rail offered compensation to a certain number of people who, because they had to move for various reasons, accepted it. After that, the plans were withdrawn, but British Rail was left holding the houses—which it sold at knockdown prices. That has clearly affected the price of housing in the area in my constituency through which the line runs. It is not good enough to use the knockdown sale prices offered by British Rail as a basis. The properties must be correctly valued in line with house prices before British Rail's sales, since when house prices have changed considerably.

This is the only way to remove resentment, although 10 per cent. does not compare well with what happens in France, where 25 per cent. is added to the valuation. Nevertheless, it is a welcome step forward, and I hope that valuations of properties will be based on true values.

Mr. Richard Shepherd (Aldridge-Brownhills): I am sorry to trouble my right hon. Friend, but is it not true that, the moment a scheme is mooted, blight descends on the properties involved—and that is to the advantage of the district valuer, who can then argue that the prices reflect the uncertainty in the market even though the exact route of the line in question is as yet undecided? That argument then becomes the baseline from which to proceed. I support my right hon. Friend's idea that the very notion of blight depresses house prices. The Government's argument that a 10 per cent. supplement approximates more closely to the true price does not achieve their purpose, which is to secure the purchase of the property and the movement on of people who will not feel aggrieved at having been disadvantaged by prices negotiated as low as possible.

Mr. Heath: My hon. Friend should not worry about troubling me—I am troubled by all sorts of things. He has put the point that I was trying to make at much greater length and much better than I did. Perhaps the Minister will now take proper notice of it.

Some of my colleagues have said that, when the tunnel opens in 1993, those in the vicinity will be greatly troubled by a vast increase in noise. British Rail argues that nothing can be done about that: that, if people want a railway, they must be prepared for anything to happen and they must put up with it. That is not acceptable, but it is already happening.

In my constituency, the night traffic on British Rail has increased enormously in the past year, largely due to the building of the channel tunnel. We are not being

compensated for that. Buyers coming to the area do not want to pay for houses there, because they can already see the troubles to which they will be subjected. So there should be compensation, wherever the line eventually ends up.

My right hon. and hon. Friends have suggested various routes for the tunnel lines. I do not want to suggest any, except to say that they should not go through Bexley. That is the only answer one can give British Rail when it seeks one's opinions on the matter. We should remember, however, that these are nationwide problems.

The Conservative party and the Government are committed to protecting the environment, and rightly so. It has become a major issue. We should not tell a publicly owned body to cover the costs of protecting the environment. British Rail may say that it can run the railway straight through Bexley and London at a certain cost but that, if it is instructed to protect the environment by tunnelling for the last 20 miles or cutting deep ravines, the project will be much more expensive, rendering it impossible to make a profit. This is a national responsibility; the Government must be prepared to contribute, in the national interest, to safeguarding the environment. They already do that in other ways; the same should be done for the channel tunnel railway.

It is argued that the Act which established the channel tunnel does not allow Government subsidy. I do not believe that, and nor do the lawyers whom I have consulted. The Act concerns the railway in the tunnel and the stations outside it. It does not cover the area from the tunnel up to the north of Scotland, and when the legislation was before the House, no one believed it did —it cannot be interpreted in that way. So the Government have a free hand. They can agree that protection of the environment is at stake, as we demand they do, and they should be prepared to contribute to the costs so that the line can be run as a commercial concern once the channel tunnel is established.

This is a vital new clause—vital in the interests of fairness and of the individual, to which our party is committed. I do not accept the argument that, because this will cost more money, we should reject the idea. The money will go to people deliberately and directly affected by the line, and I urge the House to support the new clause. I also urge the Minister to accept it, and if he cannot do so tonight, at least to announce that he will at a later stage. All I ask the Minister for is a straightforward, "Yes, I accept the new clause."

6.45 pm

Mr. Soley: It is one of the curiosities of this debate that we are discussing a Bill which is the responsibility of the Secretary of State for the Environment, yet this new clause is being dealt with by a Minister from the Department of Transport. I welcome the improved compensation under the Bill, but we in this country have still not grasped the principle of a proper compensation scheme devised for a number of projects which affect people's lives in the way in which the people of Kent and south London will be affected by the channel tunnel. In comparable countries in Europe, compensation would be much better—there would be more of it and the rationale behind its apportionment would be more clearly thought out. It would be handled largely through the planning process.

The new clause implies that the Secretary of State for the Environment would have to administer the scheme, but the presence of the Minister for Public Transport makes me suspect, as the right hon. Member for Old Bexley and Sidcup (Mr. Heath) hinted, that British Rail may be asked—wrongly—to pay for the scheme.

Sir John Stanley: The new clause is drafted in the usual way. It refers to "the Secretary of State" without specifying which, but the intention is that the discretionary power would lie with the Secretary of State for Transport to administer.

Mr. Soley: That is rather unusual, and it would not necessarily be done in that way in other countries. It is one option, however.

I want to put an important point to the Minister—it has already been put by a number of his Back Benchers—about the principle of better compensation. As I said, we welcome the Bill as a step in the right direction, but we have not got it right. The Europeans have managed to devise a system for the railways. It is sad that France—a classic example—has obtained planning permission for the high-speed rail link more rapidly than we have, with very generous compensation. As I have said on other occasions —although transport is not my brief—until we obtain planning permission, we will whistle across Europe in a 180 mph train, travel under the channel at 120 mph and then transfer in Dover to the equivalent of Thomas the Tank Engine and finish the journey at about 60 mph. The reason that it is proving so difficult to obtain planning permission is partly that we do not have the planning powers in place, and partly that our compensation schemes are less generous. To put it bluntly, the French often buy out opposition.

The hon. Member for Orpington (Mr. Stanbrook) said that the time had passed when we could accept that a proposal could be pushed through regardless of the consequences for people living in the area. One way is to ensure that people receive full and fair compensation.

Mr. Keith Speed (Ashford): The hon. Gentleman is right on that point. Does he also recognise that in Europe, apart from the physical compensation of money, sound barriers and other noise remedial measures have been provided for existing as well as new lines, whereas we are still in the kindergarten stage?

Mr. Soley: I am grateful to the hon. Gentleman for making that point. I had not planned to raise it, but I believe that he is correct.

The right hon. Member for Tonbridge and Malling (Sir J. Stanley) made a powerful and persuasive speech. However, I still have some reservations. I am not convinced that this is the best way to proceed. He made great play of the fact that the comparison should be with airports and aircraft noise. I understand that. He also made great play of the fact that the high-speed rail link would mean a massive increase in use. Residents will hear a sudden, high-pitched sound that will then disappear, and it will be quiet for 10 minutes, an hour or however long it is before the next one. I would not like to live in that situation.

It is perhaps a mistake to dismiss too lightly the comparison with road noise. People living on the edge of the A4 before it becomes the elevated section of the M4 in west London have to put up with a continuous thundering

[Mr. Soley]

noise for the best part of 20 hours a day, seven days a week. They also have to put up with their houses cracking and their windows shattering. The impact in that area is very dramatic.

I do not wish to do the Minister's job for him, but I am sure that he will not be slow to point out that, if compensation is provided on this link, it will not be hard to think of other examples that might need similar compensation in the near future. Compensation may be required not only for the extension of the high-speed line throughout the United Kingdom in the next century, but for the proposed dedicated rail link from Paddington to Heathrow. That link is an eminently good idea. Such works and such intensification of use would lead to the real possibility of such a scheme being introduced. There are many other examples.

I am not convinced that the way to deal with this matter is to give this power to the Secretary of State—in this case, the Secretary of State for Transport, as the right hon. Member for Tonbridge and Malling implied. Perhaps the right way would be to give the Secretary of State the discretion to decide whether a scheme should be introduced and what its parameters should be. There is a big difference between living 20 yd from the high-speed line and living 200 or 400 yd away. Where to draw the boundary for the type and extent of compensation is critical.

I make the point in passing—but it has some depth—that, under the present alternative to the poll tax, the rating system could not be used to give people a sliding scale of values. One of the advantages of a fair rates system is to be able to give assistance without going all the way to full possession, which is what the right hon. Member for Tonbridge and Malling understandably and rightly wants for people living right next to the line—and, I would argue, for people living next to major roads or airports.

We need to consider the principle. I shall listen carefully to what the Minister has to say. I am not entirely persuaded that the new clause is the right way in which to proceed, but, if the Minister does not consider the principle and find a way of compensating people, it will be hard to resist the temptation to vote for the new clause as the best available way that we have of putting pressure on the Government to reconsider the matter. We want genuine assurances about the alternatives, and we want to know the Government's thinking. It is on that basis that I shall advise my hon. Friends.

It is important that the burden is not put only on British Rail. If it were, British Rail could rightly point out that the intensification of use as a result of the channel tunnel link or the Paddington-Heathrow dedicated service would have serious consequences. It would have to consider the implications for its future programmes if it had to take into account the additional compensation that would be required. It might also argue with some force that the consequences of the intensification of road use do not fall directly on road users. A bypass may be expanded or developed, and the number of trucks and vehicles using it may increase rapidly, but the burden does not fall on the road users. Why should British Rail alone carry the burden?

Mr. Wolfson: The hon. Gentleman is confusing the issue. The clause deals with a narrow point—allowing the same ability, on a discretionary basis, to compensate people who are affected by intensification of use. In some of the examples to which he referred, compensation would be available anyway, because it would be a new line.

Mr. Soley: I am not sure that that is right. I do not speak as a shadow Transport Minister, but I understand that some of the existing line would be used for the dedicated Heathrow-Paddington link. If I am wrong, I withdraw that example, but there are others. I am not thinking of a new line or a new road, where, I agree, that would not apply. My understanding is that the existing line would be used, and the scheme would be triggered.

Although the right hon. Member for Tonbridge and Malling made a powerful and persuasive case—I would not want to rule out the new clause altogether—it seems to me that there are better ways of doing this. We want the Minister to clarify his proposals and to give us a time scale. It is no good saying to people, either in the channel tunnel area or anywhere else, that resources will be put into rail that will result in an intensification of use on a number of lines, but we may wait for ever for a compensation scheme that is at least comparable to the equivalent European scheme.

We should copy the European model. I am not universally in favour of following what other countries do, but in Britain we lack a good regional government structure and a compensation scheme that—despite the improvements provided in the Bill, which I welcome—is still rather haphazard and contradictory. We should accept that, for major new developments, especially those related to transport, we need a more coherent scheme. The measure proposed by the right hon. Member for Tonbridge and Malling recognises the impact of the channel tunnel on Kent—no one should under-estimate that. I am not convinced that we need a nationwide scheme, which he and some of his hon. Friends want. I await with interest what the Government have to say. We want a significant commitment from them. We are travelling hopefully—although we may not do so in very fast trains. If the Minister gives such a commitment, my advice to my hon. Friends will reflect that.

7 pm

The Minister for Public Transport (Mr. Roger Freeman): The debate has been serious and well argued. I cannot help feeling that it may be a precursor of inevitable debates on a new high-speed rail-link line, as many of the issues that have been raised are germane to the planning problems that consideration of the case for such a link, and its route, is bound to involve.

Powerful speeches were made by my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley)—who spoke in his normal firm but courteous fashion—and my hon. Friends the Members for Sevenoaks (Mr. Wolfson), for Dulwich (Mr. Bowden), for Chislehurst (Mr. Sims), for Faversham (Mr. Moate) and for Orpington (Mr. Stanbrook). Another powerful speech was made by my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath). I note that it is 21 years to the day since my right hon. Friend was appointed Prime Minister; and, as he has said, this is the first time that his name has appeared on an amendment paper for nearly 16 years. We must therefore take his remarks seriously.

My hon. Friend the Member for Faversham raised the question of the Ove Arup route. That is one of the options

being considered by the Government and British Rail for the high-speed rail link. However the BBC may have reported my remarks this morning, once the Government have reached a conclusion on the preferred route—which I hope they will do as quickly as possible—and once that conclusion is published with the supporting papers, the environmental impact of the route on Kent and London will have to be considered for perhaps a year. That will happen regardless of whether a prima facie case has been made out. Both Houses may then need as long as two years to consider the resulting Bill. Who knows? I have not as much experience of parliamentary procedures as some hon. Members. It will take a long time—too long, some may argue—for all the issues to be considered.

It is true that the procedures are speedier in France; that is because the French have a different approach to planning. As my right hon. Friend the Member for Tonbridge and Malling will know, once the conseil d'état has decided that a scheme is in the national interest, the normal planning procedures usually follow. I note, however, that it has taken the Germans 10 years to plan, and then construct, what they describe as a high-speed link between Hanover and Würzburg.

I am well aware that my arguments may not convince my right hon. Friend the Member for Tonbridge and Malling, and some of my other hon. Friends. I shall advise the House to resist the new clause, although I hope that I shall do so in a reasoned fashion. I have some positive and constructive things to say, but I realise that the arguments will not go away. My right hon. Friend and others will present them again when we debate the British Railways (No 3) Bill—a private Bill that seeks permission for certain channel tunnel works—and in our debates on any high-speed rail link proposal and on a Bill to enshrine planning powers for such a line. I know that, if I do not convince my right hon. Friend tonight, he will continue to present the concerns of his constituents and his own strong feelings—as, indeed, he is right to do.

I hope that the House will forgive me if I do not make a debating speech, but instead read my prepared notes. We have given considerable thought to what has been said, and the hon. Member for Hammersmith (Mr. Soley) said that he would be listening carefully.

As a society, we are rightly becoming increasingly concerned about the quality of life; noise, from whatever source, tends to depress that quality, and noise from railway trains is no exception. It was 12 months ago that the issue was raised during a statement by the then Secretary of State for Transport, my right hon. Friend the Member for Hertsmere (Mr. Parkinson), about the channel tunnel rail link.

I apologise to my right hon. Friend the Member for Tonbridge and Malling and to other colleagues for the time that it has taken for me to make a substantive response to the issues that were raised then. The delay does not point to inactivity or to a lack of interest on the part of the Department. Far from it: I have taken a close interest in the subject. On no fewer than six occasions in the past year, I have travelled along the routes that the channel tunnel trains will take through Kent and south London.

My hon. Friend the Member for Chislehurst made a fair point. We tend to be preoccupied with Kentish issues, but we must not forget that many London boroughs will be equally affected by the channel tunnel. I am sure that my right hon. Friend the Member for Tonbridge and Malling accepts that.

I have also visited the homes of people living close to the railway lines. On those visits, I have been accompanied not only by my right hon. Friend the Member for Tonbridge and Malling but by other colleagues, and I have now been to nine of the 14 constituencies that will be most directly affected. Earlier this year, I went with the chairman of British Rail to BR's research establishment at Derby to hear and to see at first hand what BR is doing about developing a quieter railway. In the Easter recess, I went to France and Germany to see how their Governments and railway administrations deal with noise. No one can accuse the Department, or me, of a lack of interest in the matter.

Before I deal with the new clause, let me make a number of brief but general points about railway noise. In connection with channel tunnel services, we are concerned with two entirely separate matters: noise from any new rail link that is built—which cannot occur for several years yet—and the increase in noise resulting from the running of more trains on existing lines.

To deal with the problem of the new railway lines, we plan to make regulations that will make mandatory the insulation of houses along the line where the noise is at more than a specified level. Compensation provisions for injurious affection will also apply. Such regulations have existed since 1973 in respect of new roads. Let me point out to the hon. Member for Hammersmith that our new provisions will apply to the relevant portion of the Heathrow-Paddington express railway.

Hitherto, there has been no real need for any railway equivalent to the 1973 regulations, as very few new lines of any length have been built since the war. Now, however, we may be entering a new era, and the proposed channel tunnel rail link will certainly be a major new line by any standards. We intend that British Rail, in designing and building a new line, will have to comply with the regulations that we plan to make.

The measurement of noise is a very technical and difficult matter. Last year, to help us to frame the regulations, we appointed a group of experts to recommend to us a noise standard, or standards, for new railways, equivalent to that which exists for new roads. We published the report of the group—commonly known as the Mitchell committee—in February. Subject to the views that we received on the committee's regulations, we shall proceed with the regulations and present them to Parliament for scrutiny in due course, in the usual way.

My next point concerns the intensified use of the lines that will take channel tunnel traffic initially. I take the point made by my hon. Friend the Member for Dulwich that any decision on a new rail link might or might not have consequences for the use of existing lines. That important point has not escaped the Government's attention, nor will it escape that of the House.

There is no doubt that there will be a sharp and significant increase in traffic, although the extent of that increase will vary from stretch to stretch along the existing routes. I well understand the special concern about the increase in freight traffic, much of which—although not all—will run at night, for operational reasons.

Mr. Speed: From day one, in June 1993, every British Rail train going through the channel tunnel will travel

[Mr. Speed]

from Ashford to Folkestone on tracks in my constituency and that of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). When the high-speed rail link is built, two new lines will be placed alongside the existing Network SouthEast lines. At that stage—but, under the present law, at that stage only—my constituents, and those of my right hon. and learned Friend will be entitled to compensation and amelioration.

Will not that part of the line have a special problem? Wherever the other trains may go, it will carry all the existing traffic as well as that of the high-speed link.

Mr. Freeman: My right hon. Friend the Member for Tonbridge and Malling would be the first to point out that, in terms of intensification of use, there is no difference in principle between the section of the existing railway line that runs through my hon. Friend's constituency and that which runs through his own constituency. There may be a different degree, but the principal point would apply to all stretches. However, I understand the specific problems of the stretch mentioned by my hon. Friend.

On the section between Cheriton and Ashford on which the trains will run, BR expects the number of freight trains, international and domestic together, to build up to about 66 a day—24 hours—in 1995. That compares with 48 freight trains on an average day in 1990. Many of those were carrying materials for the construction of the channel tunnel, and that traffic has now largely disappeared. The 48 trains in 1990 were all relatively noisy diesel, hauled over jointed track, many of them with heavy axle load wagons. Elsewhere, the increases vary greatly, but the Government understand the intensification of the use and the problems that that brings, especially at night and with freight.

Although the extra traffic will not begin to run for another two years, it is important that we address the problem of mitigation of noise carefully and correctly now. I appreciate the point, expressed to me by my right hon. Friend the Member for Tonbridge and Malling on a number of occasions, that some of his constituents are having difficulty in selling their homes now, especially in the current housing market. My right hon. Friend the Member for Old Bexley and Sidcup made the same point, although in a wider context. I have a great deal of sympathy with the people who have been affected in this way and with my right hon. Friend's intentions. However, I have to say, although with some regret, that the Government are unable to accept his new clause. Before I take a more positive note at the end of my speech, I shall explain, in a reasoned fashion, why we cannot commend the new clause to the House.

The new clause would introduce an important new principle into the law. It would extend financial compensation for depreciation in the value of a property to situations involving the greater use of railways and, as the House must admit, in all frankness, other public works including roads. It is not possible to draw a hard and fast line between intensification on railways and that on roads. As I said, the new clause would extend the financial compensation provided under statutory powers without any works necessarily having taken place. Part 1 of the Land Compensation Act 1973, which deals with compensation for depreciation in value due to various physical factors, quite expressly excludes, in section 97, situations in which there is an intensification of an existing use. Therefore, it cannot apply if the amount of traffic on a road or a railway line increases.

As hon. Members will know, it has been a long-standing policy of successive Governments to make a clear distinction in this respect between the construction or alteration of public works and the intensification of use of existing works. My right hon. Friend the Member for Tonbridge and Malling made the fair point that the substantial and increased use of the existing railway line constitutes a new service and that that, combined with the work on the channel tunnel, constitutes a qualification under existing legislation. I understand the argument, which was put by my hon. Friend the Member for Chislehurst on behalf of his local borough. However, that is not the legal advice given to the Department of Transport. My right hon. Friend the Member for Tonbridge and Malling went on to say that, irrespective of the legal advice, we should address the principal issue, and I shall now do that.

Sir John Stanley: It has nothing to do with legal advice. There is no question of anybody claiming that there is an entitlement to compensation under the law as it stands, so legal advice is a red herring. We have to address the issue of classification of the new works that should properly trigger entitlement to compensation. This is not intensification of existing use; it is a multi-billion pound project, constructing the channel tunnel on one end, and linking the continental rail system with the British rail system. The parliamentary answer from my hon. Friend tells us that £700 million worth of new works have been entered into to enable the channel tunnel rail passenger and freight trains to exit the tunnel.

Mr. Freeman: If my right hon. Friend is not making that point, perhaps he will accept that my hon. Friend the Member for Chislehurst is, on behalf of Bromley. It is a serious point that requires an answer. I have given the answer that, as legislation stands, the intensification of use —no one denies that—would fall outwith the provisions of the Land Compensation Act 1973.

7.15 pm

Moreover, to the best of my knowledge, there is no major international precedent for extending compensation to intensification of use in that way. Both the policy and the cost implications of any such change are considerable. They would need to be thought through fully and carefully before any provision of that kind could be considered. My right hon. Friend the Member for Tonbridge and Malling has argued that this is a permissive, not a mandatory, clause, but he will no doubt accept that there is no point in legislating unless Parliament wishes the powers to be used.

My right hon. Friend argued that the sudden and significant increase in traffic that will run on the lines in Kent between the channel tunnel and London creates a new and unforeseen situation, that it will be tantamount to the construction of a new line. But we must continue to draw a clear distinction between injurious affection or loss of enjoyment resulting from the carrying out of works, and loss of enjoyment resulting from a change in the use of a railway, a road, or some other public works. There are and will continue to be many other instances—even if less dramatic perhaps—where the use of existing public works changes and people claim that they are adversely affected.

The new clause would also make the Secretary of State responsible for paying any compensation, rather than the owner or manager of the public works in question. That would breach the important principle embodied in the Land Compensation Act and in this Bill, that if compensation is to be paid for depreciation, it should be paid by the responsible authority. It should be paid, in the case of a highway, by the highway authority, and in the case of a railway, by the owner and operator of the railway. There is in my view no justification for putting the burden of the net additional cost directly upon the taxpayer.

My right hon. Friend the Member for Tonbridge and Malling spoke about aircraft noise. He will recall that I was his Parliamentary Private Secretary when he served with distinction as Minister of State for the Armed Services. He is right about the provisions to mitigate noise at airfields. The provisions of the Land Compensation Act 1973 are being followed by the Ministry of Defence and my right hon. Friend was responsible for initiating that policy. I am advised that injurious compensation is triggered by major new works. He will recall that at Leeming new runways had to be laid and major new installations had to be built, and that that was the trigger for the payment. I can confirm that British Rail has the power to make ex gratia purchases of houses. Some of my hon. Friends will recall substantial purchases in Kent and in London connected with earlier plans for the channel tunnel link.

My right hon. Friend made an interesting point on insulation. He asked the Government to compare the consequences of rail noise and aircraft noise. The Government will study carefully the argument that he has deployed at greater length tonight than on any other occasion. It is an interesting and relevant argument, but not one that I will accept tonight.

Sir John Stanley: I am grateful to my hon. Friend for giving way, but I have to correct him on this essential point. I referred to the fact that, where civil aviation works are concerned, no new runway or extension of an existing runway is necessary to trigger injurious compensation. As he appeared to differ with what I said about RAF Leeming, I will read the answer that I received to my recent parliamentary question. I asked:

"what were the main works undertaken at RAF Leeming to enable the deployment of Tornado aircraft to take place there; and whether they included any extension to the main runway."

My right hon. Friend the Secretary of State for the Armed Forces replied:

"The main works undertaken at RAF Leeming were associated with the upgrading of the Station's utilities, the enhancement of technical accommodation, married quarter developments and the construction of airfield survival measures, which included hardened aircraft shelters and command and control centres. The runway was resurfaced and re-profiled, but no extension work was undertaken."—[*Official Report*, 15 May 1991; Vol. 191, c. *218*.]

In other words, there was no new runway. There was no extension of a runway. That is our central point. New works do not have to include a new runway to trigger injurious compensation in relation to aircraft noise.

Mr. Freeman: I am grateful to my right hon. Friend for his helpful contribution, which refreshed my memory and will help in our consideration of the comparison between aircraft and railway noise.

I will conclude on a more positive note, by describing the eight steps that British Rail and the Government are taking and will take. They are not all of gigantic significance, but I hope that they will be taken in the constructive spirit in which I offer them. In drawing up this list, I tried to accommodate in particular the representations made by my hon. Friend the Member for Dulwich, who came to see me on a number of occasions.

First, the chairman of British Rail told me, after speaking with the chairman of Kent county council, that he is ready to discuss with that authority how British Rail can help, in the further measures that it has proposed, to alleviate the prospective increased noise for the homes that will be most affected.

As British Rail has no statutory obligation—and I stress that, because it is in exactly the same position as a highway authority in respect of a road that is used by more traffic and thus creates more noise—there is no statutory basis on which any such measures would be carried out. It will be up to British Rail and the local authority to agree on the most sensitive areas, type of measure to be taken, and financial arrangements. I hope that those discussions will begin soon, and I look forward to hearing how they progress. I am sure that, with good will and ingenuity, it should be possible to achieve some worthwhile alleviation for those most affected. I shall continue to take the closest personal interest in that aspect.

Secondly, at the end of next year British Rail hopes to demonstrate its new freight rolling stock, to show how quiet it will be in comparison with today's equipment. That may not persuade my right hon. Friend, but I intend to be present at that demonstration, and I hope that a number of my right hon. and hon. Friends will join me. There will be new electric locomotives, the railway lines will be continuously welded, and there will be new electrified lines running through my right hon. Friend's constituency. They will be considerably quieter than at present.

Thirdly, later this year the Government will announce their views on the recommendations of the Mitchell committee on specific noise insulation standards for new railway lines, and will then prepare regulations to put those standards into effect. Fourthly, the Government are not ready to make a response to the various recommendations of the noise review working party, the Batho committee, on railway noise or on other types of transport noise, but we will respond in due course. We intend to commission research within our own departmental vote to assess whether the existing noise standards for new roads are still appropriate. If we decide as a result of that work that those standards ought to be changed, we will at the same time make a corresponding change in the standards applying to new railways.

Fifthly, I mentioned by implication the research that British Rail is undertaking at Derby into damping the noise arising from wheel on rail. If British Rail can usefully undertake any further research in that connection, the Department is prepared to consider whether it might qualify for some financial support under section 57 of the Transport Act 1968.

Sixthly, in some places, the throb of idling diesel locomotives can cause vibration and nuisance to householders. That was pointed out by three of my hon. Friends, who have witnessed the consequences of the noise emitted from a standing locomotive at night. I confirm that British Rail has a standing rule that diesel engine

[Mr. Freeman]

drivers should switch off their engines if they are brought to a halt and expect to be held up for more than 10 minutes. The House will have noted that British Rail has already ordered new, quieter electric locomotives.

As to fears of damage to houses by vibration, Kent county council agreed with British Rail that it is not practicable to deal with that aspect in advance of any development in the use made of a railway line. Each case must be considered on its merits. If someone complains to British Rail about vibration, BR will undertake a specific test at the location in question, and it has agreed with Kent county council to monitor the situation when the traffic on the lines increases. It is rare for vibration damage to occur, but the party causing the damage would be liable.

Finally, to counteract the fears that have been expressed—understandably, though not always rationally—about the impact of channel tunnel trains on local housing markets, I plan to take steps to ensure that professional people, such as those working in estate agents and building societies, engaged in the selling and buying of properties near the railway lines are fully and accurately informed as to what is proposed, as opposed to what is rumoured. I do not belittle householders' fears and anxieties, but the facts should be as fully and widely known as possible, so that legitimate concern is not fed by exaggeration.

Mr. Soley: I listened carefully to the Minister's remarks about research and back-up facilities, which are wholly desirable. However, from the list that the Minister read out, it seems that British Rail will consider paying compensation only in respect of some householders. That does not sound very convincing in terms of moving on the principle to which so many right hon. and hon. Members have referred.

Mr. Freeman: I understand the concern that has been expressed. I hope that I have made a reasoned argument as to why we cannot accept that principle in the Bill. The hon. Gentleman must address that important point. He cannot separate the problem of intensification of the use of railways and roads—which I am sure is one with which he would want to deal—from that of the significant financial consequences for public expenditure that would flow from accepting the new clause as drafted.

Mr. Soley: That is precisely the point that I am making. I am unhappy about the new clause because I do not think that its consequences have been thought through. It does not seem that the Minister or his Department, along with the Department of the Environment, have come up with anything remotely resembling a transport scheme compensation policy that gives hope for the future. Although I would not give the clause as drafted carte blanche support, unless the Government give a stronger indication of their willingness to move on the principle, I have to acknowledge that the new clause is necessary, if only to put pressure on the Government to think again.

Mr. Freeman: We will debate compensation later tonight—and as to compulsory purchase, the Bill makes significant strides in the direction of a fairer scheme. I hope that my remarks will be taken in the constructive and positive spirit in which I make them, and that my right hon. Friend accepts at least that the Government acknowledge the problem of intensification of use and will continue to address it.

Sir John Stanley: With the leave of the House, I am grateful to all right hon. and hon. Members who contributed to our useful and important debate on the significant question of compensation policy. Whatever may be the result of any subsequent Division, it is worth recording that every right hon. and hon. Member who spoke from the Back Benches was in favour of new clause 16.

I have considerable sympathy with my hon. Friend the Minister because, as he was kind enough to acknowledge, he was responsible, with me, for implementing in the Ministry of Defence the very policy that he has resisted as a transport Minister this evening. I appreciate his quandary.

No Minister could have been more conscientious and concerned to understand the problems faced in Kent and in London, and we are grateful to my hon. Friend for his personal attention to them. Having said that, his reply was very disappointing. The Government have missed a major opportunity. The issue will not go away—the injustice to individuals is too glaring, too patent to be simply dismissed. It will have to be the subject of general legislation, and the Bill is the perfect medium for dealing with the problem. The Government have been on notice for nearly two years, and I much regret that they have not taken the opportunity that presented itself. It is certainly my wish and, I believe, that of many right hon. and hon. Members who support new clause 16 to press the question to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 180, Noes 255.

Division No. 181] **[7·29 pm**

AYES

Abbott, Ms Diane	Corbett, Robin
Adams, Mrs Irene *(Paisley, N.)*	Corbyn, Jeremy
Allen, Graham	Couchman, James
Alton, David	Cousins, Jim
Anderson, Donald	Crowther, Stan
Archer, Rt Hon Peter	Cryer, Bob
Arnold, Jacques *(Gravesham)*	Dalyell, Tam
Ashdown, Rt Hon Paddy	Darling, Alistair
Ashton, Joe	Davies, Rt Hon Denzil *(Llanelli)*
Banks, Tony *(Newham NW)*	Davis, Terry *(B'ham Hodge H'l)*
Barnes, Harry *(Derbyshire NE)*	Dewar, Donald
Barnes, Mrs Rosie *(Greenwich)*	Dixon, Don
Barron, Kevin	Duffy, Sir A. E. P.
Battle, John	Dunn, Bob
Beith, A. J.	Dunnachie, Jimmy
Bell, Stuart	Dunwoody, Hon Mrs Gwyneth
Bellotti, David	Eadie, Alexander
Benn, Rt Hon Tony	Eastham, Ken
Boateng, Paul	Edwards, Huw
Boyes, Roland	Ewing, Harry *(Falkirk E)*
Brown, Gordon *(D'mline E)*	Ewing, Mrs Margaret *(Moray)*
Brown, Nicholas *(Newcastle E)*	Faulds, Andrew
Brown, Ron *(Edinburgh Leith)*	Fearn, Ronald
Bruce, Malcolm *(Gordon)*	Fenner, Dame Peggy
Buckley, George J.	Field, Frank *(Birkenhead)*
Caborn, Richard	Fields, Terry *(L'pool B G'n)*
Callaghan, Jim	Fisher, Mark
Campbell, Menzies *(Fife NE)*	Flynn, Paul
Campbell, Ron *(Blyth Valley)*	Foot, Rt Hon Michael
Campbell-Savours, D. N.	Foster, Derek
Carr, Michael	Fraser, John
Cartwright, John	Fyfe, Maria
Clarke, Tom *(Monklands W)*	Galloway, George
Clwyd, Mrs Ann	Gardiner, Sir George
Cook, Frank *(Stockton N)*	Garrett, John *(Norwich South)*

Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Haynes, Frank
Heal, Mrs Sylvia
Heath, Rt Hon Edward
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hunt, Sir John *(Ravensbourne)*
Illsley, Eric
Johnston, Sir Russell
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kirkwood, Archy
Leighton, Ron
Lewis, Terry
Livingstone, Ken
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKelvey, William
Maclennan, Robert
McMaster, Gordon
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pike, Peter L.
Primarolo, Dawn
Radice, Giles
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Rooney, Terence
Ross, William *(Londonderry E)*
Rowlands, Ted
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Sims, Roger
Skeet, Sir Trevor
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Stanbrook, Ivor
Steel, Rt Hon Sir David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Wallace, James
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Sir John Stanley and
Mr. Roger Moate.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Arbuthnot, James
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Durant, Sir Anthony
Dykes, Hugh
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Favell, Tony
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James
Holt, Richard
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Rhodes James, Sir Robert
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Rt Hon Sir Wyn
Roe, Mrs Marion

Rossi, Sir Hugh
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Sir Ian
Stokes, Sir John
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Walters, Sir Dennis
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Nicholas
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

New Schedule

REGISTRATION OF OLD MINING PERMISSIONS

Application for registration

1.—(1) Any person who is an owner of any land to which an old mining permission relates, or is entitled to an interest in a mineral to which such a permission relates, may apply to the mineral planning authority for the permission to be registered.

(2) The application must specify the development which the applicant claims is authorised by the permission, including the land to which the permission relates, and the conditions (if any) to which the permission is subject.

(3) The application must be served on the mineral planning authority before the end of the period of six months beginning with the day on which this Schedule comes into force.

(4) On an application under this paragraph, the mineral planning authority must—

(a) if they are satisfied that (apart from section *(Old mining permissions)*(3) of this Act) the permission authorises development consisting of the winning and working of minerals or involving the depositing of mineral waste, ascertain—

(i) the area of land to which the permission relates, and

(ii) the conditions (if any) to which the permission is subject,

and grant the application, and

(b) in any other case, refuse the application.

(5) Where—

(a) application has been made under this paragraph, but

(b) the mineral planning authority have not given the applicant notice of their determination within the period of three months beginning with the service of notice of the application (or within such extended period as may at any time be agreed upon in writing between the applicant and the authority),

the application is to be treated for the purposes of section *(Old mining permissions)* of this Act and this Schedule as having been refused by the authority.

Determination of conditions

2.—(1) The conditions to which an old mining permission is to be subject—

(a) may include any conditions which may be imposed on a grant of planning permission for development consisting of the winning and working of minerals or involving the depositing of mineral waste,

(b) may be imposed in addition to, or in substitution for, any conditions ascertained under paragraph 1(4)(a) above, and

(c) must include a condition that the winning and working of minerals or depositing of mineral waste must cease not later than 21st February 2042.

(2) Where an application for the registration of an old mining permission has been granted, any person who is an owner of any land to which the permission relates, or is entitled to an interest in a mineral to which the permission relates, may apply to the mineral planning authority to determine the conditions to which the permission is to be subject.

(3) The application must set out proposed conditions.

(4) The application must be served on the mineral planning authority—

(a) after the date mentioned in sub-paragraph (5) below, and

(b) except where section *(Old mining permissions)*(3) of this Act applies, before the end of the period of twelve months beginning with that date or such extended period as may at any time be agreed upon in writing between the applicant and the authority.

(5) The date referred to in sub-paragraph (4) above is—

(a) the date on which the application for registration is granted by the mineral planning authority, if no appeal is made to the Secretary of State under paragraph 5 below, and

(b) in any other case, the date on which the application for registration is finally determined.

(6) On an application under this paragraph—

(a) the mineral planning authority must determine the conditions to which the permission is to be subject, and

(b) if, within the period of three months beginning with the service of notice of the application (or within such extended period as may at any time be agreed upon in writing between the applicant and the authority) the authority have not given the applicant notice of their determination, the authority shall be treated for the purposes of section *(Old mining permissions)* of this Act and this Schedule as having determined that the permission is to be subject to the conditions set out in the application.

(7) The condition to which an old mining permission is to be subject by reason of sub-paragraph (1)(c) above is not to be regarded for the purposes of the planning Acts as a condition such as is mentioned in section 72(1)(b) of the principal Act (planning permission granted for a limited period).

(8) This paragraph does not apply to an old mining permission which has ceased to have effect since the application under paragraph 1 above was granted.

Registration

3.—(1) Where an application for the registration of an old mining permission is granted, the permission must be entered in the appropriate part of the register kept under section 69 of the principal Act and the entry must specify the area of land ascertained under paragraph 1(4)(a) above.

(2) Where an application to determine the conditions to which an old mining permission is to be subject is finally determined, the conditions must be entered in the appropriate part of that register.

(3) The matters required to be entered in the register under this paragraph must be entered as soon as reasonably practicable.

General provisions about applications

4.—(1) An application under paragraph 1 or 2 above is an application which is—

(a) made on an official form, and

(b) accompanied by an appropriate certificate.

(2) The applicant must, so far as reasonably practicable, give the information required by the form.

(3) Where the mineral planning authority receive an application under paragraph 1 or 2 above, they must as soon as reasonably practicable give to the applicant a written acknowledgement of the application.

(4) Where the mineral planning authority determine an application under either of those paragraphs, they must as soon as reasonably practicable give written notice of their determination to the applicant.

(5) An appropriate certificate is such a certificate—

(a) as would be required under the provisions mentioned in sub-paragraph (6) or, as the case may be, (7) below to accompany the application if it were an application for planning permission for development consisting of the winning and working of minerals or, as the case may be, involving the depositing of mineral waste, but

(b) with such modifications as are required for the purposes of this Schedule.

(6) For the purposes of paragraph 1 above, the provisions referred to in sub-paragraph (5) above are—

(a) sections 66 to 68 of the principal Act (notification of owners and agricultural tenants) and any provisions of a development order made by virtue of those sections, or

(b) where section 13(1) of this Act is in force, any provision, corresponding to the provisions referred to in paragraph (a) above, of section 65 of that Act (notice etc. of applications) and of a development order made by virtue of that section.

(7) For the purposes of paragraph 2 above, the provisions referred to in sub-paragraph (5) above are—

(a) sections 65 to 68 of the principal Act (publicity for applications) and any provision of a development order made by virtue of those sections, or

(b) where section 13(1) of this Act is in force, section 65 of that Act and any provision of a development order made by virtue of that section.

(8) Section 68(1) or, as the case may be, 65(5) of that Act (offences) shall also have effect in relation to any certificate purporting to be an appropriate certificate.

Right of appeal

5.—(1) Where the mineral planning authority—

(a) refuse an application under paragraph 1 above, or

(b) in granting such an application, ascertain an area of land, or conditions, which differ from those specified in the application,

the applicant may appeal to the Secretary of State.

(2) Where on an application under paragraph 2 above, the mineral planning authority determine conditions that differ in any respect from the conditions set out in the application, the applicant may appeal to the Secretary of State.

(3) An appeal under this paragraph must be made by giving notice of appeal to the Secretary of State.

(4) In the case of an appeal under sub-paragraph (1) above, the notice must be given to the Secretary of State before the end of the period of three months beginning with the determination or, in the case of an application treated as refused by virtue of paragraph 1(5) above, beginning at the end of the period or extended period referred to in paragraph 1(5)(b).

(5) In the case of an appeal under sub-paragraph (2) above, the notice must be given to the Secretary of State before the end of the period of six months beginning with the determination.

(6) A notice of appeal under this paragraph is a notice which—

(a) is made on an official form, and

(b) is accompanied by an appropriate certificate.

(7) The appellant must, so far as reasonably practicable, give the information required by the form.

(8) Paragraph 4(5) to (8) above shall apply for the purposes of sub-paragraph (7) above as it applies for the purposes of paragraph 4(1) above.

Determination of appeal

6.—(1) On an appeal under paragraph 5 above the Secretary of State may—

(a) allow or dismiss the appeal, or

(b) reverse or vary any part of the decision of the mineral planning authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it had been made to him in the first instance.

(2) Before determining such an appeal the Secretary of State must, if either the appellant or the mineral planning authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

(3) If at any time before or during the determination of such an appeal it appears to the Secretary of State that the appellant is responsible for undue delay in the progress of the appeal, he may—

(a) give the appellant notice that the appeal will be dismissed unless the appellant takes, within the period specified in the notice, such steps as are specified in the notice for the expedition of the appeal, and

(b) if the appellant fails to take those steps within that period, dismiss the appeal accordingly.

(4) The decision of the Secretary of State on such an appeal shall be final.

Reference of applications to Secretary of State

7.—(1) The Secretary of State may give directions requiring applications under this Schedule to any mineral planning authority to be referred to him for determination instead of being dealt with by the authority.

(2) The direction may relate either to a particular application or to applications of a class specified in the direction.

(3) Where an application is referred to him under this paragraph—

(a) subject to paragraph (b) and sub-paragraph (4) below, the following provisions of this Schedule—

(i) paragraph 1(1) to (4),

(ii) paragraph 2(1) to (6)(a), (7) and (8),

(iii) paragraphs 3 and 4, and

(iv) paragraphs 8 to 10,

shall apply, with any necessary modifications, as they apply to applications which fall to be determined by the mineral planning authority,

(b) before determining the application the Secretary of State must, if either the applicant or the mineral planning authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose, and

(c) the decision of the Secretary of State on the application shall be final.

(4) Where an application under paragraph 1 above is so referred to him, paragraph 2(5) above shall apply as if for paragraphs (a) and (b) there were substituted "the date on which the application for registration is finally determined".

Two or more applicants

8.—(1) Where a person has served an application under paragraph 1 or 2 above in respect of an old mining permission—

(a) he may not serve any further application under the paragraph in question in respect of the same permission, and

(b) if the application has been determined, whether or not it has been finally determined, no other person may serve an application under the paragraph in question in respect of the same permission.

(2) Where—

(a) a person has served an application under paragraph 1 or 2 above in respect of an old mining permission, and

(b) another person duly serves an application under the paragraph in question in respect of the same permission,

then for the purpose of the determination of the applications and any appeal against such a determination, this Schedule shall have effect as if the applications were a single application served on the date on which the later application was served and references to the applicant shall be read as references to either or any of the applicants.

Application of provisions of principal Act

9.—(1) Subject to paragraph 3 above, section 69 of the principal Act (registers of applications, etc.), and any provision of a development order made by virtue of that section, shall have effect with any necessary modifications as if references to applications for planning permission included applications under paragraph 1 or 2 above.

(2) Where the mineral planning authority is not the authority required to keep the register under that section, the mineral planning authority must provide the authority required to keep the register with such information and documents as that authority requires to comply with paragraph 3 above and with that section as applied by this paragraph.

(3) Sections 284 and 288 of the principal Act (validity of certain decisions and proceedings for questioning their validity) shall have effect as if the action mentioned in section 284(3) included any decision of the Secretary of State on an appeal under paragraph 5 above or on an application referred to him under paragraph 7 above.

Interpretation

10.—(1) In this Schedule—

"official form" means, in relation to an application or appeal, a document supplied by or on behalf of the Secretary of State for use for the purpose in question, and

"owner" in relation to any land means any person who—

(a) is the estate owner in respect of the fee simple, or

(b) is entitled to a tenancy granted or extended for a term of years certain of which not less than seven years remain unexpired.

(2) For the purposes of section *(Old mining permissions)* of this Act and this Schedule, an application under paragraph 1 or 2 above is finally determined when the following conditions are met—

(a) the proceedings on the application, including any proceedings on or in consequence of an application under section 288 of the principal Act, have been determined, and

(b) any time for appealing under paragraph 5 above, or applying or further applying under that section, (where there is a right to do so) has expired.'—*[Mr. Neil Hamilton.]*

Brought up, read the First and Second time, and added to the Bill.

Amendment made: No. 104—

SCHEDULE

REGISTRATION OF OLD MINING PERMISSIONS

The following Schedule shall be inserted as Schedule 10A to the 1972 Act—

"REGISTRATION OF OLD MINING PERMISSIONS

Application for registration

1.—(1) Any person who is an owner of any land to which an old mining permission relates, or is entitled to an interest in a mineral to which such a permission relates, may apply to the planning authority for the permission to be registered.

(2) The application must specify the development which the applicant claims is authorised by the permission, including the land to which the permission relates, and the conditions (if any) to which the permission is subject.

(3) The application must be served on the planning authority before the end of the period of six months beginning with the day on which this Schedule comes into force.

(4) On an application under this paragraph, the planning authority must—

(a) if they are satisfied that (apart from section 49H(3) of this Act) the permission authorises development consisting of the winning and working of minerals or involving the depositing of mineral waste, ascertain —

(i) the area of land to which the permission relates, and

(ii) the conditions (if any) to which the permission is subject,

and grant the application; and

(b) in any other case, refuse the application.

(5) Where—

(a) application has been made under this paragraph, but

(b) the planning authority have not given the applicant notice of their determination within the period of three months beginning with the service of notice of the application (or within such extended period as may at any time be agreed upon in writing between the applicant and the authority),

the application is to be treated for the purposes of section 49H of this Act and this Schedule as having been refused by the authority.

Determination of conditions

2.—(1) The conditions to which an old mining permission is to be subject—

(a) may include any conditions which may be imposed on a grant of planning permission for development consisting of the winning and working of minerals or involving the depositing of mineral waste,

(b) may be imposed in addition to, or in substitution for, any conditions ascertained under paragraph 1(4)(a) above, and

(c) must include a condition that the winning and working of minerals or depositing of mineral waste must cease not later than 21st February 2042.

(2) Where an application for the registration of an old mining permission has been granted, any person who is an owner of any land to which the permission relates, or is entitled to an interest in a mineral to which the permission relates, may apply to the planning authority to determine the conditions to which the permission is to be subject.

(3) The application must set out proposed conditions.

(4) The application must be served on the planning authority—

(a) after the date mentioned in sub-paragraph (5) below, and

(b) except where section 49H(3) of this Act applies, before the end of the period of twelve months beginning with that date or such extended period as may at any time be agreed upon in writing between the applicant and the authority.

(5) The date referred to in sub-paragraph (4) above is—

(a) the date on which the application for registration is granted by the planning authority, if no appeal is made to the Secretary of State under paragraph 5 below, and

(b) in any other case, the date on which the application for registration is finally determined.

(6) On an application under this paragraph—

(a) the planning authority must determine the conditions to which the permission is to be subject, and
(b) if, within the period of three months beginning with the service of notice of the application (or within such extended period as may at any time be agreed upon in writing between the applicant and the authority) the authority have not given the applicant notice of their determination, the authority shall be treated for the purposes of section 49H of this Act and this Schedule as having determined that the permission is to be subject to the conditions set out in the application.

(7) The condition to which an old mining permission is to be subject by reason of sub-paragraph (1)(c) above is not to be regarded for the purposes of the planning Acts as a condition such as is mentioned in section 27(1)(b) of this Act (planning permission granted for a limited period).

(8) This paragraph does not apply to an old mining permission which has ceased to have effect since the application under paragraph 1 above was granted.

Registration

3.—(1) Where an application for the registration of an old mining permission is granted, the permission must be entered in the appropriate part of the register kept under section 31 of this Act and the entry must specify the area of land ascertained under paragraph 1(4)(a) above.

(2) Where an application to determine the conditions to which an old mining permission is to be subject is finally determined, the conditions must be entered in the appropriate part of that register.

(3) The matters required to be entered in the register under this paragraph must be entered as soon as reasonably practicable.

General provisions about applications

4.—(1) An application under paragraph 1 or 2 above is an application which is—
(a) made on an official form, and
(b) accompanied by an appropriate certificate.

(2) The applicant must, so far as reasonably practicable, give the information required by the form.

(3) Where the planning authority receive an application under paragraph 1 or 2 above, they must as soon as reasonably practicable give to the applicant a written acknowledgement of the application.

(4) Where the planning authority determine an application under either of those paragraphs, they must as soon as reasonably practicable give written notice of their determination to the applicant.

(5) An appropriate certificate is such a certificate—
(a) as would be required under sections 23 or 24 of this Act to accompany the application if it were an application for planning permission for development consisting of the winning and working of minerals or involving the depositing of mineral waste; but
(b) with such modifications as are required for the purposes of this Schedule.

(6) Sections 23(3) and 24(6) of this Act (offences) shall also have effect in relation to any certificate purporting to be an appropriate certificate.

Right of appeal

5.—(1) Where the planning authority—
(a) refuse an application under paragraph 1 above, or
(b) in granting such an application, ascertain an area of land, or conditions, which differ from those specified in the application,
the applicant may appeal to the Secretary of State.

(2) Where on an application under paragraph 2 above, the planning authority determine conditions that differ in any respect from the conditions set out in the application, the applicant may appeal to the Secretary of State.

(3) An appeal under this paragraph must be made by giving notice of appeal to the Secretary of State.

(4) In the case of an appeal under sub-paragraph (1) above, the notice must be given to the Secretary of State before the end of the period of three months beginning with the determination or, in the case of an application treated as refused by virtue of paragraph 1(5) above, beginning at the end of the period or extended period referred to in paragraph 1(5)(b).

(5) In the case of an appeal under sub-paragraph (2) above, the notice must be given to the Secretary of State before the end of the period of six months beginning with the determination.

(6) A notice of appeal under this paragraph is a notice which—
(a) is made on an official form, and
(b) is accompanied by an appropriate certificate.

(7) The appellant must, so far as reasonably practicable, give the information required by the form.

(8) Paragraph 4(5) and (6) above shall apply for the purposes of sub-paragraph (7) above as it applies for the purposes of paragraph 4(1) above.

Determination of appeal

6.—(1) On an appeal under paragraph 5 above the Secretary of State may—
(a) allow or dismiss the appeal, or
(b) reverse or vary any part of the decision of the planning authority (whether the appeal relates to that part of it or not),
and may deal with the application as if it had been made to him in the first instance.

(2) Before determining such an appeal the Secretary of State must, if either the appellant or the planning authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

(3) If at any time before or during the determination of such an appeal it appears to the Secretary of State that the appellant is responsible for undue delay in the progress of the appeal, he may—
(a) give the appellant notice that the appeal will be dismissed unless the appellant takes, within the period specified in the notice, such steps as are specified in the notice for the expedition of the appeal, and
(b) if the appellant fails to take those steps within that period, dismiss the appeal accordingly.

(4) The decision of the Secretary of State on such an appeal shall be final.

Reference of applications to Secretary of State

7.—(1) The Secretary of State may give directions requiring applications under this Schedule to any planning authority to be referred to him for determination instead of being dealt with by the authority.

(2) The direction may relate either to a particular application or to applications of a class specified in the direction.

(3) Where an application is referred to him under this paragraph—
(a) subject to paragraph (b) and sub-paragraph (4) below, the following provisions of this Schedule—
(i) paragraph 1(1) to (4),
(ii) paragraph 2(1) to (6)(a), (7) and (8),
(iii) paragraphs 3 and 4, and
(iv) paragraphs 8 to 10,
shall apply, with any necessary modifications, as they apply to applications which fall to be determined by the planning authority,
(b) before determining the application the Secretary of State must, if either the applicant or the planning authority so wish, give each of them an opportunity of

appearing before and being heard by a person appointed by the Secretary of State for the purpose, and

(c) the decision of the Secretary of State on the application shall be final.

(4) Where an application under paragraph 1 above is so referred to him, paragraph 2(5) above shall apply as if for paragraphs (a) and (b) there were substituted "the date on which the application for registration is finally determined".

Two or more applicants

8.—(1) Where a person has served an application under paragraph 1 or 2 above in respect of an old mining permission —

(a) he may not serve any further application under the paragraph in question in respect of the same permission, and

(b) if the application has been determined, whether or not it has been finally determined, no other person may serve an application under the paragraph in question in respect of the same permission.

(2) Where—

(a) a person has served an application under paragraph 1 or 2 above in respect of an old mining permission, and

(b) another person duly serves an application under the paragraph in question in respect of the same permission,

then for the purpose of the determination of the applications and any appeal against such a determination, this Schedule shall have effect as if the applications were a single application served on the date on which the later application was served and references to the applicant shall be read as references to either or any of the applicants.

Application of provisions relating to planning permission

9.—(1) Subject to paragraph 3 above, section 31 of this Act (registers of applications, etc.), and any provision of regulations under this Act or a development order made by virtue of that section, shall have effect with any necessary modifications as if references to applications for planning permission included applications under paragraph 1 or 2 above.

(2) Where the planning authority is not the authority required to keep the register under that section, the planning authority must provide the authority required to keep the register with such information and documents as that authority requires to comply with paragraph 3 above and with that section as applied by this paragraph.

(3) Sections 231 and 233 of this Act (validity of certain decisions and proceedings for questioning their validity) shall have effect as if the action mentioned in section 231(3) included any decision of the Secretary of State on an appeal under paragraph 5 above or on an application referred to him under paragraph 7 above.

Interpretation

10.—(1) In this Schedule—

"official form" means, in relation to an application or appeal, a document supplied by or on behalf of the Secretary of State for use for the purpose in question, and

"owner" in relation to any land means any person who under the Lands Clauses Acts would be enabled to sell and convey the land to the promoters of an undertaking and includes any person entitled to possession of the land as lessee under a lease the unexpired portion of which is not less than seven years.

(2) For the purposes of section 49H of this Act and this Schedule, an application under paragraph 1 or 2 above is finally determined when the following conditions are met—

(a) the proceedings on the application, including any proceedings on or in consequence of an application under section 233 of this Act, have been determined, and

(b) any time for appealing under paragraph 5 above, or applying or further applying under that section, (where there is a right to do so) has expired.".'.— *[Lord James Douglas-Hamilton.]*

Clause 5

ENFORCEMENT NOTICES

Amendments made: No. 42, in page 8, line 3, leave out 'demolition or alteration' and insert 'alteration or removal'.

No. 43, in page 8, line 11, at end insert—

'(5A) Where an enforcement notice is issued in respect of a breach of planning control consisting of demolition of a building, the notice may require the construction of a building (in this section referred to as a "replacement building") which, subject to subsection (5B), is as similar as possible to the demolished building.

(5B) A replacement building—

(a) must comply with any requirement imposed by any enactment applicable to the construction of buildings;

(b) may differ from the demolished building in any respect which, if the demolished building had been altered in that respect, would not have constituted a breach of planning control;

(c) must comply with any regulations made for the purposes of this subsection (including regulations modifying paragraphs (a) and (b)).'.

No. 44, in page 8, line 34, leave out 'demolished' and insert 'removed'.

No. 45, in page 8, line 39, leave out from 'granted'to end of line 42 and insert 'by virtue of section 73A in respect of development consisting of the construction of the buildings or works or, as the case may be, the carrying out of the activities.

(10) Where—

(a) an enforcement notice requires the construction of a replacement building; and

(b) all the requirements of the notice with respect to that construction have been complied with,

planning permission shall be treated as having been granted by virtue of section 73A in respect of development consisting of that construction.'—*[Sir G. Young.]*

Clause 34

ENFORCEMENT NOTICES

Amendments made: No. 64, in page 41, line 3, leave out 'demolition or alteration' and insert 'alteration or removal'.

No. 65, in page 41, line 11, at end insert—

'(5A) An enforcement notice issued in respect of a breach of planning control consisting of demolition of a building may require the construction of a building (in this section referred to as a "replacement building" which, subject to subsection (5B) of this section, is as similar as possible to the demolished building.

(5B) A replacement building—

(a) must comply with any requirement imposed by or under any enactment applicable to the construction of buildings;

(b) may differ from the demolished building in any respect which, if the demolished building had been altered in that respect, would not have constituted a breach of planning control;

(c) must comply with any regulations made for the purposes of this subsection (including regulations modifying paragraphs (a) and (b) of this subsection).'.

No. 66, in page 41, line 34, leave out 'demolished' and insert 'removed'.

No. 67, in page 41, line 39, leave out from 'granted' to end of line 42 and insert—

'under section 29 of this Act in respect of development consisting of the construction of the buildings or works or, as the case may be, the carrying out of the activities.

(10) Where—

(a) an enforcement notice requires the construction of a replacement building; and

(b) all the requirements of the notice with respect to that construction have been complied with,

planning permission shall be treated as having been granted under section 29 of this Act in respect of development consisting of that construction.'.—*[Lord James Douglas-Hamilton.]*

Clause 6

APPEAL AGAINST ENFORCEMENT NOTICE

Amendment made: No. 19, in page 10, line 37, at end insert—

'(6) In section 303(3) of that Act (fees payable to Secretary of State in respect of deemed applications for planning permission) for "to him of a fee of the prescribed amount in respect of an" there is substituted—

"(a) of fees of prescribed amounts to him and to the local planning authority in respect of any application for planning permission deemed to be made under section 177(5); and

(b) of a fee of the prescribed amount to him in respect of any other".'—*[Sir G. Young.]*

Clause 35

APPEAL AGAINST ENFORCEMENT NOTICE

Amendment made: No. 68, in page 42, line 22, leave out from 'specified' to 'as' in line 24 and insert 'in the notice'.—*[Lord James Douglas-Hamilton.]*

Clause 38

STOP NOTICES

Amendment made: No. 124, in page 44, line 42, leave out 'subsection (1) of'.—*[Lord James Douglas-Hamilton.]*

Clause 10

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT.

Amendments made: No. 142, in page 13, line 35, leave out 'building, engineering, mining or other'

No. 143, in page 14, line 10 leave out from 'force' to end of line 11.

No. 144, in page 14, line 20, leave out from 'force' to end of line 21.

No. 145, in page 15, line 7 leave out 'building, engineering, mining or other'.

No. 146, in page 15, line 15, leave out 'were'.

No. 147, in page 15, line 16, leave out from 'application' to second 'they' in line 17 and insert 'would be lawful if instituted or begun at the time of the application'.

No. 148, in page 15, leave out lines 30 to 33 and insert—

'(4) The lawfulness of any use or operations for which a certificate is in force under this section shall be conclusively presumed unless there is a material change, before the use is instituted or the operations are begun, in any of the matters relevant to determining such lawfulness.'.

No. 149, in page 16, line 16, at end insert—

'(4A) A certificate under section 191 or 192 shall not affect any matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted unless that matter is described in the certificate.'.—*[Sir G. Young.]*

7.45 pm

Mr. Soley: I beg to move amend nent No. 126, in page 16, line 28, at end insert—

'(8) There shall be no fee for submitting applications under section 192.'.

The amendment seeks to ensure that no fee is charged for submitting an application under section 192 of the parent Act, which refers to applications for planning permission under section 69 of that Act and to certificates of lawfulness of existing use or development.

As we are talking about circumstances in which a person wishes to find out whether he already has permission, the provision involves the right to know—the right to information—and it seems wrong that a fee should be charged. I should like to hear the Minister's response to our view that it is wrong to charge someone a fee for providing him with information affecting his current position and that that information ought to be available free of charge.

Mr. Yeo: I shall try to be equally brief. I appreciate the reason behind the amendment, but I am sorry to tell the hon. Gentleman that we intend to resist it.

We consulted widely about the implementation of the provisions of clause 10, including the possibility of a fee for new section 192 applications. Our view is that, because a "lawful development certificate" granted under the new provisions would be a more valuable and significant document to the applicant than a favourable determination under the present section 64, a fee for the service is justified. More work will be involved for the local authorities in operating the new procedure. For instance, they will have to investigate the lawfulness of existing uses or works on the land and the terms of any planning permission that may exist.

We therefore think it reasonable for planning authorities to be able to charge a fee for that administrative work. We also believe that most developers will accept that it is reasonable to pay a fee as the price for obtaining an authority's considered opinion as to whether their proposal needs planning permission. If a certificate is granted, they will be able to rely on it as an assurance that planning permission is not required. In some cases, that will save them from having to submit a planning application to the local authority.

We are considering the responses to the consultation paper that we issued in January. No final decision has been taken on the proposal to charge a fee. We recognise the need to announce our intentions for implementing the provisions of clause 10, including our intention as regards enabling planning authorities to charge a fee for certificate applications. We hope to make an announcement about that before the summer recess, which would also state when the provisions could be brought into force. Charging a fee for the new section 192 applications would require my right hon. Friend the Secretary of State to lay fees regulations before Parliament and those who oppose the idea would have an opportunity to object.

I hope that hon. Members will accept that it is not unreasonble to enable planning authorities to charge a fee to help cover the costs of the new service, which will be of

[Mr. Yeo]

considerable benefit to the people who use it. For that reason, I invite the hon. Gentleman not to press the amendment.

Amendment negatived.

Clause 39

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Amendments made: No. 151, in page 46, line 17 leave out

'building, engineering, mining or other'.

No. 152, in page 47, line 35 leave out

'building, engineering, mining or other'.

No. 153, in page 47, line 43 leave out 'were'.

No. 154, in page 47, line 44 leave out from 'application' to second 'they' in line 45 and insert

'would be lawful if instituted or begun at the time of the application'.

No. 155, in page 48, leave out lines 9 to 12 and insert—

'(4) There shall be an irrefutable presumption as to the lawfulness of any use or operations for which a certificate is in force under this section unless there is a material change, before the use is instituted or the operations are begun, in any of the matters relevant to determining such lawfulness.'.

No. 156, in page 48, line 15, after 'regulations', insert 'under this Act'.

No. 157, in page 48, line 17, after 'by', insert 'such'.

No. 158, in page 48, line 18, after 'under', insert 'such'.

No. 159, in page 48, line 20, after 'by', insert 'such'.

No. 160, in page 48, line 24, after 'particular', insert 'such'.

No. 161, in page 48, line 27, after 'by', insert 'the'.

No. 162, in page 48, line 31, after 'under', insert 'the'.

No. 163, in page 48, line 44, after 'by', insert 'such'.

No. 164, in page 48, line 45, at end insert—

'(4A) A certificate under section 90 or 90A shall not affect any matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted unless that matter is described in the certificate.'.

No. 165, in page 49, line 7, after 'by', insert 'such'.—*[Lord James Douglas-Hamilton.]*

Clause 40

RIGHTS OF ENTRY

Amendment made: No. 166, in page 51, line 12, at end insert—

'(3A) The provisions of section 168 of this Act shall apply in relation to compensation under subsection (3) of this section as they apply in relation to compensation under Part VIII of this Act.'.—*[Lord James Douglas-Hamilton.]*

Clause 12

PLANNING OBLIGATIONS

Mr. Win Griffiths: I beg to move amendment No. 110, in page 19, line 24, leave out 'or otherwise' and insert 'with the authority or as specified in subsection (1B)'.

Madam Deputy Speaker (Miss Betty Boothroyd): With this it will be convenient to take amendment No. 111, in page 19, line 36, at end insert—

'(1B) Any person interested in land in the area of a local planning authority may unilaterally enter into an obligation (referred to in this section as a "unilateral undertaking") where a local planning authority has been unwilling to enter into an obligation by agreement and an appeal has been made to the Secretary of State under section 78.'.

Mr. Griffiths: This amendment has the support of many organisations which are deeply disturbed by the growing influence of planning gain on decisions made by local planning authorities. The Council for the Protection of Rural England has been in the vanguard of this campaign, but other organisations and individuals have also expressed that concern.

Agreements drawn up by local authorities and developers—renamed "planning obligations" in the Bill—have a role in the planning system, but not as a means of assisting the granting of planning permissions which would not otherwise have been granted.

In Committee we opposed the principle contained in clause 12 to allow developers to enter into "unilateral undertakings". The priority should be opening up the processes of planning gain to public debate, rather than encouraging even more agreements to be drawn up behind closed doors without even local authority involvement.

Earlier amendments to delete this aspect from the Bill were unsuccessful. In view of the Government's commitment to the process, we have sought an amendment which would achieve the Government's aims but would reduce some of the problems that have been widely feared.

Both the Council for the Protection of Rural England and the Law Society believe that a greater distinction between planning obligations by agreement and unilateral undertakings should be made in the Bill and that unilateral undertakings should be used only when negotiations with the local authority have broken down.

The Government have said at all stages of the Bill in both Houses that they view unilateral undertakings as a specific mechanism for enabling a log jam to be broken. I believe that those were the words used in Committee, where the Minister said:

"We see the provision in clause 12 very much as the exception and are in favour of agreements being negotiated with the local authority . . . The provision is a safety valve that can be used when recalcitrant local authorities obstruct otherwise sensible developments."—[*Official Report, Standing Committee F*, 16 April 1991; c. 114.]

However, the Government have done nothing to reflect that on the face of the Bill, nor have they promised to clarify planning policy guidance.

If unilateral undertakings are only appropriate when the mechanism for achieving planning obligations by agreement has broken down, that should be clearly shown in the Bill. Our amendment would achieve that by ensuring that all obligations were entered into by agreement, unless a local authority refused to negotiate and an appeal was lodged. Unilateral undertakings would be allowed only in respect of a planning appeal, which is exactly what the Government have argued. I therefore ask the Government for a clear commitment that new planning guidance will be issued which will carefully define the circumstances within which unilateral undertakings would be appropriate and the basis on which they would be considered by the Secretary of State and his inspectors. I hope that the Government will take a positive attitude towards these amendments.

Sir George Young: I do not think that there is a wide gulf between the two sides on this subject. I can confirm that I do not foresee that these facilities will be used other than on appeal, and I hope to explain why the amendments, especially No. 111, might be unhelpful.

In Committee and in another place, there were extensive debates about provisions in clause 12 for entering into a planning obligation by means of a unilateral undertaking—there have been four debates on unilateral undertakings here and in another place.

I confirm that we expect such undertakings to be used mainly at appeal, in situations where there is a planning objection to the development proposal, which can only be resolved by a planning obligation under section 106, and where the parties are not able to reach agreement about how to resolve the objection. Clearly, when they could reach agreement before going to appeal, unilateral undertakings would not be needed.

In Committee, I gave some examples of where the provisions might be helpful, and I do not propose to repeat them. However, I welcome the fact that the hon. Member for Bridgend (Mr. Griffiths) is no longer pressing his objection, in principle, to unilateral undertakings. The principle is conceded in the amendments, but he seeks to ring-fence them by allowing them only on an appeal.

Mr. Win Griffiths: If I may clarify that matter, we have accepted that the Government are not going to move from unilateral undertakings, so we have sought to deal with it in that way.

Sir George Young: I recognise that realism has broken out.

The amendments would allow unilateral undertakings to be made only in the circumstances described in the last two lines of amendment 111.

The amendment is unnecessary, because the main use of the undertakings, as an alternative means of entering into a planning obligation, will be at the appeal stage anyway. We expect that recourse to undertakings will be relatively infrequent and that obligations will generally be entered into by agreement. I confirm that, in my view, that is the preferred course. We propose to reinforce that in policy guidance.

The amendment is undesirable because it would create some inflexibility. Amendment No. 111 would prevent a developer from making a unilateral undertaking until after he had lodged an appeal. As the Bill stands, a developer could make an undertaking at any stage. Such an undertaking might, by clarifying what the developer was prepared to offer, facilitate agreement between the two parties.

Alternatively, the local planning authority might be prepared to grant permission on the basis that the undertaking had removed the outstanding objections to the development proposal. The undertaking would become, in effect and possibly in fact, an agreement. There can be nothing objectionable about that process, and amendment No. 111 would preclude it. Against that background, I hope that the amendment will not be pressed to a Division.

Mr. Griffiths: I thank the Minister for his response and for the way in which he seems to believe clause 12 should be interpreted.

The Minister said that he expected to issue planning guidance on this matter, although he gave no sign of how quickly it might be achieved. Before making a final response, could he give me some idea of the time scale involved?

Sir George Young: I cannot give a specific date, but I take the hon. Gentleman's point. He is anxious that there should be guidance. Guidance on this part of the Bill will be issued as soon as practicable after Royal Assent. It would help if we confirmed in guidance our view that unilateral undertakings should be used principally on appeal. I hope the hon. Gentleman feels that he can accept that assurance.

Mr. Griffiths: I am anxious to help the Minister, but he will appreciate that our problem is that we object in principle to the use of unilateral undertakings. We had hoped that the Government would accept the amendment; then we should have been satisfied. Having accepted that the Government would not move on the principle, we hoped that the amendment would be passed without a vote. The Government, however, have said nothing about the time scale for the planning guidance, so there is an important issue of principle at stake, and we must press the amendment to a vote.

Question put, That the amendment be made:—

The House divided: Ayes 140, Noes 251.

Division No. 182] **[8.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashdown, Rt Hon Paddy
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Boyes, Roland
Brown, Nicholas *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carr, Michael
Cartwright, John
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crowther, Stan
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Duffy, Sir A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Heal, Mrs Sylvia
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Johnston, Sir Russell
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kirkwood, Archy
Lamond, James
Leighton, Ron
Lewis, Terry
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
Macdonald, Calum A.
Maclennan, Robert
McMaster, Gordon
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Nellist, Dave
Oakes, Rt Hon Gordon
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pike, Peter L.
Primarolo, Dawn

Radice, Giles
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robinson, Geoffrey
Rogers, Allan
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Soley, Clive
Steel, Rt Hon Sir David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Wallace, James
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Winnick, David
Wise, Mrs Audrey
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Ken Eastham and
Mr. Eric Illsley.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Beaumont-Dark, Anthony
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'pto'n)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Couchman, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Dykes, Hugh
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fowler, Rt Hon Sir Norman
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Higgins, Rt Hon Terence L.
Hill, James
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Sir Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Rhodes James, Sir Robert
Roberts, Rt Hon Sir Wyn
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rost, Peter
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Sir Ian
Stokes, Sir John
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Walden, George
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Tom Sackville.

Question accordingly negatived.

Amendments made: No. 25, in page 20, line 1 at beginning insert 'Subject to subsection (3A)'

No. 26, in page 20, line 7 leave out 'to the extent of his derivative interest' and insert—

'(3A) The instrument by which a planning obligation is entered into may provide that a person shall not be bound by the obligation in respect of any period during which he no longer has an interest in the land.'

No. 27, in page 20, line 9 leave out from 'injunction' to end of line 11

No. 28, in page 20, line 46 at end insert—

'(10A) Regulations may provide for the charging on the land of—

(a) any sum or sums required to be paid under a planning obligation; and

(b) any expenses recoverable by a local planning authority under subsection (5)(b),

and this section and sections 106A and 106B shall have effect subject to any such regulations.'

No. 29, in page 23, line 8 leave out from 'into' to end of line 15 and insert

'an obligation falling within any of paragraphs (a) to (d) of section 106(1) (in this section referred to as a "planning obligation") enforceable to the extent mentioned in subsection (2A).

(2) A planning obligation may not be entered into except by an instrument executed as a deed which—

(a) states that the obligation is a planning obligation for the purposes of this section;

(b) identifies the land in relation to which the obligation is entered into;

(c) identifies the appropriate authority who are entering into the obligation and states what the Crown or Duchy interest in the land is; and

(d) identifies the local planning authority by whom the obligation is enforceable.

(2A) A planning obligation entered into under this section is enforceable—

(a) against any person with a private interest deriving from the Crown or Duchy interest stated in accordance with subsection (2)(c);

(b) by the authority identified in accordance with subsection (2)(d).

(2B) Subject to subsection (3), subsections (2), (3A) to (7) and (9) to (11) of section 106 and sections 106A and 106B apply to a planning obligation entered into under this section as they apply to a planning obligation entered into under that section.'

No. 30, in page 23, line 23 leave out from 'subsection' to end of line 34 and insert '(2B))'—*[Sir George Young.]*.

Clause 15

NOTICE ETC. OF APPLICATIONS FOR PLANNING PERMISSION

Amendment proposed: No. 20, in page 24, line 35, at end insert—

'(1A) Provision shall be made by a development order for the purpose of securing that, in the case of any application for planning permission, any person (other than the applicant) who on such date as may be prescribed by the order is an owner of the land to which the application relates, or a tenant of any agricultural holding any part of which is comprised in that land, is given notice of the application in such manner as may be required by the order.'—*[Mr. Yeo.]*

Mr. Deputy Speaker: With this it will be convenient to consider the following amendments: No. 140, in page 24, line 39, at end insert—

'(2B) A development order shall require a local planning authority to notify a parish council of all planning applications involving their parish, and to send a parish council a fully detailed and complete set of plans and drawings relating to each planning application.'.

No. 141, in page 24, line 39, at end insert—

'(2A) A development order shall require each applicant for planning permission to provide five copies of the application, including copies of all plans and drawings.'.

No. 113, in page 24, line 42, at end insert—

'(3A) Notwithstanding the provisions of subsection (3) a development order shall require a local planning authority to publicise all applications for planning permission made in its area in a manner prescribed by the development order or otherwise as the authority thinks fit.'.

Government amendments Nos. 167 and 168.

Mr. Steen: I beg to move amendments Nos. 140 and 141.

Mr. Deputy Speaker: Order. The hon. Gentleman can speak to the amendments, but he does not have to move them.

Mr. Steen: I am glad that you refreshed my memory, Mr. Deputy Speaker. We might have an opportunity to divide the House later but, subject to the help that I hope the Minister will be able to give us, it might not be necessary.

I am sure that the whole House will be interested in the amendment because it deals with parish councils. I do not know whether hon. Members have a similar problem to mine. In my area, highly intelligent people are involved in parish council business. They are concerned and want to participate in the planning process. The problem is that they have absolutely no power and, although they are often somewhat reluctant to admit it, most of them believe that the planning process could be improved if they did have some power.

The amendment deals not with power, but solely with information. I do not know whether hon. Members are aware of the fact—I was not until I examined it more closely—that parish councils do not receive any details of planning applications made to the town, borough or district councils; they receive only outline information. Therefore, when a parish council is asked by the district or town council to consider a planning application, it receives only a notification of the outline of that application.

I took the liberty of inviting my town council in Salcombe in Devon to let me know what its problem was. The clerk of the council—Mrs. Woodhatch—wrote:

"As you are probably aware"—

I was not, at that stage—

"the Planning Act and the general development order require the planning authority as soon as possible to inform a parish council in writing of a planning application, indicating the nature of the development and identifying the land. It does not require the planning authority to send any plans of the proposals or to explain the reason for the application even if they know that themselves, which in many cases is doubtful. We are also required to advise the planning authority within 14 days of the town council's representation."

The council has no information—or very little—but is required to give its views within 14 days. Mrs. Woodhatch's letter continued:

"You will see from this that the procedure is most unsatisfactory and has been so since 1974. Even if we do make recommendations they are often ignored."

The letter continues, but the point is that the council receives outline information only but no details on which to base its view. That is why so many parish councils make the most extraordinary recommendations to district and town councils.

8.15 pm

Mr. Win Griffiths: One of the quirks of the 1974 local government reform was to describe parish councils in Wales as "community councils". We support the hon. Member for South Hams (Mr. Steen) because in my constituency, for example, the town council of Porthcawl, which is a substantial community, has for many years been lobbying Ogwr borough council for full planning permission. This year, for the first time, Porthcawl became a Labour-controlled authority, which is proof of the Tory's present difficulties.

Mr. Barry Porter (Wirral, South): A Tory stronghold.

Mr. Griffiths: I could not resist that comment, especially in view of the sotto voce comment by the hon. Gentleman below the Gangway, the hon. Member for Wirral, South (Mr. Porter). However, we support the hon. Member for South Hams.

Mr. Steen: It may be reassuring for the Opposition to support me, but it makes me think that I must be on the wrong track.

I mentioned Salcombe town council, but I also wish to mention the illustrious district council of South Hams. It has a first-rate planning department and a fine planning officer. I asked him in confidence to give me an idea of some of his problems. He declined to tell me exactly what they were, but he kindly wrote to me about my proposals.

I am not asking for parish councils to be given powers to intervene in planning matters. That would be another debate, although many people believe that parish councils should be more involved. I am concerned only to ensure that they have detailed plans so that when an applicant makes an application, instead of lodging four sets of plans, he lodges five sets. It is not too outrageous to suggest that when an applicant makes an application he should bear the cost of giving exact information about what he is doing or wishes to do to the local parish council. What is the purpose of a parish council if it is not to consider detailed planning applications?

The director of planning and housing for South Hams district council, Mr. Carpenter, said:

"I can confirm that I am still supplying the parish and town councils with plans where I have spare copies available. It has been council practice for many years to supply a full copy of the plan where a copy is available. However, although I ask applicants to supply six copies I am only able by statute to request four copies. Where six are received the parish and town councils receive a copy with their notification. It is not surprising by the time a copy is retained in the office for public inspection and the various statutory consultees like the water authority and the National Rivers Authority have requested copies of an application that four is an inadequate number of copies for the proper consideration of an application."

Mr. David Nicholson (Taunton): My hon. Friend will know of my knowledge of and love for South Hams. I hope that my hon. Friend the Minister will recognise that what my hon. Friend advocates as being good for South Hams is probably good for Taunton and Dean and the rest of England. The Labour party is showing interest in this matter, although many Labour Members would not know what a parish was if they saw one. However, no one from the Liberal Democrats is present and I thought that that party was a campaigner for parish councils.

Mr. Steen: My hon. Friend the Member for Taunton (Mr. Nicholson) has good eyesight. My attention has been drawn to the fact that no Liberal Member—if that is what they are called now—is present.

Mr. Robert B. Jones (Hertfordshire, West): The eyesight of my hon. Friends the Members for South Hams (Mr. Steen) and for Taunton (Mr. Nicholson) is obviously good. However, they could not have noticed that during the Committee stage of the Bill—12 sessions—the Liberal Democrat representative attended only once. That is an appalling attendance record. He was even absent for a vital debate on coastal protection, which one would have thought would have been of interest to Eastbourne.

Mr. Deputy Speaker: Order. I should like to hear something about the amendment.

Mr. Steen: It is a simple amendment and I hope that the House will support it. I am simply asking applicants to submit five copies of their application instead of four. That should be a statutory requirement.

Mr. Barry Porter: Why cannot the good Mrs. Woodhatch merely step round to the planning office and examine the plans? That is not much to ask her to do.

Mr. Steen: It is always useful to have a Merseyside intervention. The problem with Merseyside Members is that they do not understand that the constituency of South Hams is 88 miles from one end to the other. Mrs. Woodhatch would have to travel 65 miles to and from the office every week to look at the planning applications. Mrs. Woodhatch could ask the planning authority for a copy of the plans. However, I understand from the director of housing and planning that it would take his staff six to eight hours to photostat all the planning applications that arrive each week. That is why it is not a serious consideration.

Mr. Rupert Allason (Torbay): I support entirely what my hon. Friend has said. Does he agree that there is tremendous development pressure in South Hams and Torbay? Part of the Torbay borough is in the South Hams constituency. It has the fifth highest number of planning applications in the United Kingdom. The pressure on the planning authority is enormous. The more that the plans can be circulated by statute, the better.

Mr. Steen: This is such a simple request that I cannot believe that the Government will not accept it. We all have good parish councils within our constituencies and they consist of informed, involved and concerned constituents. We may need to review the powers of parish councils in due course, but that is not the purpose of the amendment. The purpose of the amendment is to ensure that when local people with an interest in the local environment consider planning applications, they should have a copy of the plan.

Dame Elaine Kellett-Bowman (Lancaster): We are devolving powers to schools and local hospitals. The people who sit on parish councils know the locality and are not taking decisions from a distance. They should have full information.

Mr. Steen: If we do not give parish councils the necessary information, how can they make informed judgments? Parish councils often make unusual observations and district councils therefore cannot always believe what they receive. That is not surprising. Parish councils have only an outline plan of the application to which they have to respond within 14 days. If the view of my hon. Friend the Member for Wirral, South (Mr. Porter) were to be accepted, the good Mrs. Woodhatch and her town councillors would have to travel to the district council offices, perhaps in a charabanc, thereby causing congestion on the roads and more problems for the infrastructure. All that is required is one extra set of plans to be deposited statutorily by the applicant. Instead of putting just an outline application into the envelope, the district council could put in the detailed plan. That is not a difficult thing to do.

Mr. Robert Banks (Harrogate): I am following my hon. Friend's argument carefully and I agree with much of what he has said. Is it not the case that the authority of a parish council if often undermined because gossip and rumours spread through a village like wildfire when a development is about to take place? The parish council does not have sufficient information and is often wrong-footed and put at a great disadvantage.

Mr. Steen: My hon. Friend the Member for Harrogate (Mr. Banks) has experience north of Watford and my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) has experienced north-west of Watford. My hon. Friend the Member for Harrogate's point is important. Parish councils are undermined by not being given the information. They do not have any authority or power but they have a great deal of local experience. I am simply asking the Government to ensure that an extra set of plans is made available statutorily.

I have made my point and I do not think that I need to repeat it. We should simply change the number of plans from four to five. I do not believe that there is any problem in that.

Mr. Michael Jopling (Westmorland and Lonsdale): I have great sympathy for the views held by my hon. Friend the Member for South Hams (Mr. Steen). During my 27 years as a Member of Parliament I have spent a great deal of time pursuing the same course of action as he has sought to pursue tonight.

I hesitate to talk about private Members' Bills because, over the years, I have been a party to killing as many such Bills as anyone in the House. I remember the first time that I was lucky enough to win a place in the ballot for private Members' Bills. At that time, in cahoots with the parish councils, I decided to promote a Bill to strengthen their powers. The clerk of the parish council in South Hams may recall that, as a result of my Bill, the powers of parish councils were extended.

I have always kept a careful silence about the title of my Bill. It was called the Parish Councils and Burial Authorities (Miscellaneous Provisions) Bill. It had a low place in the ballot and was due to come up late one Friday afternoon when nearly every Bill in sight was being killed by the Government Whip of the day. The Leader of the House at that time was an old friend of many of us, the late, much loved and lamented Lord Peart. I said to him, "I hope that you are not going to kill my Bill." He slid along to the Government Whip and then returned to me with a long face and said, "Yes, Michael, I am afraid that we are going to kill it." At that moment the hon. Member for Wallsend (Mr. Garrett)—we are old friends—came along and I said, "Ted, you cannot allow them to kill this Bill." The hon. Member for Wallsend told Fred Peart that he should tell the Government Whip to let my Bill go through, and it did. That is when I learned that Whips have hearts. We extended the powers of burial authorities.

I remember also that at that time, although a parish council was allowed to put up a bus shelter, for some reason it was not allowed to put up a notice outside saying, "Bus stop". We dealt with that little problem, among many others—but I digress.

There is much merit in the comments of my hon. Friend the Member for South Hams. I have always felt that it is right to involve local people in planning details. The amendments do not extend the planning process. I hope that they will not cause delay, because there is too much delay already. I would not support the amendments if I thought that they would delay the planning process. The amendments give a say to people at grass-roots level——

Dame Elaine Kellett-Bowman: An important say.

Mr. Jopling: They give an important say, as my neighbour and hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) says, and I have always supported that.

I hope that the Government will listen carefully to the views expressed by my hon. Friend the Member for South Hams and others who intervened in this short debate. I hope that the Government will do what they can to help, and I shall listen carefully to the comments of my hon. Friend the Under-Secretary of State.

8.30 pm

Sir Peter Emery (Honiton): This is a matter of principle—either parish councils give their views on planning or they do not. If they give their views, surely they have the right to have the full plans and not just outlines. Some people say that the amendments tabled by my hon. Friend the Member for South Hams (Mr. Steen) are absurd, but I do not believe that they are. They make much sense. Some limitations may be needed—it may mean that not every bus shelter plan must be duplicated and sent to the parish council in full. Parish councils consider major planning decisions, and we should ensure that they have all the available plans.

Either we want parish councils to consider planning matters, and they should be fully informed, or we do not. The law is that they should consider planning applications, which is the way I should like it to stay. Unless the Government have reasons which we have not yet heard for opposing the amendments, I hope that they will take some major steps——

Dame Elaine Kellett-Bowman: This is a minor step.

Sir Peter Emery: I hope that the Government will take some major steps to meet the minor request made by my hon. Friend the Member for South Hams in his sensible amendments.

Mr. Soley: It is always a pleasure to support the hon. Member for South Hams (Mr. Steen), not least because he frequently nailed his colours to the mast in Committee and supported us—at such great length that his Front-Bench colleagues nearly nailed him to the mast a couple of times. I see that the hon. Gentleman is wearing his colours of green and red. There has always been some uncertainty about whether he is a supporter of the Ecology party or the Labour party. We are working on him, and hope to have him on our side before long.

The hon. Gentleman is basically right. The group of amendments is about giving better information to the public. We wish to open up the planning system to more public scrutiny. That should be one of our aims. The Government took some steps towards that during the Bill's passage, which we very much welcome. Our amendment to line 42 on page 24 states:

"a development order shall require a local planning authority to publicise all applications for planning permission".

It is a small but important measure, and we have left open how things should be done. Members of Parliament and many more councillors know that people come along after

[Mr. Soley]

the event and say, "We didn't know." Often, the system for letting people know is nowhere near as good as it could or should be.

It is appropriate that we are debating the amendment today, the day on which the Community Development Foundation launched its report entitled "Action for Better Communities!" in the House of Commons with cross-party support. Present at the launch this morning were two Conservative Members, both of whom spoke in favour of the report—one chaired the group—a Member of the Liberal Democrats and two Labour Members, including me.

There is growing support for the public to be more aware of what affects the quality of their lives. Planning permission generally is one of the most important aspects. Whether we are talking about the amendments tabled by the hon. Member for South Hams, which deal with parish councils, or about our amendment, which opens up the issue of publicity, I strongly recommend that the Government give more thought to this matter. Even if they are not prepared to act now, I hope that they will do so when the Bill is considered in the other place.

Mr. Yeo: This has been an unexpectedly productive debate, with more speeches than some of us had expected. I shall begin with amendment No. 113 before turning to amendments Nos. 140 and 141, to which my hon. Friend the Member for South Hams (Mr. Steen) spoke. Amendment No. 113 helps me to put into context the circumstances in which parish councils will have greater access to information about planning applications, as will everyone else.

During the passage of the Bill, the Government have accepted the principle that all planning applications in England and Wales and any alterations to those applications that are accepted by a planning authority should be given publicity. That was an important change of policy and a significant change from the previous position, when we did not feel that it was necessary to require every planning application to be given publicity. We made that clear in Committee, and announced to the House on 10 May that we would give effect to that commitment by amending the Town and Country Planning and General Development Order 1988. We will take this forward when we have considered the outcome of a public consultation exercise about how that objective can best be achieved.

As part of our consideration of the options open to us for achieving that aim, I wrote to the Under-Secretary of State for Scotland, my hon. Friend the Member for Edinburgh, West (Lord James Douglas-Hamilton), and the Under-Secretary of State for Northern Ireland, my hon. Friend the Member for Wiltshire, North (Mr. Needham), to invite their views on the experience that they have gained of how the public can be notified about planning applications in Scotland, where it is applicants' responsibility to publicise planning applications, and in Northern Ireland.

At this stage, before we have completed our consultations on this point, we would not wish to rule out the introduction of an arrangement in England and Wales similar to that which already exists in Scotland. When we publish the consultation paper in the next few weeks, with the aim of amending the general development order later in the year, I envisage that the paper will invite views on a range of options, including the Scottish one. The danger of accepting amendment No. 113 is that it would limit our consideration of the issue—we would be shackled—and it would appear to rule out the possibility of making it the responsibility of the planning applicant to undertake the necessary publicity exercise.

My hon. Friend the Member for South Hams spoke forcefully in support of the amendments Nos. 140 and 141, citing his experience in his constituency, as he did several times during the Bill's passage. He was eloquently supported by my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) and my hon. Friend the Member for Honiton (Sir P. Emery). They made a powerful case for giving parish councils, as of right, full information about the details of every planning application received by the planning authority.

I shall try briefly to explain why I do not believe that it is right to accept the amendments. I stress that I am an admirer of the work of many parish councils. In my constituency, their views on a wide range of issues are often extremely helpful.

Dame Elaine Kellett-Bowman: My hon. Friend said that the observations of parish councils were helpful. Surely they would be much more helpful if parish councils were properly informed, as the amendment seeks to achieve.

Mr. Yeo: If my hon. Friend will give me a moment or two, I will try to explain why I believe that parish councils are adequately informed.

The view of the parish council can often be a barometer of local opinion, and it can help to inform the reaction of a planning authority to a particular application. It is because we recognise that that we have included in paragraph 48 of schedule 6 provisions designed to ensure that parish and community councils are better informed about development proposals in their areas. That must be seen against the background of our acceptance of the principle of some publicity for all planning applications.

The provisions in paragraph 48 of schedule 6 consolidate and extend requirements in paragraph 8 of schedule 1 of the Town and Country Planning Act 1990. They include a new requirement for local planning authorities to notify parish and community councils of alterations to planning applications. That is very important. That requirement supplements the existing duty on planning authorities to notify parish councils of applications.

Those requirements are triggered by the parish council requesting the planning authority to notify it. There is a point of contact at that stage between the parish council—if it is interested—and the planning authority. That request can indicate that the parish council wishes to be informed about all planning applications in the area, or it can specify the types of planning applications about which it wishes to be informed.

Sir Peter Emery: If the parish council requests that trivia, is the planning authority obliged to supply the information within the necessary time, or can it ignore the request? That is of considerable importance.

Mr. Yeo: It is obliged to provide information about planning applications to the parish council, and we have

extended that principle not just to deal with applications but to apply if there are subsequent alterations to the application received by the planning authority.

Dame Elaine Kellett-Bowman: I understand the point about schedule 6 to which the Minister drew my attention. However, the planning authority is not obliged to give the parish council the relevant information. It can simply give a formal notification. It does not have to provide the detailed information upon which the parish council can make an informed and intelligent decision.

Mr. Yeo: If my hon. Friend will allow me, I will try to develop my point and explain why we believe that it would be onerous to place the requirement on planning authorities as suggested in amendments Nos. 140 and 141.

There is absolutely nothing to stop the local planning authority making an arrangemnent with the parish council having ascertained the nature of the parish council's interest and agreeing to supply all the details as a matter of course if that appears to be the best way to deal with the matter. There is every opportunity for that to happen. There is nothing in our policy or in legislation to prevent the planning authority from dealing with parish councils in that way if it wishes.

Mr. Robert B. Jones: Dacorum borough council in my constituency does exactly that, and that benefits the borough council and the parish council.

Mr. Yeo: I am grateful to my hon. Friend for that intervention. No doubt many planning authorities adopt that policy, which works satisfactorily.

Mr. Steen: A moment ago, my hon. Friend the Minister said that there would be a burden on the planning authority. We are not asking the planning authority to do anything extra: we are simply asking it to shove an extra set of detailed plans provided by the applicant into the envelope which it already sends to the parish council to inform the parish council that the planning application exists. There is not much extra effort.

Mr. Yeo: Although, until November last year, I did not see many planning applications and was not familiar with the bulk of the accompanying documents—as part of my daily working life now, I see planning decisions routinely several times a day—I am now aware that even what appears to be quite a simple planning application, which, I appreciate, by the time it reaches me has become a planning appeal—and I can see how it started—can comprise a significant bulk of documents. Therefore, the obligation is not quite as trivial as my hon. Friend the Member for South Hams seems to imply.

Dacorum council has the great advantage of an excellent Member of Parliament and it is clearly an extremely well run authority. It has decided to make arrangements with the parish councils within the borough and those arrangements suit both sides. However, there are more than 500,000 planning applications every year. Forty per cent. of those relate to applications by householders for very simple matters.

8.45 pm

Against that background of more than 500,000 planning applications, there is merit in allowing parish councils and local planning authorities a measure of discretion about the arrangements that they make between themselves instead of imposing the blanket requirement that with every application, whatever its nature and however trivial or important, all the details must be sent routinely to the parish council. The element of discretion that we are allowing is the best way forward and is entirely in line with our approach on a wide range of matters.

If we were to accept amendment No. 140, we would run the risk of creating planning junk mail. The clerk to the parish council would dread the arrival, almost every week, of another huge bulky envelope. He would wonder if there was any way of cutting off that supply of paper work.

Dame Elaine Kellett-Bowman: This is really most unfair. The Minister does not appear to have read page 133 of the Bill, which uses the words "if requested." There would not be junk mail. The parish council will have requested the details. The Minister referred to good local authorities, but there are some bad ones. The parish councils would like the right to those details.

Mr. Yeo: I am sorry if I misunderstood my hon. Friend's earlier interventions. I thought that she was urging on me an arrangement whereby all the details of all applications would be sent routinely to parish councils. If I misunderstood that, I apologise to my hon. Friend.

It is perfectly possible for common sense to prevail in the relationship between the planning authority and the parish council. Already, a number of authorities will arrange for the documents to be lent to the parish council at a time that coincides with its meetings.

I am concerned that amendment No. 141 would place an additional demand on applicants for planning permission. Frequently, those applicants are not organisations of great substance. They may be individuals with small household applications or they may be small businesses. The requirement in amendment No. 141 for additional copies of all the documents, including plans and drawings submitted with the planning application, to be sent as a matter of course to the planning authority would be a not insignificant burden for some applicants. If we were to follow that route, why should the line be drawn at parish councils? Many other bodies might like information about applications in which they may believe they have an interest.

I do not believe that it makes sense to impose those requirements universally.

Mr. Jopling: My hon. Friend the Minister has been very illuminating as he has explained the Government's view about the amendments. He has explained a number of progressions contained in the Bill that will clearly give parish councils more understanding of planning applications under the new system once the Bill becomes law. That is a move forward. My instinct is that we should see how the system works. Will my hon. Friend bear the whole issue with regard to parish councils in mind? If we find that the new arrangements are still unsatisfactory, will the Government be prepared in future to consider the possibility of dealing with the matter more in the direction suggested by my hon. Friend the Member for South Hams (Mr. Steen)?

Mr. Yeo: I am happy to give my right hon. Friend that undertaking. As he acknowledges, we have made some significant changes to our procedures during the Bill's passage through the House. I emphasise that the principle of ensuring that in future all planning applications will

[Mr. Yeo]

receive some publicity is an important change in our policy and goes in the direction in which he and other hon. Members would like us to move.

Despite several interventions to the contrary in this short debate, I also believe that the system under which parish councils can receive detailed information is satisfactory. To some extent, my hon. Friends will judge the level of concern about a particular issue by the volume of correspondence that they receive about it. From my experience as both a constituency Member of Parliament and a Minister with responsibility for planning matters, I have not found that the inability of parish councils to obtain sufficient information about the nature and details of planning applications that they receive has featured prominently in my postbag, either in Suffolk or in the Department. However, I gladly give my right hon. Friend the assurance that he seeks—that if we find that the system is not working as well as I have indicated that I believe it is, we will, of course, look at it again and make the changes that he and my other hon. Friends have requested.

Mr. Robert Banks: I am grateful to my hon. Friend both for giving way and for what he has just said. However, will he undertake to consult the Association of Parish Councils and to take advice from it about whatever action he may be considering in the future?

Mr. Yeo: Yes, I will undertake to do that, but I shall also undertake to consult the Association of District Councils, which, from a different viewpoint, will have a different angle on the issue.

In those circumstances, I invite my hon. Friend the Member for South Hams (Mr. Steen) not to move his amendment.

Mr. Steen *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. The hon. Gentleman has spoken once and will need the leave of the House to speak a second time.

Mr. Steen: With the leave of the House, Mr. Deputy Speaker. I thank my hon. Friend the Minister for his handsome undertaking, which is most gratefully received. I should like to pay tribute to all the Ministers who, throughout the Bill's passage, have been prepared to acknowledge that some good ideas emanate from the Back Benches. I pay tribute to them for their willingness to take good ideas on board and to make progress.

Question put and agreed to.

Amendment made accordingly: No. 20, in page 24, line 35, at end insert—

'(1A) Provision shall be made by a development order for the purpose of securing that, in the case of any application for planning permission, any person (other than the applicant) who on such date as may be prescribed by the order is an owner of the land to which the application relates, or a tenant of any agricultural holding any part of which is comprised in that land, is given notice of the application in such manner as may be required by the order.'—*[Mr. Yeo.]*

Mr. Soley: I beg to move, amendment No. 114, in page 24, line 51, at end insert—

'Referral of applications to the Secretary of State

'(3) After section 74(1) of the principal Act (provisions that may be made by a development order for dealing with planning applications) there is inserted—

—1"(1A) Any development order made under this section shall specify that a local planning authority shall not grant planning permission for an application which relates to development—

(a) which the local planning authority consider would materially conflict with or prejudice the implementation of any of the policies or general proposals of the development plan or that of an adjoining local planning authority; or

(b) which the structure plan authority consider would materially conflict with or prejudice the implementation of any of the policies or general proposals of the structure plan;

unless they have notified the Secretary of State of the application for planning permission, along with a statement of the issues involved, and either—

(a) a period of twenty-eight days has expired, beginning with the date of the notification, without the Secretary of State having directed the reference of the application to him or given notice that he requires extra time to consider whether to require reference of the application to him; or

(b) the Secretary of State has notified the authority that he does not intend to require the reference of the application to him.".'.

Mr. Deputy Speaker: With this, it will be convenient to consider amendment No. 115, in page 25, line 51 at end insert—

'DEVELOPMENT NOT IN ACCORDANCE WITH THE DEVELOPMENT PLAN

'(3) For section 74(1)(b) of the principal Act there is substituted—

"(b) for authorising the local planning authority to grant planning permission for development which does not accord with the provisions of the development plan subject to a requirement that:

(i) notice of the local planning authority's intention to grant planning permission is published in a daily newspaper circulating in the area;

(ii)) copies of the notice shall be given to the applicant and to any person who made representations to the authority; and

(iii) any representation as regards the making of a decision to grant planning permission received by the local planning authority within twenty-one days after the first publication of the notice shall be duly considered by the authority;

or otherwise as prescribed by the Order or by the Secretary of State under it.".'.

Mr. Soley: The purpose of amendment No. 114 is to require a planning application, which the local planning authority considers would materially conflict with the development plan, or which the county council considers would conflict with a structure plan, to be notified to the Secretary of State so that he can consider calling it in.

The purpose of amendment No. 115 is to require local planning authorities intending to grant planning permission for a development which is in conflict with the structure or local plan to advertise that fact in a local newspaper, to inform those who have commented on the planning applications, and to consider any further representations within a period of 21 days.

That purpose links in with the major concession that we received from the Government at the beginning of the debate about Government new clause 20, which was tabled to replace my new clause 13. If a development is conceded which is in breach of the plan, we are arguing that the logic is that either the Secretary of State should have the power

to call it in, which is more clearly defined in amendment No. 114, or there should be a power to inform the people who have commented on the planning application. Without those provisions, we might be faced with the situation that has developed on other occasions, when someone who has objected to an application sees the new local plan, which may be publicised, and feels that the objection must be carried because it is in line with the plan. However, that person may then discover that the local authority has itself decided to breach the plan.

The amendments simply go further down the road on which the Miniser embarked in new clause 20. I therefore commend them to the House.

Mr. David Bellotti (Eastbourne): I wish to speak only to amendment No. 115. Development plans are arrived at only after considerable public consultation, advertisements and further consideration by the local authority and the Minister. The development plans from which we start are, therefore, very important. Departing from them should not be undertaken lightly in any circumstances, and certainly not without further consideration.

Amendment No. 115 provides that opportunity for further advertisement and for communication with those people who have made written representations. People often write in about departures from development plans without any further information being given to them which would enable them to comment further to the local authority. The 21-day period is sensible and is the minimum that would allow that process to be undertaken.

The amendment is worthy of support and I hope that the Minister will concede that. Although never enshrined in tablets of stone, development plans are nevertheless important and the local authority should not depart from them without a great deal of thought and further consideration.

Mr. Yeo: I recognise that amendment No. 114 does not include some of the features that I criticised when an amendment with similar objectives was tabled in Committee, but I am sorry to have to tell the hon. Member for Hammersmith (Mr. Solely) that I still do not think that the amendments are either necessary or desirable.

Two sets of circumstances are set out in which a planning application must be reported to my right hon. Friend the Secretary of State so that he can consider calling it in. The first of these is where the local planning authority considers there to be a material departure from the development plan, or where implementation of its proposals would be prejudiced. This simply imports material selectively from the existing 1981 departures direction. I see no real advantage in setting these matters in the concrete of primary legislation.

The second set of circumstances is where, in the view of the structure plan authority, a planning application constitutes a departure from or conflict with the structure plan. In this case, too, the local planning authority would have to report the application to my right hon. Friend.

In the departures direction, it is the local planning authority which decides whether an application should be reported to my right hon. Friend. I believe that to be more logical for, in deciding so to report, the authority is exercising a development control function, not a plan-making function. I have neither heard nor seen any evidence that the present reporting arrangements do not work satisfactorily. In my view, the decision should continue to lie with the development control authority.

Sub-paragraphs (i) and (iii) of amendment No. 115 echo, although not exactly, paragraph 3 of the 1981 departures direction, but sub-paragraph (ii) is new. I believe the amendment to be inappropriate and unnecessary. It is inappropriate because the level of procedural detail given here should continue to be set out in the development plans direction, not in main legislation. It is unnecessary because the new material in sub-paragraph (ii) would add to bureaucracy. Subordinate legislation under section 74 of the 1990 Act already provides for applicants to be notified of how their application has been dealt with. I do not believe that applicants need copies of the departure advertisement in addition. Nor do I see the point of sending copies to those who have made representations.

Mr. Bellotti: Are there procedures for notifying those who have made representations?

Mr. Yeo: Procedures for notifying those who have made representations about what?

Mr. Bellotti: For those who have made representations as opposed to those who are applicants.

Mr. Yeo: I do not believe that there are any procedures enshrined in primary legislation. Nor do I believe that any procedures necessarily should be enshrined in primary legislation. Sending copies of departure advertisements to those who have made representations would add to local authorities' costs. For the reasons that I have stated, I hope that the hon. Gentleman will not press the amendment.

Amendment negatived.

Clause 42

NOTICE ETC. OF APPLICATIONS TO OWNERS AND AGRICULTURAL TENANTS

Amendments made: No. 167, in page 52, line 6, leave out from 'Act' to 'any' in line 9 and insert

'shall make provision—

(a) as to the notice of any application for planning permission to be given to any person (other than the applicant) who at the begining of the period of twenty-one days ending with the date of the application was—

(i) the owner of, or

(ii) the tenant of any agricultural holding any part of which was comprised in,

any of the land to which the application relates; and

(b) requiring'.

No. 168, in page 52, leave out lines 15 to 22.

No. 169, in page 52, line 23, after 'or' insert 'such'.

No. 170, in page 52, line 28, after 'or' insert 'such'.

No. 171, in page 53, line 30, after 'regulations' insert 'under this Act'—*[Mr. Yeo.]*

Clause 19

LAND OF INTERESTED PLANNING AUTHORITIES AND DEVELOPMENT BY THEM

9 pm

Mr. Soley: I beg to move amendment No. 127, in page 28, line 29, at end insert—

'(9) Notwithstanding the provisions of this section, the local planning authority shall exercise its powers in its full council in cases where the committee (or sub-committee) that would normally exercise delegated planning powers is also the committee (or sub-committee) promoting the development.'.

Again, I shall be brief. The amendment deals with cases where the local authority is promoting a development. The amendment requires that in such cases the local authority should exercise its powers in full council. The amendment would ensure closer scrutiny of proposals by local authorities to grant themselves and others planning permission on local authority land and would demonstrate that justice was done. The issue is whether a local authority can allow a development on local authority land. If it grants permission simply in a committee, it does so in a closed system. The committee is open to the public in many cases but its proceedings are not openly commented on by other councillors who are not on the committee.

This issue has exercised the Government before. On 25 July 1990 the Department of the Environment issued a press release. It said:

"The Government now intends to let local authorities continue to deem themselves planning permission for their own development. This will enable (for example) county councils to continue to provide temporary classrooms without applying for permission to the district council. But there are to be three safeguards. Proposals will have to be fully advertised, decided in public by a committee not responsible for land management, and reported to the Secretary of State if they conflict with the development plan."

The amendment is exploratory. It seems to us that there is at least a case for considering that applications should come to the full council when a local authority gives itself planning permission for development on its own land. That is the force of the amendment. I recognise that it is not always easy to structure such a measure, but it seems to us that there is at least an argument for it and we would welcome the Government's view.

Sir George Young: There is an issue here and the hon. Gentleman opened it up in his speech. His amendment would require a self-application by a local planning authority, promoted by the committee which would otherwise determine such an application—normally the planning committee—to be decided instead by the full council.

We consulted on this matter a year ago. We asked local authorities about deemed planning permission. We canvassed two options on this point. We proposed either that a service committee should not be able to determine self-applications relating to land and buildings under its control or that all such self-applications should be determined by the full council, which is the effect of amendment No. 127. After considering consultees' comments on this point, the Government concluded that the first option was the better one.

There were two reasons for this. We were persuaded by the argument that the planning committee was usually the better forum for taking planning decisions. This argument was put to us by the Association of Metropolitan Authorities, the Association of County Councils, the Royal Institution of Chartered Surveyors, the Royal Town Planning Institute and English Heritage. They convinced us that the planning committee was less likely than the full council to be influenced by non-planning matters such as political or financial considerations.

Secondly, there was the question of delay. Planning committees usually meet more often than full council. Indeed, in the shire counties it is common practice for the full council to meet only quarterly. So we decided simply to make provision that the committee or sub-committee promoting the development proposal could not also determine the planning application. We intend to achieve this in regulations which we shall be making under new section 316, and we propose to consult on those regulations before making them.

The amendment would require that the development proposals promoted by the planning committee be determined by full council. That is undesirable for the reasons that I have just mentioned. The regulations that I have mentioned will prevent a planning committee from determining its own self-applications but will otherwise leave it to the local planning authority to decide how the application should be determined. It may want to put such an application to the full council or to a policy committee or other special committee. I think that that is a better and more flexible solution. I hope that, on reflection, the hon. Gentleman will not press the amendment.

Amendment negatived.

Clause 20

MINES AND WASTE

Amendment made: No. 2, in page 28, line 31, after 'materials' insert

'and provides for altering the provisions relating to compensation for restrictions on mineral working and depositing mineral waste'.—*[Mr. Yeo.]*

SCHEDULE 1

MINES AND WASTE

Amendments made: No. 3, in page 81, line 37, leave out from beginning to 'mining' in line 39 and insert

'For section 105 (duty of mineral planning authorities to review mineral workings) there is substituted—

"*Reviews by mineral planning authorities.*

105.—(1) Every mineral planning authority shall undertake periodic reviews about the winning and working of minerals and the depositing of mineral waste in their area.

(1A) Subject to regulations made by virtue of subsection (2A), the duty under this section is, at such intervals as they think fit—

(a) to review every'.

No. 4, in page 81, leave out line 43.

No. 5, in page 82, line 1, leave out '(1)' and insert '(1A)'.

No. 6, in page 82, line 10, at end insert—

'(2A) If regulations so require, the reviews shall be undertaken at prescribed intervals and shall cover such matters as may be prescribed".'

No. 7, in page 82, line 13, leave out from beginning to 'with' in line 17 and insert

'For section 116 (special basis for compensation in respect of certain orders affecting mineral working) there is substituted—

"*Modification of compensation provisions in respect of mineral working etc.*

116.—(1) Regulations made by virtue of this section'

No. 8, in page 82, line 20, at beginning insert—

'consisting of the winning and working of minerals or'.

No. 9, in page 82, line 22, at beginning insert 'winning and working or'

No. 10, in page 82, line 41, leave out from 'Part IV)' to end of line 42 and insert—

'for "under paragraph 1 of Schedule 11" there is substituted "by virtue of section 116".'

No. 54, in page 83, line 2, leave out paragraph (a)

No. 11, in page 83, line 8, leave out 'definition' and insert 'definitions'.

No. 12, in page 83, line 9, leave out 'is omitted' and insert—

'and "mineral compensation modifications" are omitted'.

No. 13, in page 83, line 11, after '"substances"' insert—

'(da)) the definitions of "relevant order", "restriction on the winning and working of minerals" and "special consultations" are omitted".

No. 14, in page 86, line 21, leave out paragraph 16 and insert—

'16.—(1) Schedule 11 (compensation in respect of certain orders affecting mineral working) is omitted.

(2) Without prejudice to section 17(2)(b) of the Interpretation Act 1978, any regulations made or having effect as if made by virtue of Schedule 11 to the principal Act shall, to the extent that they are in force on the coming into force of this paragraph, have effect as if made under section 116 of the principal Act as substituted by paragraph 9 of this Schedule.'—*[Mr. Yeo.]*

Clause 47

MINES AND WASTE

Amendment made: No. 69, in page 55, line 44, after 'materials' insert—

'and provides for altering the provisions relating to compensation for restrictions on mineral working and depositing mineral waste'.—*[Lord James Douglas-Hamilton.]*

SCHEDULE 7

MINES AND WASTE—SCOTLAND

Amendments made: No. 71, in page 139, line 8, leave out paragraph 10 and insert—

'10. Sections 153A, 159A and 159B are omitted.

10A. For section 167A there is substituted—

"Regulations as to compensation in respect of orders relating to mineral working.

167A.—(1) The Secretary of State may by regulations made with the consent of the Treasury provide, in relation to orders made under—

(a) section 42 of this Act modifying planning permission for development consisting of the winning or working of minerals or involving the depositing of mineral waste; or

(b) section 49, 49A or 49B of this Act with respect to such winning and working or depositing,

that sections 153, 159, 167, 226 and 227 of this Act shall have effect subject, in such cases as may be prescribed, to such modifications as may be prescribed.

(2) Without prejudice to the generality of subsection (1) of this section, regulations made by virtue of this section may make provision—

(a) as to circumstances in which compensation is not to be payable;

(b) for the modification of the basis on which any amount to be paid by way of compensation is to be assessed;

(c) for the assessment of any such amount on a basis different from that on which it would otherwise have been assessed,

and may also make different provision for different cases, and incidental or supplementary provision.

(3) No regulations under this section shall have effect until approved by a resolution of each House of Parliament.

(4) Before making any such regulations, the Secretary of State shall consult such persons as appear to him to be representative—

(a) of persons carrying out mining operations;

(b) of owners of interests in land containing minerals;

(c) of planning authorities.".

10B. Sections 167B and 167C are omitted.'.

No. 173, in page 139, line 32, at end insert—

'10A. In section 251(1A) (power to modify Act in relation to minerals) the definition of "development consisting of the winning and working of minerals" is omitted.'.

No. 72, in page 139, line 33, leave out from beginning to 'mining' in line 35 and insert—

'11. For section 251A (duty of planning authorities to review mineral workings) there is substituted—

"*Reviews of mineral workings by planning authorities*

251A.—(1) Every planning authority shall undertake periodic reviews about the winning and working of minerals, and the depositing of mineral waste, in their area.

(1A) Subject to regulations made by virtue of section (2A) of this section, the duty under this section is, at such intervals as they think fit—

(a) to review every'.

No. 73, in page 139, leave out line 39.

No. 74, in page 139, line 40, for '(1)' substitute '(1A)".

No. 75, in page 140, line 3, at end insert—

"(2A) If regulations so require, the reviews shall be undertaken at prescribed intervals and shall cover such matters as may be prescribed.".'.

No. 78, in page 140, line 5, leave out paragraph (a).

No. 76, in page 140, line 12, at end insert—

'(ca) the definition of "mineral compensation modifications" is omitted;'.

No. 77, in page 140, line 14, after '"substances";' insert—

'(da) the definitions of "relevant order", "restrictions on the winning and working of minerals" and "special consultations" are omitted;'.—*[Lord James Douglas-Hamilton.]*

Clause 21

TREES

Amendment made: No. 150, in page 30, line 35 leave out 'subsections (2) and (5)' and insert 'subsection (2)'.—*[Mr. Yeo.]*

Clause 48

TREES

Amendments made: No. 70, in page 57, line 15, leave out 'and 164'.

No. 172, in page 57, line 22, leave out 'subsections (2) and (5)' and insert 'subsection (2)'.—*[Lord James Douglas-Hamilton.]*

SCHEDULE 11

PLANNING IN SCOTLAND: MINORS AND CONSEQUENTIAL AMENDMENTS

Amendment made: No. 91, in page 159, line 27, after '(1)(c)' insert—

'—(i) after "Part IV" there is inserted "other than sections 58 to 60"; and

(ii)'.—*[Lord James Douglas-Hamilton.]*

Clause 22

POWER TO MAKE HEDGEROW MANAGEMENT ORDERS

Amendment proposed: No. 116, in page 32, line 11, leave out Clause 22.—*[Mr. Baldry.]*

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take the following amendments: No. 128, in page 32, leave out lines 28 and 29.

No. 129, in page 32, line 38, at end insert

'and liable to a penalty determined under section (Penalties for non-compliance with hedgerow management order) below'.

No. 130, in page 32, line 38, at end insert—

'Form of and procedure applicable to orders

214F (1) A hedgerow management order shall not take effect until it is confirmed by the local planning authority and the local planning authority may confirm any such order either without modification or subject to such modifications as they consider expedient.

(2) Provision may be made by regulations under this Act with respect—

(a) to the form of hedgerow management orders; and

(b) to the procedure to be followed in connection with the making and confirmation of such orders.

(3) Without prejudice to the generality of subsection (2), the regulations may make provision—

(a) that, before a hedgerow management order is confirmed by the local planning authority, notice of the making of the order shall be given to the owners and occupiers of land affected by the order and to such other persons, if any, as may be specified by the regulations;

(b) that objections and representations with respect to the order, if duly made in accordance with the regulations, shall be considered before the order is confirmed by the local planning authority; and

(c) that copies of the order, when confirmed by the authority, shall be served on such persons as may be specified in the regulations.

Provisional hedgerow management orders

214G (1) If it appears to a local planning authority that a hedgerow management order proposed to be made by that authority should take effect immediately without previous confirmation, they may include in the order as made by them a direction that this section shall apply to the order.

(2) Notwithstanding section 214F(1), an order which contains such a direction—

(a) shall take effect provisionally on such date as may be specified in it; and

(b) shall continue in force by virtue of this section until—

(i) the expiration of a period of six months beginning with the date on which the order was made; or

(ii) the date on which the order is confirmed, whichever first occurs.

Power for Secretary of State to make hedgerow management orders

214H (1) If it appears to the Secretary of State, after consultation with the local planning authority, to be expedient that a hedgerow management order or an order amending or revoking such an order should be made, he may himself make such an order.

(2) Any order so made by the Secretary of State shall have the same effect as if it had been made by the local planning authority and confirmed by them under this Chapter.

(3) the provisions of this Chapter and of any regulations made under it with respect to the procedure to be followed in connection with the making and confirmation of any order to which subsection (1) applies and the service of copies of it as confirmed shall have effect, subject to any necessary modifications.

(a) in relation to any proposal by the Secretary of State to make such an order

(b) in relation to the making of it by the Secretary of State; and

(c) in relation to the service of copies of it as so made.

Penalties for non-compliance with hedgerow management order

214I (1) A person guilty of an offence under section 214E(5) above shall be liable—

(a) on summary conviction, to a fine not exceeding £20,000; and

(b) on conviction on indictment, to a fine.

(2) In determining the amount of any fine to be imposed on a person convicted of an offence under this section, the court shall in particular have regard to any financial benefit which has accrued or appears likely to accrue to him in consequence of the offence.'.

Mr. Robert B. Jones: I am surprised that the amendment has been moved formally. Will the Minister describe the Government's thinking on this so that the House can consider it?

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I am happy to do that and I welcome the opportunity.

It may be helpful if I outline the background to the amendments. The Government White Paper "This Common Inheritance" contains a clear commitment. It says:

"Following a review, to be published shortly, the Government proposes:
to enable local authorities to protect hedgerows of key importance by making preservation orders, with appropriate payments to farmers to look after them properly; . . . Full details will be included in a consultation paper later in 1990."

There are a number of elements which I should like to draw to the attention of the House. As promised in the White Paper, that consultation paper was published last December. It was issued as part of our wider view of preservation policies and legislation. It was, as promised, a consultation paper because there are clearly a number of value judgments that have to be made and there is the greatest chance of making the right judgments after consultation and after giving all those who have a particular knowledge, interest and concern the opportunity to study the initial proposals to suggest improvements where appropriate, and to see how differences of approach may be reconciled to devise a system that will endure and command broad respect.

The consultation paper included a number of initial judgments—that powers would be given to local authorities; that payments should be made to owners towards the costs of managing protected hedgerows; that such payment would be calculated on an average cycle of 20 years; that such payments should take the form of a lump sum payable in two instalments and should have regard to typical costs of laying and cutting; and that there would be the possibility of appealing to the Secretary of State against the making of an order or its renewal. There was a wide range of issues on which we invited comment, fully in accordance with the original timetable laid down in the White Paper commitment.

I am glad to say that the response to the consultation paper was positive, vigorous and stimulating and raised many issues of interest, from detailed points to broad

matters of principle. We received responses from a broad range of bodies—conservation groups, land-owning bodies, farmers, professional and technical associations concerned with trees and hedgerows, and submissions from the local authorities associations which, according to the White Paper, would be in the position of making hedgerow management orders. In addition, we had a not insignificant number of letters from private individuals raising a number of points of interest in relation to tree preservation orders and hedgerow management orders.

Mr. Tam Dalyell (Linlithgow): On a point, perhaps, of curiosity, like many colleagues I spent 100 hours or more in Committee considering the Wildlife and Countryside Act 1981. I think that every member of that Committee thought that that Act and the work that was done in Committee and subsequently on the Floor of the House had solved the hedgerow problem. In these representations, has it been made at all clear what the shortcomings of that Act were?

Mr. Baldry: In fairness, I do not think that those who made representations or came to discuss the possibilities of hedgerow management orders sought to discuss in detail what they perceived as shortcomings in the present statutory framework. The House knows that there has been substantial loss of hedgerows since the last war, and I take it as accepted, because I recognise that the House wishes to make progress this evening, that the House acknowledges the considerable contribution that hedgerows make to our natural heritage and to providing natural nature reserves. I think that all those whom I consulted wished to see a regime which will endure to protect key hedgerows.

It was because of the detailed and extensive responses to the consultation paper, and because in part there were clearly areas of principle and detail on which there were a number of differences, that I felt it important that I should have the opportunity to discuss those issues at first hand with a number of those who had written to me. I therefore invited a wide range of organisations to come to the Department of the Environment to discuss the proposals with me in greater detail.

Those organisations ranged from the Ramblers Association, the Council for the Protection of Rural England, the National Farmers Union, the Country Landowners Association and the local authorities associations to those representing professional interests and a host of other interests. The meetings took place during March and April. They were set up as soon as the formal consultation period had come to an end and it was possible to see the issues involved.

I hope that hon. Members will appreciate that I was making every effort to press on with the timetable as speedily as was humanly possible. I hope, too, that anyone who attended any of those meetings will have reported that they were positive and constructive and were conducted by a Minister who wanted to find the optimum way forward to fulfil our White Paper commitment on hedgerow management orders.

It should be put on record—I make no criticism of anyone—that hedgerow management orders have never been intended to be part of the Bill. None of the organisation that came to see me suggested that this Bill, which was then going through the House, would provide a statutory opportunity to tackle tree protection orders or hedgerow management orders. The timetable towards which I had been working did not contemplate hedgerow management orders being incorporated in this Bill——

9.15 pm

Mr. Simon Hughes: Perhaps the Minister was going on to tell us what timetable he envisaged. The environment White Paper was published last September; it declared the protection of hedgerows to be Government policy. The consultation period ended slightly more than three months ago. Given that the Minister's consultations with interested groups finished about two months ago, and given that this is the first available vehicle for such legislation—it may require secondary legislation to work out the details later—will the Minister say yes in principle now and leave the details till later, or will he put off the matter to an indefinite future date?

Mr. Baldry: I suppose that every Minister wishes that every statute would provide for Ministers to do whatever they liked later and when it was convenient. Throughout the negotiations we have moved forward as fast as we could—since the White Paper of last October, through the consultation paper in December and through the three months of consultations. It takes a little time for people to analyse the submissions that are sent in. Meetings were set up in March and April for discussions with a wide variety of groups. In courtesy to them, we wanted to hear what they had to say and to consider their views. One of the points put forcefully to me by the local authority associations was that they wanted a system that would endure. It is therefore important that we devise a system that commands universal respect and support.

A number of key issues emerged from the consultations. I am not tempted to urge the House to grab this opportunity to set up a statutory framework because I am not convinced that those issues have been satisfactorily resolved. If we move now, various groups would fall out and that would be detrimental to what we are trying to do.

Compensation is another key element. The White Paper commitment is that local authorities should make appropriate payments to owners. It is clear from the amendments that have been tabled and from the debate in another place that there are a number of different views on this. There are those who, like my hon. Friend the Member for Hertfordshire, West (Mr. Jones), will tell the House that they take the view that hedgerows should simply be part of the planning system. If someone wants to remove a hedgerow of a certain length he should apply for planning permission, and there would be no question of compensation—planning permission would either be granted or not. There are those, on the other hand, who believe that farmers receive far too much money for doing things that they should be doing anyway. And there are those who fall somewhere between the two positions. There are those like members of the CLA and the NFU who not surprisingly feel that there should be compensation——

Mr. Soley: The commitment that the Government made in their White Paper was to a scheme based on compensation—that is why the amendment moved in Committee prescribed that. Consultations are all well and good, but Parliament is sovereign. A Committee of this House decided in favour of the amendment, which was in

[Mr. Soley]

line with the Government's thinking as stated in their White Paper. What weight does the Minister attach to the Committee's views during the consultation procedure?

Mr. Baldry: I am genuinely grateful to the Committee, because it has enabled all hon. Members to focus their minds on hedgerow management orders sooner than they would otherwise have done. I am grateful to my hon. Friend the Member for Hertfordshire, West (Mr. Jones) for having raised the matter. Ultimately, however, the House must take a view. A probing amendment was tabled in Committee, but the House must decide on the best public policy.

The Country Landowners Association, which wants compensation to be paid, said in its note to hon. Members today that it makes sense for the Government to announce on Report—which I shall do later—our intention to introduce a hedgerow management order scheme with compensation, rather than rushing through a scheme which may not have the correct statutory framework.

I hope that we shall be able to produce clear proposals on how the scheme will work. The House realises that, even if we were to accept the provision included in the Bill in Committee, it would still require a host of secondary details. It would require regulations, and we would be no closer to a working scheme than we are now.

A number of issues have been raised, such as whether compensation should be paid and how that should be done. I hope that the House will decide that it would be best to proceed with hedgerow management orders and tree preservation orders on the timetable that every group that came to see me accepted as reasonable. I envisage making a clear statement of intent about the detail of the scheme by later this summer, so far as is humanly possible, and thereafter to introduce legislation at the first possible moment. As the House knows, the decision on when legislation is introduced is not within my gift.

Mr. Simon Hughes: Can the Minister tell us how many hedgerows that would be governed by such an order are lost per month or per year? If there is a delay, there will be a loss to our environmental heritage. Many people are concerned about that.

Mr. Baldry: It is because we are concerned about loss that this provision was included in the White Paper. The hon. Gentleman should put that point in context. Even if the House were to accept a provision this evening, further work would be required, and we could not necessarily guarantee that the statutory framework would be correct.

Are local authorities the right organisations to protect woodlands in rural areas under tree preservation orders? A number of similar issues have been raised. I want to ensure that we get the answers right, with the support of the various groups involved. Until the amendment was inserted by the Committee, I do not think that any of the organisations which made representations had expressed concern about the timetable. They recognised and supported the general approach of the local authority associations that, in all fairness, it was necessary to devise a scheme that would endure. Therefore, it needed to command broad support from the Ramblers Association at one end of the spectrum to the Country Landowners Association at the other.

Sir Geoffrey Finsberg (Hampstead and Highgate): We have heard what my hon. Friend has to say about consultation; we have also heard that he expects to make an announcment this summer. Can he tell us whether the announcement will be made before the House rises for the summer recess? That would certainly influence my decision.

Mr. Baldry: I certainly hope that it will be possible for me to give the details to all the organisations which come to see me—and, indeed, to the House—before the recess. I appreciate that hon. Members on both sides of the House want to make progress.

Mr. Soley: That is not a very convincing reply. We have about a month—perhaps five weeks—before the House rises. Will the Minister be able to present his detailed statement within five or six weeks? Let us suppose that the House rises on 1 August. Will he be able to present it by then?

Mr. Baldry: I hope that I made my commitment clear. I would include only one caveat. I have consulted many organisations already. Obviously, I want to make certain that we receive the answer yes, and I shall want to engage in more consultation as I begin to firm up our proposals. I shall be happy to keep in touch with hon. Members who, as a result of the amendments, have signalled their interest in hedgerow management orders. I am grateful for their interest, and I shall continue to acquaint them with developments in the negotiations.

There are, however, a number of bodies with which I must keep in touch. I cannot guarantee that, for example, local authority associations, the Council for the Protection of Rural England or the National Farmers Union will not say, "We shall have considerable difficulties with such a scheme—can you think about it a bit more?" Although, as I have said, I want an affirmative answer, I shall also do all that is humanly possible—as I told my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg) —to ensure that the House, and the organisations involved, receive a clear statement of intent before the summer recess.

Dame Elaine Kellett-Bowman *rose*——

Mr. Baldry: I give way to my hon. Friend.

Dame Elaine Kellett-Bowman: Actually, I was proposing to make a speech. I was going to say, among other things, that I would rather have a bird in the hand than a handful of caveats, but I will say it some other time.

Mr. Baldry: I understand what my hon. Friend is saying. I repeat what I said earlier. If I thought that we could grab a general, all-prevailing power for Ministers to do whatever they wanted, I should be only too glad to take the opportunity. I do not, however, want the House to enshrine such a measure in a statutory framework only to find that the framework is wrong. Even if an enabling power were taken, and even if we could guarantee at this stage that we had got the statutory framework right, detailed regulation would still be required in due course to give the scheme substance.

It is for those reasons that we have tabled amendment No. 116, the aim of which is to delete a clause introduced in Committee. For the same reasons, we cannot commend the alternative amendments. I hope that I have

demonstrated the Government's commitment and determination to protect hedgerows of key importance by enabling local authorities to make protection orders.

There is no question of the Government's scrapping measures that would ultimately have given hedgerows statutory protection, as some newspapers have inaccurately reported. In the White Paper we undertook to consult, and we have done so. As a result of our consultations, we have discussed the best way forward in detail. Following those discussions, we shall present proposals in support of the commitment that we made in "This Common Inheritance" as soon as possible. Our aim is to help to protect an important part of that inheritance—our hedgerows.

9.30 pm

Mr. Simon Hughes: I shall give credit where it is due. From a sedentary position, the hon. Member for Bridgend (Mr. Griffiths) said that the Government were "hedging", and they are; but I understand the complexity of the issue.

I have known the Minister for much longer than either of us has been in the House. We used often to oppose one another in another place. However, the Government have been backing off from making the decision for a long time. They were going to make a decision about looking after hedgerows in national parks after a commitment in the 1987 general election manifesto, but they backed off. At last, and belatedly, they made the decision in the White Paper published last October. They went through the process of consultation and many of us believe that we cannot afford to wait any longer. The hon. Member for Lancaster (Dame E. Kellett-Bowman) made a pertinent point.

The clause tabled by the hon. Member for Hertfordshire, West (Mr. Jones) in Committee is now in the Bill. It allows the detail to be added to it. Hon. Members and all the interested parties will feel far more secure if there is a peg on which to hang the detail. If we throw this out, there will be no certainty about what will happen next. With the best intentions, we all know that civil servants, Ministers and the other advisers combined can often spin things out for a long time. It is five weeks until we rise for the summer recess, followed by a two and half month recess, with an announcement possibly being made outside sitting time and then a promise of a Bill, which will have to compete for parliamentary time in a Session that will be shortened because of a general election and that may mean that we will not get anything at all.

The interventions by the hon. Members for Hampstead and Highgate (Sir G. Finsberg) and for Lancaster were evidence of the fact that Parliament is becoming frustrated. We know that about 4,000 miles of hedgerow are lost every year. We know that we have the ridiculous anomaly that while the Government can protect buildings, sites of special scientific interest, trees and landscapes, they cannot protect hedgerows. It is the only part of the environmental landscape that we cannot protect.

Here in England, of all countries, where part of our history is about enclosure, and where hedgerows are a most important part of the landscape for the protection of wildlife, it is important that we protect them. This may be a little matter within the panoply of Government environmental legislation, but it is a test of whether the Government are green in general, green in principle, or green in practice. The Minister could and should accept the clause. The Government's amendment to get rid of it is a sign that, sadly, the Government are not willing to manifest their commitment, although they could so do.

Mr. Allan Rogers (Rhondda): The hon. Member referred to hedgerows in England. As a Welshman, may I invite him to extend what he is saying to Welsh hedgerows?

Mr. Hughes: I made a historical point about the battle being more important in England, but the legislation applies to the whole of the United Kingdom and protects hedgerows in Wales, Scotland, Northern Ireland and England.

Mr. William McKelvey (Kilmarnock and Loudoun): I advise the hon. Gentleman that the Bill does not apply to Scotland as the problem does not exist in Scotland.

Mr. Hughes: The issue applies to all parts of the United Kingdom although the legislation is limited to England and Wales. The hedgerows that we want to protect are those in England and Wales. The historical battle about closure was primarily in England. The issue now is whether we take this legislative opportunity. If the Minister persuades the House to vote out the new clause, it may be a long time before we have a substitute. That is not good enough, and I hope that the Minister will think again.

Mr. Robert B. Jones: This is more than the 11th hour — the clock has gone round several times and I find myself, for the second time in two days, following the hon. Member for Southwark and Bermondsey (Mr. Hughes) and saying that we have quite a lot in common. I tried to do something about this problem once before, when I promoted a private Member's Bill to introduce hedgerow protection orders.

Unfortunately, that Bill was blocked by the hon. Member for Leyton (Mr. Cohen). I am not making that as a political point because the same thing happened to the attempt by the hon. Member for Wentworth (Mr. Hardy), who introduced a similar private Member's Bill before I became a Member of Parliament. Here we are, a good few years later, still losing hedgerows. In the early 1980s, they were being lost at the rate of 4,000 miles a year. Nobody knows what happened in the late 1980s, because the aerial surveys on which the earlier figures are based are no longer made.

Even if I were to concede that there has been an improvement, as I do, and that some farmers are planting new hedgerows, the fact is that hedgerows are a vital part of our heritage and the loss of any is a problem that deserves to be met with the appropriate legislative framework to ensure that it cannot continue.

Should the House take the opportunity to address that problem tonight? When I knew of my appointment as a member of the Standing Committee, I wondered whether I should use that opportunity to take yet another crack at protecting hedgerows. When I spoke to the Council for the Protection of Rural England, it pointed out that the consultation period had only just ended, and queried whether it was the right time to press the matter. I responded that I thought that it was, because I wanted a clear undertaking from the Government that they would legislate so that no more hedgerows would be lost.

On that basis, I tabled an off-the-peg amendment. Such amendments have their disadvantages. My amendment lays down a local authority framework without providing

[Mr. Robert B. Jones]

the resources or requiring it to take action—and that is not necessarily the best way of tackling the problem. Nevertheless, it had the advantage, once the Committee voted to incorporate it in the Bill, of ensuring tonight's debate and the attendance of my hon. Friend the Minister after a flurry of activity.

We all understand the difficulties of sorting things out between the Department of the Environment, the Treasury, and the Ministry of Agriculture, Fisheries and Food. None of us would like to have been in the shoes of my hon. Friend the Minister in trying to persuade them to bring forward something in time to satisfy the House tonight. Therefore, I am not all surprised that we do not have a perfect solution before us.

We have, however, received a clear undertaking from the Minister that the Government have made a commitment not only in principle—that was in the White Paper—but to presenting details. I expect my hon. Friend not only to give his best efforts in respect of the undertaking that he gave my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg) but to perform and deliver, and to announce in the House before it rises for the summer recess the precise details of his proposals. I want to see that legislation at the top of the list in the Queen's Speech this autumn.

Mr. Moate: The CPRE said that a vague promise of future legislation would be of little comfort to anyone. Does not my hon. Friend agree that the Minister has given as specific a commitment to legislation as we have ever heard? He not only made a firm commitment but promised that the details will be forthcoming. It is surely more important to get the scheme right than to rush something through tonight, perhaps wrongly. Are we not right to accept the assurances of my hon. Friend the Minister?

Mr. Jones: I agree with my hon. Friend's analysis. The importance of the issue explains the presence of so many of my hon. Friends tonight, many of whom made representations to Ministers and to my right hon. Friend the Leader of the House. No one seeing that degree of feeling could possibly have the cheek to return to the House and say, "I am sorry but we could not make the deadline, and there is no room in this autumn's programme."

I am serving what I consider to be a very powerful notice on the Government that their commitment must be honoured. On that basis, I support the Government in deleting the unsatisfactory scheme, which I used only as a device in bringing pressure to bear on them.

Mr. Dalyell: I am something of a surrogate for my hon. Friend the Member for Wentworth (Mr. Hardy), who is chairing an important Council of Europe committee and regrets that he cannot be present. My hon. Friend the Member for Wentworth and the hon. Member for Stockport (Mr. Favell) went arm in arm endlessly during the Committee stage of the Wildlife and Countryside Act 1981 on the question of hedgerows. They were greatly influenced by the work of Marian Shoard, author of "The Theft of the Countryside", and by the statistics that she and others produced. We made a case which the hon. Member for Dumfries (Sir H. Monro), who was in charge of that Bill, completely took on board. The Government did their best to be as effective as they could in that legislation.

I understand, however, from my hon. Friend the Member for Glanford and Scunthorpe (Mr. Morley), and certainly know from my own knowledge, that no statistics on the loss of hedgerows have been published since the mid-1980s. I shall be corrected if I am wrong, but the Minister has the best advice from the Box. Are we really to believe, given the importance of the subject, that there is no information on the rough total lost in 1986, 1987, 1988 and 1989? One would not be unreasonable and say that the Government should have figures for 1990—although that might be desirable—let alone for the first few months of this year, but surely we could be given some facts about the extent of the grubbing up that took place at the end of the 1980s.

Mr. Baldry: A survey is now being undertaken, and I hope to be able to give the House the figures in the not-too-distant future, but the process takes a little time.

I do not believe that there is any dispute, either in the House or among most of the groups involved, that, both just after the war and more recently, more hedgerows have been lost than we should like. I shall certainly read the *Official Report* of the Standing Committee debates on the 1981 Act to find out whether what was said at that time is relevant to the schemes that we seek to introduce.

I shall, of course, let the hon. Gentleman have the fullest possible statistics and other information available, and I hope that the current survey will show more clearly the extent of more recent losses.

Mr. Dalyell: I have an Adjournment debate about Mar Lodge later, so, for reasons of self-interest and because my hon. Friends want to make progress, I shall leave it at that.

Dame Elaine Kellett-Bowman: It would be a pity to delete clause 22 in return for a vague promise that a statement may be made before the summer recess. If no statement is made, tough; we shall not have a statement, and there will be nothing that we can do about it.

My definition of the word "precise" does not accord with that of my hon. Friend the Member for Faversham (Mr. Moate). My hon. Friend the Minister told us vaguely that he would make a statement if possible, but it may not be possible, whereas the clause is before us now.

In my part of the world, we are intensely proud of our hedgerows, but they are expensive to maintain. When people come from the towns to relax in the countryside, they talk about its natural beauty. There is nothing natural about it; it is maintained, and has been maintained for centuries, by farmers' hard work. But farmers are cutting their staff now, and their incomes are under pressure.

The clause represents one way in which farmers could be paid for doing something that is in everyone's interest. They would not be producing something that had to be put into storage; they would be producing and maintaining something that is a joy to behold.

It would be a great pity to lose this opportunity. We may have to wait years for legislation. If the Bill, including this provision, were in situ, it would be the Minister's job to produce appropriate regulations to make it work. Our farmers are entitled to such remuneration for maintaining the hedges for the benefit of the rest of the country.

Mr. Jerry Wiggin (Weston-super-Mare): I shall speak in strong support of my hon. Friend the Minister, but my reasons for doing so may be different from those we have heard so far. The idea of 4,000 miles of hedges—that is the figure being bandied about the Chamber—is a fiction. In the 1960s and 1970s, under the influence of the farm improvement grant, which provided about one third of the capital cost of buildings and other alterations to farmland, a great many hedges were removed. The geography of farms was changed to adjust to modern farming conditions, and in large areas, especially in the eastern counties, many hedges were removed.

Today, the situation has altered. The farm improvement grant finished at the end of the Labour Government's period in office, or perhaps soon after this Government came to power. When I was a junior Minister responsible for agriculture, I asked my officials what evidence they had of the wholesale destruction of hedges. Even though we had a network of officers throughout the country, we were talking in terms of only a few hundred yards here and there—not the massive figure of 4,000 miles. That figure is mythical.

I do not claim to be an expert on many things, but I do know about hedges. The hedges on my farm were a matter of considerable pride to me, and to my father before me. After the war, in 1947, every inch was cut by hand, using shears.

Dame Elaine Kellett-Bowman: By shears, surely.

9.45 pm

Mr. Wiggin: I said by shears: my hon. Friend obviously did not hear me correctly. We took a lot of trouble with our hedges. About one seventh of them were laid each year to maintain what is, after all, a growing plant. I am extremely nervous about the proposition that the Government should now take it upon themselves to start dictating—albeit for perfectly genuine reasons, which I understand—in connection with the preservation of growing plants.

We have tree preservation orders, and the same criticism applies to them. Members of the Select Committee who went to examine the aftermath of the gale in 1987 will recall the devastation we saw, and will recognise that a large number of the trees had not been harvested when they should have been. They had been allowed to grow too old, to the point at which, although they looked nice, their benefit had been lost. Nature, as always, evened things up in the great gale. I am concerned at the suggestion that bureaucrats and officials should start interfering in the day-to-day management of our farm land.

I wonder what would have happened if the hon. Member for Southwark and Bermondsey (Mr. Hughes) had been a Member of Parliament in 1700 and a preservation of the countryside Bill had come before the House. No doubt the hon. Gentleman would have sought to prohibit the planting of hedges. He would have said, "I do not want the countryside changed. It looks nice as it is."

I have today visited Exeter with members of the Select Committee. We travelled there by road and back by rail, and I can only say that I did not see one inch of hedge being dug up anywhere. I saw a beautiful countryside. Our countryside has probably never looked more beautiful than it is looking this damp summer.

I hope that, rather than being pressed by the weight of opinion, which in my view does not come from the countryside, the Government will be very cautious about proceeding with any scheme to interfere in such detailed matters.

Sir Geoffrey Finsberg: It is interesting that, when my hon. Friend the Minister gave his undertaking, there were cries—jeers almost—from Opposition Members who have never held office. Unlike them, my hon. Friend knows full well the problems of consultation.

I put it to my hon. Friend that he has one problem. If he is to keep his undertakings, which I accept totally, he will have to make certain that his civil servants perform and deliver. When I held his post, I had a certain task to do, which gave me great pleasure—winding up the GLC housing estates. I said that it had to be done by 31 March of a particular year. I was told, "Minister, this is not possible." I said, "I am not interested in whether it is possible; it is going to be done." If my hon. Friend will pursue that line, I shall be satisfied with what he has said.

There is no doubt that there is a cry in the countryside, as well as in the towns, for hedgerows that have been grubbed up without mercy to be saved now. I agree that, at this stage, this clause, which my hon. Friend has said is defective, should be removed, and I am happy to accept my hon. Friend's undertaking.

Mr. Soley: We have received a tragically inadequate response from the Government. The Minister has given a commitment tonight—or, rather, has gone half way to giving a commitment, if that is what the words "possibly" and "hopes to" mean—that he cannot meet. If the hon. Gentleman's speech meant anything at all, that must be so, for reasons that I shall explain.

Let me quote from page 84 of the Government's document, "This Common Inheritance", in which they outline their environmental strategy:

> "The Government proposes"—

the House will note the word "proposes", which implies that the Government knew what they wanted to do—

> "to enable local authorities to protect hedgerows of key importance by making preservation orders with appropriate payments to farmers to look after them properly."

The House will have heard the Minister say that he wanted much more consultation because there were many different views about what should happen—some people believe that there should be compensation and others believe that there should be none. In other words, even now, the Government have not made up their mind in principle about the compensation issue—unless the Minister meant to say that he has decided in favour of compensation, in which case all we need are the details of that compensation. If he is saying that, he could just about deliver before the House rises for the recess.

However, if he is saying that he wants to take into account all the different views on whether we should use compensation or some other method, as it appeared—we can all read *Hansard* in the morning to see—he cannot deliver that commitment of providing a statement to the House before it rises, unless we sit right through August. As everyone knows, the House is likely to rise between 19 and 26 July—in about five weeks' time—so the Minister has just five weeks to get that commitment from his officials and to deliver the statement to the House.

Does the Under-Secretary think that he can hold anything over the Government? I think that he used the

[Mr. Soley]

phrase, "I can hold them to this very firmly." He cannot. He has no power after the vote tonight. If a Minister goes up to him in a few weeks' time and says, "I'm sorry, I wanted to do it, I thought I could, but frankly I can't", the Under-Secretary is lumbered and there is nothing that he can do about it. There is nothing that any other Member of Parliament can do about it.

The reality is that the consultation procedure has been going on for some time. As Opposition Members have said, this issue is not new; my hon. Friend the Member for Wentworth (Mr. Hardy) introduced a Hedgerows Bill, which had cross-party support, but was blocked by the Government.

Remember when the Government launched "This Common Inheritance" under the previous Secretary of State for the Environment, who is now chairman of the Conservative party. They said that they were talking about not paper commitments but real commitments. In that paper they said that they proposed to protect hedgerows by local authorities giving compensation. There were no ifs or buts about it, no dithering or fudging. However, tonight we have heard nothing but dithering and fudging.

The Minister's speech does not stand up to analysis even as to what the Government are thinking of doing. They are thinking of listening to the views of the Country Landowners Association, the Council for the Protection of Rural Engalnd and all those other organisations on whether we have compensation, unless, perhaps, the Minister wants to stand up and say that I am wrong and that there will be compensation. Is that what he is saying, or has he not decided?

Mr. Baldry: If the hon. Gentleman reads *Hansard* tomorrow, he will realise that he has inadvertently misinterpreted what I said. I told the House that among the groups that have made representations and among hon. Members, as evidenced in the debate this evening, there are varying views on a suitable scheme and on how appropriate payments should be made. I want to ensure that, as far as possible, we find a way forward that commands support and agreement—as the local authorities associations have said we need to find a system that endures. That is what I want to achieve and what I am determined that we shall achieve.

Mr. Soley: We have come a little further—the Minister is now saying that there will definitely be a compensation scheme, so we do not need to listen to people who express the view that there should be no compensation. Is that correct?

Mr. Baldry: I am seeking to fulfil the commitment that is clearly set out in the White Paper. The hon. Gentleman has repeated what was said in the White Paper, which states that there should be appropriate payments for key hedgerows.

I know that the hon. Member for Hammersmith (Mr. Soley) has had many discussions with organisations such as the CPRE. In its consultation paper its advice to me was that it questioned whether local authorities were the right bodies to make the appropriate payments. It suggested, as part of its consultation paper, that payments could be made as part of the agricultural support scheme. Those are the sorts of issues that one has to consider.

As I have made clear to the House, it is our intention to deliver that White Paper commitment. We also have to ensure that the legislative framework is appropriate, as my hon. Friend the Member for Hertfordshire, West (Mr. Jones) made clear, and that we do not simply clutch at any passing legislative peg to hook it on hoping that we get it right.

Mr. Soley: The Minister says that there will be payments that will or will not be administered through the local authority, but he has not yet decided, and that another way of administering it may be through the Ministry of Agriculture, Fisheries and Food. If the Minister is so uncertain about the detail and is unable to provide it to the House within the next five weeks, he cannot make that commitment. Then he moves the ground a little and says that he is committed to delivering his commitment in the White Paper. When will that be? The Queen's Speech will be formulated in September. The Minister will need to have not just the detail but something that looks like an Act that can be passed before the next general election takes place which, at the latest, will be next July. A Bill will therefore have to be introduced by November or December of this year.

Is the Minister saying to the House—I look forward to another intervention—that he is confident that he can present a Bill to the House in November or December and that he will give a guarantee that if an election does not take place before July—we accept that it may take place before then, but the Minister cannot control that—there will be legislation on the statute book by July? Is the Minister giving the House that commitment?

Mr. Baldry: The hon. Gentleman will have heard, as did every other hon. Member, the commitment that I gave to the House. Each hon. Member must decide whether he or she finds that commitment one which he or she can support.

Mr. Soley: That is what I call a fudge with a vengeance. I have never heard anthing so waffly in all my life. The Minister said earlier, "Trust me, I'm a good man; I shall deliver." I am sure that he wants us to believe that. I am sure that all Conservative Members desperately want to believe him. However, the timetable is that which I have just laid out. It is not in our hands, or those of the Minister. It is there. The Minister had got to meet it, or else he will have to say—as I suspect the truth is right now —that he cannot guarantee it but that he will try, although there is a very good chance that he will not be able to deliver.

Sir Geoffrey Finsberg: The hon. Gentleman asked my hon. Friend the Minister to undertake to introduce a Bill and have it passed. Will the hon. Gentleman guarantee that the Opposition will not oppose a single dot or comma in that legislation, or will he do his usual fudge and mudge?

Mr. Soley: I shall give the hon. Gentleman an even better commitment. The Opposition will accept the amendment that the Committee accepted. That can go through right now. We got it through the Committee with the help of several Tory Back Benchers. They voted for it; we voted for it. We shall vote for it tonight. I challenge Conservative Members to vote for it as well, if they are serious about their commitment to the countryside and to the environment.

We need to remember that hedgerows are being destroyed. I accept that there is an argument about the numbers. We also know that many of them are very old and that they are vital to wildlife. If the message goes out from the House that we intend to legislate to protect hedgerows but that there will be a gap of some months during which hedgerows can be destroyed, those who want to will understand that now is the time to do so. That is the wrong message to send out from the House.

Mr. Christopher Gill (Ludlow): Will the hon. Gentleman bear in mind that many of the hedgerows that he criticises people for having ripped out were ripped out by urban man who moved into the countryside, bought a cottage or house there, and, as his first act, ripped out the hedge around his cottage or house and erected a brick wall instead?

Mr. Soley: It is amazing to think that, using the same argument, the hon. Gentleman would vote against a tree preservation order. *[Interruption.]* Now we have the truth. Several Tory Members would like to get rid of tree preservation orders. I wonder whether the Government agree with that. Do they want to get rid of tree preservation orders? I know that the Tory party is divided and that it is in desperate trouble these days. If, however, the Government are committed to green issues, it is vital that they give a commitment that they will not get rid of tree preservation orders and that they will protect hedgerows.

Mr. Gill: The point is that many people who speak about these issues do not understand that trees, like human beings, have a finite life and that people who live in the countryside have a better understanding of such issues than the people who live in towns and believe that trees live for ever. The countryman well knows that trees must be felled sooner or later and replaced. If the hon. Gentleman considered the countryside in detail, he would see how many new trees are being planted everywhere today.

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Planning and Compensation Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Boswell.]*

Bill, as amended (in the Standing Committee), again considered.

Question again proposed, That the amendment be made.

Mr. Soley: The Government also have a finite life and they will soon be felled.

The hon. Member for Ludlow (Mr. Gill) knows—as do most of his colleagues—that the tree preservation orders were a good thing. The fact that there are some arguments about some of the issues is irrelevant, and the same is true for hedgerows. As I have said, we can argue about the number of miles of hedgerows that have been demolished, but hedgerows are important for maintaining the wild life pattern in many areas. We want to keep them.

When the Government opposed us in Committee, I wondered who the assassin would be. I thought it would be the Treasury, so I tabled a holding amendment that would have protected hedgerows but allowed compensation and payments to be dealt with later. That would have got the Minister out of his hole now—he could have protected hedgerows now and considered the details later if he so wished.

Mr. Robert B. Jones: I am sorry that the hon. Gentleman has decided to turn the debate into a political shooting match. He implied that there was a sense of urgency, and I thought that that was the view of the whole House. Can he explain why, when he and his party tabled amendments at the start of the proceedings, there was no amendment about hedgerows? Why did the Opposition wait until I tabled such an amendment?

Mr. Soley: The reason is simple—I wanted such an amendment to be tabled by a Tory because I knew that it would have a better chance of being accepted, and I was right. If I had tabled such an amendment, I am not sure that the hon. Gentleman would have voted for it. Other members of the Committee who are present today will correct me if I am wrong but my memory is that the hon. Gentleman moved the amendment, but did not press it to a vote. I had to step in to do that.

I shall tell the hon. Gentleman why I am turning the debate into a shooting match. If ducks keep standing in front of me and ask to be shot, I shall shoot them. It is as simple as that. I suppose that that will not do much for my green image.

In all seriousness, the House now has an opportunity to ensure that the idea reaches the statute book. We won the argument in Committee—we won it with the help of Conservative votes and we won it after reasoned argument. The majority of interested organisations outside the House support the amendment. We also know that, for the reasons I have given, the Minister is unlikely to be able to deliver anything like the commitment in the White Paper before the next general election. In other words, if hon. Members want to protect hedgerows and to ensure that we win the argument before the general election, I urge them to accept the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 262, Noes 153.

Division No. 183] **[10.03 pm**

AYES

Aitken, Jonathan	Brown, Michael *(Brigg & Cl't's)*
Alexander, Richard	Browne, John *(Winchester)*
Allason, Rupert	Bruce, Ian *(Dorset South)*
Amess, David	Buchanan-Smith, Rt Hon Alick
Amos, Alan	Buck, Sir Antony
Arbuthnot, James	Burns, Simon
Arnold, Jacques *(Gravesham)*	Burt, Alistair
Arnold, Sir Thomas	Butler, Chris
Ashby, David	Butterfill, John
Aspinwall, Jack	Carlisle, John, *(Luton N)*
Baker, Nicholas *(Dorset N)*	Carlisle, Kenneth *(Lincoln)*
Baldry, Tony	Carrington, Matthew
Banks, Robert *(Harrogate)*	Carttiss, Michael
Beaumont-Dark, Anthony	Cash, William
Bellingham, Henry	Chalker, Rt Hon Mrs Lynda
Bendall, Vivian	Channon, Rt Hon Paul
Bennett, Nicholas *(Pembroke)*	Chapman, Sydney
Benyon, W.	Chope, Christopher
Blackburn, Dr John G.	Churchill, Mr
Blaker, Rt Hon Sir Peter	Clark, Rt Hon Alan *(Plymouth)*
Body, Sir Richard	Colvin, Michael
Bonsor, Sir Nicholas	Conway, Derek
Boscawen, Hon Robert	Coombs, Anthony *(Wyre F'rest)*
Boswell, Tim	Cope, Rt Hon Sir John
Bottomley, Peter	Couchman, James
Bowden, A. *(Brighton K'pto'n)*	Currie, Mrs Edwina
Bowden, Gerald *(Dulwich)*	Curry, David
Bowis, John	Davies, Q. *(Stamf'd & Spald'g)*
Boyson, Rt Hon Dr Sir Rhodes	Davis, David *(Boothferry)*
Brandon-Bravo, Martin	Day, Stephen
Brazier, Julian	Devlin, Tim
Bright, Graham	Dicks, Terry

Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Rt Hon Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James
Howarth, G. *(Cannock & B'wd)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Rt Hon David
Hunt, Sir John *(Ravensbourne)*
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lilley, Rt Hon Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neale, Sir Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Rhodes James, Sir Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Roberts, Rt Hon Sir Wyn
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Sir Ian
Stokes, Sir John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Sir Teddy
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Wareing, Robert N.
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Lightbown and Mr. John M. Taylor.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beggs, Roy
Beith, A. J.
Bell, Stuart
Bellotti, David
Benn, Rt Hon Tony
Boyes, Roland
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carr, Michael
Clark, Dr David *(S Shields)*
Cohen, Harry
Corbett, Robin
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Duffy, Sir A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Edwards, Huw
Ewing, Harry *(Falkirk E)*
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Win *(Bridgend)*
Heal, Mrs Sylvia
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lamond, James
Leighton, Ron
Lewis, Terry
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
Maclennan, Robert
McMaster, Gordon
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Mullin, Chris

Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pike, Peter L.
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Rees, Rt Hon Merlyn
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Ross, William *(Londonderry E)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Soley, Clive
Speller, Tony
Steel, Rt Hon Sir David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, Matthew *(Truro)*
Wallace, James
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Eric Illsley.

Question accordingly agreed to.

Schedule 2

LISTED BUILDINGS CONSERVATION AREAS AND HAZARDOUS SUBSTANCES

Mr. W. Benyon (Milton Keynes): I beg to move amendment No. 61, in page 89, line 13 at end insert

'In section 76(1) of that Act after "direct", there is inserted "(whether the building is occupied or not)" and after "section 54" there is inserted "with the omission of subsection (4).".'.

The amendment is entirely concerned with the operation of conservation areas. It corrects an anomaly in present legislation. If one owns a property in a conservation area, one must have planning permission to alter the appearance of the building. One cannot proceed without that planning permission. Similarly, a local authority can take action against a landlord if he transgresses the terms of a conservation area. However, there is nothing in law to cover an owner-occupier if his property is allowed to go to rack and ruin.

It may be argued that that should be left to the individual. In that case, we should not have conservation areas. If we have conservation areas, their terms must be applied universally. At the moment that is not the case.

I could show my hon. Friend the Minister examples of that not far from the House. It is a scandal and gives great offence to people who try to comply with the terms of the conservation area and keep their properties in good order and in accordance with the terms laid down for the area. Either the local authorities or English Heritage must have powers to proceed in those cases. That is what the amendment seeks to achieve.

Mr. Yeo: Section 76 of the Planning (Listed Buildings and Conservation areas) Act 1990 provides that the Secretary of State may direct that section 54 of the Act, which deals with urgent works to preserve unoccupied listed buildings, shall apply to a building in a conservation area as it applies to listed buildings if it appears to him that the preservation of that building is important for maintaining the character or appearance of the conservation area.

Amendment No. 61 would allow the Secretary of State to make a direction on an occupied building. It would ensure that, if a direction is made under section 76 on an occupied building in a conservation area, the local authority could then carry out urgent works on any part of that building, after giving the owner the requisite seven days' notice of its intention. The existing section 54 provides that, if a building is occupied, works may be carried out only to those parts which are not in use.

Section 76 empowers the Secretary of State to make a direction that the powers in section 54, to carry out urgent works to a listed building, shall apply to a specified unlisted building in a conservation area. Such a direction does not require the local authority to carry out the works, but it means that it can do so if it wishes. The effect of the amendment would be that, following a direction by the Secretary of State, the powers available to the local authority for dealing with a particular unlisted building in poor repair would be wider than the powers available to the same local authority for dealing with a listed building. I am not sure that that is what my hon. Friend intends in his amendment.

More importantly, the powers in section 54 of the Act are deliberately restricted to unoccupied buildings or, in the case of partially occupied buildings, to those parts which are not in use. These powers are principally aimed at the preservation of listed buildings, and they give local authorities powers to carry out works which appear to them to be urgently necessary for the preservation of a building after giving not less than seven days, notice of the intention to carry out the works. This is potentially a draconian power, and the Government have taken the view that it should not be available in the case of occupied buildings, for obvious reasons related to the invasion of privacy. We have looked into this question from time to time, but the furthest we have been prepared to go is to provide for urgent works to be carried out on the unused parts of partially occupied buildings, and that remains our position. In the light of that——

Mr. Benyon: Will my hon. Friend confirm that, if such a building is occupied, there is nothing that any authority can do about its appalling state of repair? In such circumstances, is he really happy about the fact that two houses might be completely derelict in a marvellous street of historic houses in an area of great historical and conservation importance?

Mr. Yeo: No, I cannot say that I am happy—no one would be happy about that—but we must balance our real anxiety about the possible decay of buildings in those circumstances with the attendant risks of giving local authorities powers to enter and occupy buildings regardless of the wishes of the occupant. That is a significant consideration.

As I have said, we have gone as far as giving local authorities the power to deal with the unoccupied portions of partially occupied buildings. There are real reasons for hesitating before giving local authorities the power to move into someone's house to carry out works while that person is living there, regardless of how urgently those works may be needed. That is why the Government cannot accept my hon. Friend's amendment.

Mr. Benyon: I am not happy about that, but there is obviously no point in pressing my amendment. However, I hope that my right hon. and hon. Friends will think further about this matter, because the position will not get any better; it will only get worse. I beg to ask leave to withdraw the amendment.

[Mr. Benyon]

Amendment, by leave, withdrawn.

Schedule 8

LISTED BUILDINGS, CONSERVATION AREAS AND HAZARDOUS SUBSTANCES—SCOTLAND

Amendments made: No. 174, in page 140, line 29, after 'both' insert

'; and in determining the amount of any fine to be imposed on a person convicted of an offence under this section, the court shall in particular have regard to any financial benefit which has accrued or appears likely to accrue to him in consequence of the offence.'.

No. 175, in page 143, line 45, at end insert

'; and section 168 of this Act shall apply in relation to compensation under this subsection as it applies in relation to compensation under Part VIII of this Act.'

No. 176, in page 145, line 25, at end insert

'; and section 168 of this Act shall apply in relation to compensation under this subsection as it applies in relation to compensation under Part VIII of this Act.'—*[Lord James Douglas-Hamilton.]*

Schedule 3

DEVELOPMENT PLANS

Mr. Steen: I beg to move amendment No. 133, in page 98, line 48, at end insert—

'(c) population forecasts issued by central government and by independent agencies, as well as district and county population growth forecasts in relation to specific local areas, and the impact of these forecasts on household formation.'.

Mr. Speaker: With this it will be convenient to take amendment No. 136, in page 104, line 12, at end insert

'(9) (c) to the likely resources available;

(d) to the capacity of existing facilities to service the increased population resulting from new residential development, and where existing facilities are not deemed to be adequate to meet increased needs, no further residential development shall be permitted unless the capital works required to service any new residential development have been or will be provided'.

Mr. Steen: The amendment was tabled by several of my hon. Friends. I wish to deal with both amendments Nos. 133 and 136. Amendment No. 133 is about population forecasts. The amendment proposes to add to paragraph 16 of schedule 3, under the heading "Structure and local plans", a provision whereby population forecasts will be included, discussed and considered. The reason for that is simple.

The Department of the Environment produces estimates of future household formations which are handed down to the county councils. In theory the estimates can be challenged, but in practice they tend to be accepted as tablets of stone. The county councils allocate a certain number of households to each of the district, town or borough local authorities, which are obliged to find room for the new buildings.

A group of people in Holborn deal with population statistics. There are about 2,000 people there, but about six of them specifically deal with household formations, which are not the same as houses. They pass the information over to a group of civil servants in the Department of the Environment. I do not know how many dozens of civil servants in the Department analyse and forecast household formations.

The figures are then massaged and sent down like darts to the county councils. Councils are told that they must provide in their structure plan for so many households in their area. For example, my county council may be asked to provide for 10,000, 20,000 or 50,000 households. That request is based on figures which emanate from Holborn and go on to the Department of the Environment. Devon or any other county council receives the figures. Although technically it can challenge them, it has no machinery to do so. How can the council challenge figures which suddenly arrive on its desk? The council then has to cut up the figures and distribute them around the district councils. It is similar to bidding. The county council says to each council, "How many can you manage?" It has to share the household formation figures around the councils. The councils then set about their local plans, which are the strategy for the area for the next five years. They have to include the number of households that the council has been told by the county council, the county council has been told by the Department of the Environment and the Department of the Environment has been told by the Holborn statisticians is required in that area.

The trouble is that the household formation figures are estimates. They are simply computerised figures and they are not always correct. An analysis of the Department of the Environment's 1985-based household projections shows how the rate of household formation is expected to decline sharply in every county in the country. For example, 32 per cent. fewer households will be formed in Devon in the last five years of the 1990s than were formed in the first five years of the 1980s. Overall there is a 45 per cent. drop in household formations throughout Great Britain.

Figures are handed down like tablets of stone from the Department of the Environment to the county councils and local councils draw up their local plans on the basis of them. The figures have dropped by 45 per cent. We are still building houses on the basis of those false projections. It is rather like a train running at 125 mph—it takes a few miles to stop. We are continuing to build houses on an inaccurate premise which was produced by computer.

Amendment No. 133 provides no more than a means whereby the estimates of household formation can be considered during the consultation period of the local plans, so that they can be revised in the light of local need and local land use. The importance of the amendment is not just to allow the national figures to be considered but to introduce local needs and local land use.

10.30 pm

We know that more houses will be needed during the coming decade to provide for new households, but new homes do not necessarily mean new housebuilding on green-field sites. For example, we do not need to release more and more land to satisfy the cry for new homes. The County Planning Officers Society recent figures show a national picture of 23 per cent. more land identified for housing development than is required by the structure plan building rates during the next five years. In the hard-pressed south-east an astonishing 58 per cent. more land has been identified for housing development than is required. The Government forecast that 550,000 new households will be required in the south-east alone by the turn of the century, yet the County Planning Officers Society says that 58 per cent. more land is earmarked for housing in the south-east than is required.

As I have bored hon. Members with this on many occasions, they will know that approximately 180,000 acres of public land is lying vacant, derelict, dormant, underused or underutilised. About 80,000 acres of it is on the Government land register, but that has not been brought up to date for nearly two years. Therefore, we do not really know how many acres of vacant, dormant, derelict and underutilised land there is in public ownership. All that we know is that there are more than 100,000 acres of public vacant land, probably near 180,000, and probably nearer 300,000 if one includes the private sector as well. Since it is perfectly good building land, why do we have to build on green-field sites and allocate 58 per cent. more land in the the south-east for building?

Not only have we got surplus land, we have also got some 99,200 local authority houses and flats lying empty, of which 31,000 are in the Government sector. Those buildings should be repaired and used before we build more houses on green-field sites which do not need to be built on.

Amendment No. 133 suggests that, when local plans are being drawn up by district and borough councils, regard should be had for the local need and what the local people have to say.

I cannot impress too strongly on the House even at this hour just how serious the matter is. If we get our population forecasts wrong we will end up building the wrong number of households in the wrong places and we will take more and more land which we do not need to take to build houses that do not need to be built.

Amendment No. 136 deals with what should be included in local plans. Under the Bill, such plans will be statutorily required in every part of the country. I welcome that first-rate initiative by the Government. I am glad to say that South Hams was one of the first local authorities to operate local plans, even before they were required by law.

The amendment is necessary because good planning practice should ensure a link between new housing development and physical and social infrastructure. That link should be set out clearly in the local plan.

Good planning practice, as operated by a responsible local authority, should make sure that the requisite infrastructure to service new development is in place. That has sometimes been lacking in the past; as a result, development has sometimes outstripped local infrastructural facilities.

Even South Hams was overwhelmed by housing development during the past decade. It swamped the existing infrastructure. About 48,000 houses were built in Devon between 1981 and 1991, and I am afraid that the infrastructure could not keep pace with the number of new households that resulted.

A lack of school places was the immediate result. Rapid population growth consequent on large housing development in one area meant that the county council had to ask the Government for a large basic needs allocation in its annual capital guidelines, so that new schools could be built. However, when school construction is slow, or the population increases faster than predicted, the education authority has to do what it can. In Stokeford, near Ivybridge, the education authority had to provide eight temporary classrooms to house the overflow from the eight permanent ones already built.

In the whole of Devon, there are 1,456 temporary classrooms housing some 30 per cent. of the total school population. Seventy per cent. of primary and secondary schools have one or more temporary classrooms. *[Interruption.]* I cannot be blamed for the fact that the debate on this amendment came so late at night. Since I speak for a great number of shire county Members who have been kind enough to turn up tonight, it would be wrong of me to read the note that the Whip has just handed me, would it not, Madam Deputy Speaker?

Madam Deputy Speaker (Miss Betty Boothroyd): Hon. Members are perfectly in order if they read from briefs handed to them.

Mr. Steen: That is just what I was doing, Madam Deputy Speaker. But I will not read notes handed to me by colleagues.

It is wrong to go on building more and more houses and allowing more and more people to move into an area without providing the infrastructure to allow them to enjoy the homes into which they have moved. It is wrong to allow them to move into homes if the electricity supply is inadequate and the lights keep going out. It is even worse if the sewerage systems cannot cope. In South Milton, the sewage was backing up into the system, because the sewerage authority could not cope with the volume of houses that it was required to service. That is why infrastructure must keep pace with new development. We should not allow new houses to be built unless we provide adequate police cover, school places, water, electricity and gas.

Mr. Win Griffiths: Will the hon. Gentleman confirm that the deplorable state of affairs that he describes really exists in Tory South Hams?

Mr. Steen: It certainly exists in a village in South Hams; also in Dartmouth the sewerage system is so appalling that a total embargo has been imposed on new house building. The same has happened in Ivybridge, one of the fastest-growing towns in Devon. Things should never have reached that stage.

The local plans give no consideration to infrastructure. There is nothing to stop a developer from continuing to build houses, provided that the local plan allows him to do so. According to my planning officer, once the provision is in the local plan the pace of development cannot be slowed down, regardless of good planning practice.

The amendment merely proposes that, before housing developments proceed, the infrastructure must be either in place or readily available. Nothing is more harmful to constituents than to move into new housing developments in good Conservative shire counties and then to be without the basic facilities that they deserve.

I think that I have made my point. No one can doubt the importance of the amendments. I ask the Government to consider ways in which they might reassure Conservative Members who are concerned about the speed of housing development—as opposed to housing development itself—and the inadequacy of the population forecasts, which allow more houses to be built than are needed. Once the houses are built, the people who live in them will need an adequate infrastructure if they are to enjoy their new homes.

Sir George Young: My hon. Friend the Member for South Hams (Mr. Steen) has raised two points: one concerns population forecasts, the other infrastructure. I note that many of my hon. Friends have appended their names to the amendments, and I understand the concern that is felt throughout the House about both subjects. I hope to reassure my hon. Friend and others, however, that the present system can cope with their anxieties.

My hon. Friend said that the Department massaged the figures. I am sure that he did not mean to imply that we were not engaged in the pursuit of truth; we have no interest in getting the forecasts wrong, and producing assessments that are higher or lower than what proves to be the case. We take population figures from the Office of Population Censuses and Surveys and convert them into household forecasts, using the best techniques available. Having engaged in broad consultation, we then convert those into indications, rather than targets, for the purposes of the structure plan.

My hon. Friend suggested that the forecasts were handed down like tablets of stone. That is not true; they are an indication, which is passed down to local authorities. The authorities are entitled to look at local

factors—such as information about household formation—and, having taken those factors into account, to tell the Department that its figure is too high or too low. It simply is not true to say that we impose rigid targets on authorities, defying any evidence that they may have about local circumstances. That would be bad planning, bad politics and bad economics. We have advised the local planning authorities to take account of population projections and other forecasts, apart from our own, when they draw up their structure plans. There is an important degree of flexibility in the system, and there is no question of my Department's imposing unrealistic targets.

Of course the Government have the responsibility to make sure that, when we plan ahead, the sum total of provision made in the various structure plans bears some resemblance to the population growth and household growth. It would be irresponsible of an Administration not to do that, but we do it in a flexible and responsive way, not in the rather dictatorial way that my hon. Friend erroneously implied.

10.45 pm

I think that I can give my hon. Friend the assurance that he seeks on infrastructure. It is certainly the case that inadequate infrastructure is a material consideration that can be used for turning down planning permission for a new development. It would be wrong to permit a new development when there was no chance of, for example, a necessary new road being completed when the development became ready for occupation. The whole point of planning is that the infrastructure and the development move within the same timescale. If my hon. Friend looks at the environment White Paper, he will see that the object of the planning system is

"to secure the most efficient and effective use of land in the public interest, and to ensure that service facilities such as roads, schools and sewers are built where they are needed."

Planning policy guidance note No. 12 deals with my hon. Friend's anxiety. It says:

"Phasing of development over the period of one plan may be justified by considerations relating to infrastructure or the adequacy of other services, which may indicate that a particular area cannot be released for development until a particular stage in the plan period."

My hon. Friend asked me to reflect again on what he has said to see whether we can give fresh guidance. We are looking at planning policy guidance note No. 3, and I have taken careful note of what my hon. Friend has said. I shall see whether guidance needs strengthening.

Mr. Steen: I am reassured by what my hon. Friend says, except that there are 1,456 temporary classrooms, housing some 30 per cent. of Devon's school population, and that is caused solely by the housing development outstripping resources for the infrastructure.

Sir George Young: I have explained that if a local authority got a planning application for a housing estate and was not satisfied that there would be a school to cope with the children, that would be a material consideration and it could use that as an argument for turning down the planning application for the houses. The system allows a response to my hon. Friend's point.

Sir Gerard Vaughan (Reading, East): What happens when a planning application is granted, and the developers undertake to put in the infrastructure, but then they fail to do so, and houses are built without any of the infrastructure that was supposed to go with them?

Sir George Young: As my hon. Friend knows, the local authority has powers to attach conditions to the granting of planning consent. It can insist on a time scale—for example, that a road is provided first. If the conditions are broken, that invalidates planning consent. Local authority planning departments have the powers that they need to grapple with the issues that my hon. Friends have outlined. We do not need the amendments, because the system already gives planning authorities the capacity to cope.

Mr. Tim Rathbone (Lewes): I have been in correspondence with my hon. Friend's Department on a specific point—the responsibility of water suppliers to provide the necessary water for new developments. There seems to be some misunderstanding between local authorities and water suppliers as to the responsibility of the latter to warn local authorities that they should put a stop to further development because the water sources are not sufficient to meet the requirements. I would appreciate some clarification on that point.

Sir George Young: I understand my hon. Friend's point. When the local authority produces a development plan looking forward for five years, and its estimates of household formation, the water authority is involved in the debate. It can be consulted and asked whether it is within its capacity to meet the infrastructure requirements. The bodies responsible for infrastructure provision can then plan on the basis of a clear picture of the future shape of the community's future. That is an important part of the preparation of the development plan.

When it comes to an individual planning application, the adequacy of the infrastructure is a material consideration in deciding whether permission can be granted. If the water authority has not made the infrastructure available, the local authority can use that as a reason for turning down the application. One hopes, however, that if the planning system and the planning consultation has worked, the water authority will have advance notice of the local authority's plans and the provision that will be necessary.

If at the end of the day the water authority cannot make the structure available, the local authority can claim that as a material consideration in not wanting to overload the system and in deciding not to approve the application. However, under the Water Act 1989 water suppliers have a clear duty to supply water for domestic purposes.

Sir Charles Morrison (Devizes): Can my hon. Friend confirm that the present situation is totally different from that which has obtained for the past 15 to 20 years? My hon. Friend knows as well as I do that there is considerable concern throughout a good proportion of the south of England about there being too much water extraction, and about the disadvantage to the environment generally and to rivers in particular. Is my hon. Friend saying that, as a result of the Water Act 1989, the National Rivers Authority or the water companies themselves will be able to stop further development because sufficient water is not available?

Sir George Young: That decision would be not for the water authority but for the planning authority, which could certainly take that view. If it were not satisfied that

[Sir George Young]

the infrastructure was available, it could refuse a planning application for a development. The failure of the water authority to provide the necessary infrastructure would be a material consideration and one that the authority could use.

My hon. Friend the Member for South Hams asked whether we are changing the system. The Bill makes substantial changes. We are moving towards a system that is much more plan-led. The purpose of the Bill is to ensure that all the authorities involved in the provision of services march together at the same pace, in accordance with a plan to which they all contributed.

We want to move away from having lots of appeals, brought about because no one is clear what is the designation in particular parts of the country. We want up-to-date plans that cover the whole country, so that we can move with confidence to a new system that involves fewer appeals and references to my Department—and that has the confidence of local people, given that they will have been involved in the preparation of the plans. I am not sure that I can go further in meeting the anxieties of my hon. Friend the Member for South Hams, but I repeat that his amendments are not necessary because there is flexibility within the system to cope with the concerns that he expressed.

Mr. Steen: With the permission of the House, it is not as my hon. Friend the Minister says—it just does not work like that. However, I am bound to accept my hon. Friend's reassurance that there will be a new dawn and new vision in planning—and, in view of his remarks, it would be wrong not to give him the beneft of the doubt. There is no point to dividing the House at this time of night, but I am far from satisfied that the process my hon. Friend the Minister described operates in practice. However, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Win Griffiths: I beg to move amendment No. 63, in page 104, line 38, at end insert—

'(4A) Before prescribing any guidance or information under subsection (4) concerning aggregate demand forecasts the Secretary of State shall undertake public consultations with representatives of—

(a) persons carrying out mining operations;
(b) persons using the product of mining operations;
(c) owners of interests in land containing aggregates;
(d) mineral planning authorities;
(e) environmental and conservation interests; and
(f) local interests.'.

This amendment was prompted by the publication on 7 May by the Council for the Protection of Rural England of "Determined to Dig"—a study by John Adams of University college, London, which focused on the quality of aggregate demand forecasts. The study clearly showed that there has been little correlation over the years between forecasted demand and actual demand. Despite the poor quality of forecasting—whether it has resulted in overestimates or in underestimates—there is still plenty of aggregate material.

The importance of "Determined to Dig" is that it focuses on the fact that, in considering local quarrying plans and in examining applications by quarry companies to extend their sites and for new permissions to quarry, decisions are based largely on estimates of aggregate demand. All too often, mineral planning authorities have to grant permissions to quarry simply because a certain demand forecast has to be met. They have to authorise the extension of quarrying, often into sensitive areas of landscape and sites of special scientific interest, because the demand forecast states that a certain quarrying capacity is needed. Applications have had to be approved willy-nilly with the result that, across the country, many important landscapes have been destroyed.

The purpose of the amendment is twofold. We realise that an attempt has to be made to forecast demand, and we want the forecasters to carry on with their work. We hope, however, that that work can be improved, and that in future there will be a better correlation between forecast demand and actual demand. But before the final estimates —the estimates on the basis of which the mineral planning authorities will work—are produced, we want widespread consultation throughout the industry and among all those who can fairly be considered to have a concern. The relevant bodies are listed in the amendment.

We hope not only that there will be a discussion of the way in which the estimates are arrived at—with a broader group of people involved, to try to improve them—but that other sources of aggregate will be examined. They could include recycling the aggregate or using secondary aggregates. We should concentrate on other ways of achieving aggregate supplies—or supplies or alternatives to aggregate—so that we can reduce the amount of quarrying because there is no doubt that in many parts of the country scandalous sins are being committed against our beautiful country which we should not be prepared to accept.

I hope that the Government will look on the amendment with a kindly eye and that they will be prepared to accept it. It would do nothing to stop the forecasters making their forecasts. It would merely subject the process to public consultation and scrutiny before the final figures were etched on tablets of stone—if that is the right phrase, given that we are talking about quarrying. There should certainly be consultation and scrutiny before the estimates are used as the main guidelines by the mineral planning authorities in considering applications to extend quarrying.

I hope that it will be accepted that this is a way to make a useful contribution to the debate about forecasting, so that we can minimise the damage to our countryside. I can think of an example in my constituency near the village of St. Bride's Major, where the mineral planning authority is undertaking a local plan exercise, part of which will involve accepting the destruction of a part of a site of special scientific interest. That is not acceptable and the sooner we improve our consultation processes the better it will be for our countryside.

11 pm

Mr. George Walden (Buckingham): I do not know whether the Government will look upon the amendment with a kindly heart, but it strikes a chord with me, as I raised the subject in an Adjournment debate on 9 May. However, with respect, there is one deficiency in the amendment, because it does not seem to be very specific about obliging anyone to consult those concerned with producing alternatives to aggregates.

In that connection, after my debate I received a number of letters from people who are willing to consult. One letter was from Boral Lytag—Pozzolanic Lytag Ltd.—which

points out that, although it is involved with the use of ash aggregate as an alternative, it is not represented at aggregate working party meetings. Another letter was from CRA Services Ltd., which has developed a process in Australia known as "neutralysis" which

"converts municipal waste into an aggregate by high temperature incineration".

I am in no position to judge the activities of those firms or whether those processes are better than what is happening at present; I mention them simply because I have a feeling that there are alternative sources out there which are not being sufficiently exploited.

Mr. Win Griffiths: I realise that this might be stretching the point a little, but it could be said that such companies had a conservation interest in aggregates, which is mentioned in para (e) of the amendment, but I appreciate the point that the hon. Gentleman is making.

Mr. Walden: I accept that argument, and I am glad that the hon. Gentleman accepts mine.

Secondly, I understand from the Government's response to my Adjournment debate that their mind is by no means closed on the subject. I also understand that the forecasts for aggregates that they produce are for debate and are not written on tablets of stone—or whatever tonight's cliché is.

I am glad that the Government have moved on interim development orders, as I have a particularly nasty case of that in my constituency in Ivinghoe Aston, where a chalk quarry is allowed to operate right up to the fence of a property, which would never be allowed to happen nowadays.

I like to believe—I hope that the Minister will confirm my belief—that the Government are open-minded about this question. However, I should also like the Government to make it clear to county councils, which have to make decisions in the meantime, that they should not be over-impressed by the aggregate forecasts, that they should go slow on any doubtful cases—I have in mind the case of Mursley in my constituency, where the county council has an interest—and that they should not rush into decisions in a fast-evolving situation.

I hope that the Minister will buoy my faith in the Government's open-mindedness on this question.

Mr. Yeo: I can assure my hon. Friend the Member for Buckingham (Mr. Walden) that the Government look with a kindly eye at most subjects. The objective of the amendment is one of those subjects. The Government published new long-term forecasts of national demand for primary aggregates on 7 May, but I cannot stress too strongly that those forecasts are not Government plans, or production targets that have to be met. They are simply forecasts. One of the purposes of publishing them is to promote the debate that the hon. Member for Bridgend (Mr. Griffiths), my hon. Friend the Member for Buckingham and I wish to see. The new forecasts suggest that there will be continued steady growth in demand over the next 20 years, although the rate of growth may be below that experienced in the last 40 years. It is essential that the environmental consequences of that demand are examined very carefully.

The Government are undertaking a review of the present guidance on the provision of aggregates—MPG6—to ensure that it is up to date. The demand forecasts are the first step in this review and provide a useful starting point in the consideration of the environmental implications of the rising demand for aggregates.

We fully recognise that there is increasing public concern about the mining of aggregates. We have also made it clear, both during the passage of the Bill and elsewhere, that we are determined to achieve higher operating standards in the minerals industry. The Bill contains a number of provisions that are designed to achieve precisely that.

We also want to see an increase in the use of waste and recycled materials that contribute, at the moment, less than 10 per cent. to present demands. My hon. Friend the Member for Buckingham made a very important point about that. I fully share his concern about the importance of finding alternatives. We are determined to improve that figure. Therefore, we have asked the industry to show how that increase can be achieved. I hope that our own research, which we shall publish later this summer, will also provide some pointers as to how that increase can be achieved.

Sir Alan Glyn (Windsor and Maidenhead): Will my hon. Friend be kind enough to say which he considers more important—aggregates or the environment? He knows that in my constituency there is an example of the environment having been completely spoilt by digging for aggregates.

Mr. Yeo: It is impossible to quantify precisely which is the more important. We want to achieve the conditions that make possible sustained economic growth. We see no inconsistency between that objective and the objective of substantially raising the environmental standards adopted by the aggregates industry and other industries. We are encouraged by the co-operation that many of those engaged in the industry are providing. They also see the need for higher environmental standards. A major part of our effort is directed at achieving an increase in the use of alternative materials.

In addition to the research to which I have already referred, other research that we have in hand is looking at the potential offered by marine sand and gravel and coastal super-quarries, one of which I shall be visiting later this week. We are also examining whether at present there is over-specification in the use of aggregates, which causes the wasteful or excessive use of a valuable natural resource.

The publication of the forecasts that the consultants have prepared has been undertaken now to ensure an open and public debate about the forecasts and the environmental implications of the predicted growth in demand. We want that debate to be as wide as possible. We have not formed any final views about the forecasts. For that reason, we want the views of industry, the mineral planning authorities, the environmental and conservation bodies and the public at large about the forecasts at this stage. That will enable us to give careful consideration to all the comments that we receive when preparing the new draft guidelines to replace MPG6.

The draft guidelines will include the Secretary of State's views on the long-term forecast of demand for aggregates. They will therefore be the subject of extensive formal public consultation with a wide range of interests. The

[Mr. Yeo]

views expressed as a result of that exercise will then be taken into account before any revised guidelines are issued.

I hope, therefore, that it is clear to my hon. Friend the Member for Buckingham and to the hon. Member for Bridgend (Mr. Griffiths) that arrangements already exist for an extraordinary wide-ranging public consultation exercise about the aggregate demand forecasts and the draft guidelines. It is precisely in order to promote that debate that we published the forecasts. We therefore do not feel that it is necessary to enshrine in legislation arrangements for ensuring a proper public debate. We are unable to accept the amendment.

Mr. Win Griffiths: The Government suggest that there will be an opportunity for widespread consultation. I look forward to that, and especially to the development of the recycling process to enable us to reduce the nation's need for quarrying, which often destroys much of our beautiful landscape. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 117, in page 107, line 37, leave out '288' and insert '287'.

No. 118, in page 109, line 14, after 'section', insert'"repeal and" is omitted and'.

No. 119, in page 109, line 40, at end insert

'and for "38" there is substituted "39".'.—*[Mr. Yeo.]*

Mr. Win Griffiths: I beg to move amendment No. 120, in page 111, line 38, after 'authority' insert

', except that in National Parks, other than those which exercise the functions of county planning authorities under Schedule 17 of the Local Government Act 1972, they shall be exercisable jointly by the National Park Authority and the county planning authority;'.

We debated this issue in Committee so I shall not detain the House too long, but I wish to emphasise the fact that the amendment is a key recommendation of the report by the national parks review panel, "Fit for the Future", which was published in March this year. We realise that many of the report's recommendations will be implemented as part of a national parks Act. However, the Bill gives us an opportunity to implement one of the review panel's key recommendations immediately, which is that national parks authorities should become structure planning authorities jointly with the relevant county council.

I give an example of one of the difficulties that can occur in national parks. All national parks are outstanding and it is invidious to classify them in any order, but surely the Pembrokeshire coast must rate as one of the most beautiful. However, Dyfed's structure plan contains no special provision for different treatment to reflect the special status of the Pembrokeshire coast national park. For example, settlement policies do not refer specifically to the existence of the park, and county-wide policies for tourism also ignore the special problems of the national park. There is therefore an urgent need for the amendment to be accepted.

The national parks review panel said:

"We are firmly convinced that national park authorities must play a fuller statutory role in the new structure plan process . . . we therefore propose that there should be a single structure plan for each county, prepared by the county council jointly with the national park authority, thus enabling the national park authority both to influence county-wide policies which may affect the park, and to be responsible for drafting specific policies for the park."

That proposal has been endorsed by the Countryside Commission.

I hope that in the five weeks that the Government have had to consider the Bill since we last debated it they have already worked out some improvements and concessions on environmental issues. I hope that they will not find the amendment too difficult to swallow, and it would be most appropriate for them to accept it.

Sir George Young: I have, of course, used the entire five weeks to think intensively about this amendment, which we discussed in Committee. I have the same difficulties today as I had then with the concept of joint responsibility for structure plans. It would be a novel requirement that two authorities had to agree on a joint structure plan. What would happen if one authority could not agree with the other? There would inevitably be delay and there would have to be some machinery for resolving that. This is not a recipe for success.

11.15 pm

The National Parks Authority has a keen interest in the structure plan. We intend to provide in regulations—there will be statutory cover—for the National Parks Authority to be consulted on the county's structure plan proposals before they are placed on deposit. That will ensure the close involvement of the parks authority in the preparation of structure plan proposals for its area and it will be free to raise any outstanding issues of concern once the proposals are placed on deposit for objection. It is likely that they would then need to be discussed at the examination in public under independent chairmanship.

We would then reach the solution wanted by the hon. Member for Bridgend (Mr. Griffiths) and ensure that the two authorities were involved in what emerged, but we would not impose an obligation to agree. I see problems in that since one would have to resolve a dispute if the authorities were unable to agree on the structure plan.

I hope that, on reflection, the hon. Member for Bridgend will not press the amendment. As I said in Committee, it is premature to come to a decision on some of the recommendations. I hope that the substance of the hon. Gentleman's comments can be achieved by the mechanism that I have outlined.

Mr. Win Griffiths: Given the regulations that the Minister has said will be introduced to involve the National Parks Authority more fully in the planning process, we are prepared to give him the benefit of the doubt. However, it seems that the Minister is rejecting one of the principal recommendations of the review body. I hope that at a later stage we shall look at the effectiveness of the Minister's proposals. In the next few years the Government could, and probably will, be different. We can look at it again then.

I beg to ask leave to withdraw the amendment.

Amendment, by leave withdrawn.

Schedule 5

PLANNING COMPENSATION REPEALS: MINOR AND CONSEQUENTIAL AMENDMENTS

Amendment made: No. 35, in page 122, line 29, leave out paragraph 11.—*[Lord James Douglas-Hamilton.]*

Schedule 10

PLANNING COMPENSATION REPEALS: MINOR AND CONSEQUENTIAL AMENDMENTS—SCOTLAND

Amendments made: No. 79, in page 149, line 37, leave out paragraph 8.

No. 194, in page 150, line 7, leave out 'VII' and insert 'XII'.

No. 177, in page 150, line 23, leave out 'section', and insert 'Act'.—*[Lord James Douglas-Hamilton.]*

Schedule 6

PLANNING IN ENGLAND AND WALES: MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 59, in page 126, line 22, at end insert—

'Rent (Agriculture) Act 1976 (c. 80)

3A. In section 33(4) of the Rent (Agriculture) Act 1976 for the words from "section 63(2)(b)" to the end there is substituted "section 73A of the Town and Country Planning Act 1990".'

No. 32, in page 127, line 19, leave out '56(3)' and insert '56, in subsection (3)'.

No. 33, in page 127, line 19, at end insert—

'(2) In subsection (4) of that section after paragraph (a) there is inserted—

"(aa) any work of demolition of a building;".'

No. 34, in page 127, line 20, leave out

'In section 63(5) "65, 71(1) or'"

and insert 'Section 63'.

No. 21, in page 127, line 21, at end insert—

'11A. In section 69—

(a) in subsection (1) "made to that authority", and'.

No. 38, in page 127, line 26, at end insert—

'13A.—(1) After section 73 there is inserted—

"*Planning permission for development already carried out.*

73A.—(1) On an application made to a local planning authority, the planning permission which may be granted includes planning permission for development carried out before the date of the application.

(2) Subsection (1) applies to development carried out—

(a) without planning permission;

(b) in accordance with planning permission granted for a limited period; or

(c) without complying with some condition subject to which planning permission was granted.

(3) Planning permission for such development may be granted so as to have effect from—

(a) the date on which the development was carried out; or

(b) if it was carried out in accordance with planning permission granted for a limited period, the end of that period."'

No. 39, in page 127, line 28, leave out

'and (2)" there is substituted "70"'

and insert

'and (2), 72(1) and (5) and 73" there is substituted "70, 72(1) and (5), 73 and 73A"'.

No. 40, in page 127, line 32, leave out

'71(2)" there is substituted "70"'

and insert

'71(2), 72(1) and (5) and 73" there is substituted "70, 72(1) and (5), 73 and 73A"'.

No. 41, in page 127, line 35, at end insert—

'16A. In section 91(4)(b), for the words from "granted" to the end there is substituted "granted for development carried out before the grant of that permission".

16B.—(1) In section 102, for subsections (4) and (5) there is substituted—

"(4) The planning permission which may be granted by an order under this section includes planning permission, subject to such conditions as may be specified in the order, for development carried out before the date on which the order was submitted to the Secretary of State under section 103.

(5) Planning permission for such development may be granted so as to have effect from—

(a) the date on which the development was carried out; or

(b) if it was carried out in accordance with planning permission granted for a limited period, the end of that period."'

No. 46, in page 128, line 34, at end insert—

'(2) For section 177(3) there is substituted—

"(3) The planning permission that may be granted under subsection (1) is any planning permission that might be granted on an application under Part III."

(3) In section 177(5) for "for the development to which the notice relates" there is substituted "in respect of the matters stated in the enforcement notice as constituting a breach of planning control".'

No. 47, in page 129, line 2, leave out from '(1)' to end of line 20 and insert

'Where, after the service of—

(a) a copy of an enforcement notice; or

(b) a breach of condition notice,

planning permission is granted for any development carried out before the grant of that permission, the notice shall cease to have effect so far as inconsistent with that permission."'

No. 48, in page 129, line 30, leave out '181(5)(b)' and insert

'181—

(a) in subsections (1)(a), (4)(b) and (5)(b) for "demolition", in each place where it occurs, there is substituted "removal";

(b) in subsections (3), (4) and (5) for "demolished", in each place where it occurs, there is substituted "removed"; and

(c) in subsection (5)(b)'

No. 49, in page 129, line 41, after 'relevant activity"' insert—

'(aa) in subsection (1)(c) the words from "or for its retention" to "granted" are omitted;'

No. 121, in page 129, line 47, at beginning insert 'and'.

No. 51, in page 132, line 27, at end insert—

'(aa) at the end of the definition of "buildings or works" there is inserted "and references to the removal of buildings or works include demolition of buildings and filling in of trenches"; and

(ab) for the definition of "building operations" there is substituted—

"building operations" has the meaning given by section 55;".'

No. 52, in page 132, line 30, leave out 'and'

No. 53, in page 132, line 33, at end insert

'and

(e) in the definition of "planning permission" the words from "and in construing" to the end are omitted.'

No. 31, in page 134, line 5, leave out from 'into' to 'may' in line 6 and insert

'a planning obligation under section 106 or 299A'

No. 56, in page 134, line 31, leave out

'"64" there is substituted "63"'

and insert

'"to 64" there is substituted "and 62"'

No. 57, in page 134, line 34, at end insert—

'(bb) after the entry relating to section 72(1) to (4) there is inserted—

"Section 73A."'

No. 58, in page 135, line 35, at end insert—

'53A. For section 67(8) of that Act there is substituted—

"(8) In this section references to planning permission do not include references to planning permissions falling within section 73A of the principal Act.

53B. For section 73(2) of that Act there is substituted—

"(2) In this section references to planning permission do not include references to planning permissions falling within section 73A of the principal Act."'—*[Sir George Young.]*

Schedule 11

Planning in Scotland: Minor and Consequential Amendments

Amendments made: No. 80, in page 155, line 14, at end insert—

'2A. In subsection (3)(a) of section 5 (preparation of structure plans), after "measures for" there is inserted "the conservation of the natural beauty and amenity of the land,".

2B. In subsection (3)(a) of section 9 (preparation of local plans), after "fit for" there is inserted "the conservation of the natural beauty and amenity of the land,".'.

No. 178, in page 155, line 29, after 'regulations', insert 'under this Act'.

No. 179, in page 155, leave out line 34 and insert—

'. '4. In section 23 (publication of notices of applications—

(a) in subsection (1)'.

No. 180, in page 155, line 36, at end insert—

'(b) at the end there is inserted—

"(4) A planning authority shall not entertain any application for planning permission unless any requirements imposed by virtue of this section have been satisfied.

(5) Proceedings for an offence under this section may be brought at any time within the period of two years following the commission of the offence.".'.

No. 181, in page 155, line 44, leave out 'regulations or an order' and insert

'such regulations or the order'.

No. 81, in page 156, line 3, leave out paragraph 6 and insert—

'6. For section 29 there is substituted—

"*Planning permission for development already carried out.*

29.—(1) On an application made to a planning authority, the planning permission which may be granted includes planning permission for development carried out before the date of the application.

(2) Subsection (1) of this section applies to development carried out—

(a) without planning permission;

(b) in accordance with planning permission granted for a limited period; or

(c) without complying with some condition subject to which planning permission was granted.

(3) Planning permission for such development may be granted so as to have effect from—

(a) the date on which the development was carried out; or

(b) if it was carried out in accordance with planning permission granted for a limited period, the end of that period.".'.

No. 182, in page 156, line 11, leave out 'regulations or an order' and insert

'such regulations or the order'.

No. 183, in page 156, line 13, leave out 'by regulations or an order' and insert

'by such regulations or the order'.

No. 82, in page 156, line 17, leave out 'and 28A"' and insert ', 28A and 29"'.

No. 83, in page 156, line 27, after '(3A)";' insert—

'(iia) for "and 27A" there is substituted ", 27A and 29"'.

No. 184, in page 156, line 37, leave out 'any' in both places where it occurs.

No. 84, in page 156, line 40, at end insert—

'10A. In subsection (3)(c) of section 38 (limit of duration of planning permission), for the words from "granted" to the end there is substituted "for any development carried out before the grant of planning permission".'.

No. 85, in page 156, line 42, at end insert—

'11A. In subsection (2) of section 40 (provision as to date when development begun), after paragraph (a) there is inserted—

"(aa) any work of demolition of a building;".'

'11B. In section 49 (orders requiring discontinuance of use etc.), for subsection (3) there is substituted—

"(3) The planning permission which may be granted by an order under this section includes planning permission, subject to such conditions as may be specified in the order, for development carried out before the date on which the order was submitted to the Secretary of State under this section.

(3A) Planning permission for such development may be granted so as to have effect from—

(a) the date on which the development was carried out; or

(b) if it was carried out in accordance with planning permission granted for a limited period, the end of that period.".'.

No. 185, in page 157, line 1, leave out paragraph 14.

No. 86, in page 157, line 6, after '(a)' insert

'in subsection (2B)(d) for the words from "being" to "situated" there is substituted "to such persons as may be specified";

(b)'.

No. 87, in page 157, line 46, at end insert—

'(ca) in subsection (6), for the words from "and any planning permission" to the end there is substituted —

"(6A) The planning permission which may be granted under subsection (5) of this section is any planning permission which might be granted on an application under Part III of this Act.

(6B) Where the Secretary of State discharges a condition or limitation under subsection (5) of this section, he may substitute for it any other condition or limitation.".

(cb) in subsection (7), for "for the development to which the notice relates" there is substituted "in respect of the matters stated in the enforcement notice as constituting a breach of planning control".'.

No. 88, in page 158, line 12, leave out paragraph 20 and insert—

'20. In section 89 (enforcement notice to have effect against subsequent development)—

(a) in subsection (1), for "demolition" there is substituted "removal"; and

(b) in subsections (3) and (4) for "demolished" in each place where it occurs there is substituted "removed".

20A. For section 89A there is substituted—

"*Effect of planning permission, etc., on enforcement or breach of condition notice.*

89A.—(1) Where, after the service of—

(a) a copy of an enforcement notice; or

(b) a breach of condition notice,

planning permission is granted for any development carried out before the grant of that permission, the notice shall cease to have effect so far as inconsistent with that permission.

(2) Where, after a breach of condition notice has been served, any condition to which the notice relates is discharged, the notice shall cease to have effect so far as it requires any person to secure compliance with the condition in question.

(3) The fact that an enforcement notice or breach of condition notice has wholly or partly ceased to have effect by

virtue of this section shall not affect the liability of any person for an offence in respect of a previous failure to comply, or secure compliance, with the notice.".'.

No. 89, in page 159, line 1, after 'section' insert '—(a)'.

No. 90, in page 159, line 8, at end insert

'; and

(b) in paragraph (c) the words from "or for its retention" to "granted" are omitted.'.

No. 91, in page 159, line 27, after '(1)(c)' insert—

'—(i) after "Part IV" there is inserted "other than sections 58 to 60"; and (ii)'.

No. 196, in page 159, line 31, at end insert—

'(f) in subsection (6) after "other than section" where it first occurs there is inserted "163 or".'.

No. 92, in page 159, line 42, at end insert—

'(aa) at the end of the definition of "buildings and works" there is inserted "and references to the removal of buildings or works include demolition of buildings and filling in of trenches";

(ab) for the definition of "building operations" there is substituted—"building operations" has the meaning given by section 19 of this Act;'.

No. 93, in page 160, line 1, leave out 'and'.

No. 94, in page 160, line 4, at end insert

'and

(d) in the definition of "planning permission" the words from "and in construing" to the end are omitted.'.

No. 195, in page 161, line 12, leave out from beginning to 'the following' in line 13 and insert—

'40. In subsection (3) of section 87 of the Local Government, Planning and Land Act 1980 (fees for planning applications), for the words "to him of a fee of the prescribed amount in respect of an" there is substituted—

"(a) of fees of prescribed amounts to him and to the planning authority in respect of any application for planning permission deemed to be made under subsection (7) of section 85 (appeals against enforcement notice) of the Town and Country Planning (Scotland) Act 1972; and

(b) of a fee of the prescribed amount to him in respect of any other".

40A. In Part I of Schedule 30 to that Act.'.

No. 187, in page 161, line 14, leave out 'and 87AA' and insert ', 87AA and 260A'.—*[Lord James Douglas-Hamilton.]*

Clause 61

HOME LOSS PAYMENTS

Mr. Soley: I beg to move amendment No. 192, in page 66, line 6, at the beginning insert—

'—.(1) Section 29(1) of the Land Compensation Act 1973 (right to a home loss payment) shall be amended as follows:

(a) in subsection 29(1)(c) the words "repair of or" shall be inserted immediately before the word "improvement"

(b) in subsection 29(1)(d) the words "repair of or" shall be inserted immediately before the word "improvement"

(c) in subsection 29(1)(e) after the words "Housing Act 1986" shall be inserted the words "or in the case of an assured tenant of a housing association the making of a possession order under Ground 6 of Schedule 2 to the Housing Act 1988"

(d) after subsection 29(1)(e) there shall be added:

"(f) the making by a magistrates' court of an order under section 82(3) Environmental Protection Act 1990 or section 77 of the Building Act 1984 where the effect of such order will be permanently or indefinitely to prevent the occupier from continuing in occupation"

(e) after sub-paragraph (v) shall be added the words

"(iv) where paragraph (f) applies, the owner of the property or such other person as the magistrates' court may in its discretion direct.".'.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): On a point of order, Madam Deputy Speaker. Amendment No. 196 has been missed.

Madam Deputy Speaker (Miss Betty Boothroyd): Amendment No. 196 appears on page 1148 of the amendment paper, which we have not yet reached. We are now dealing with Opposition amendment No. 192. Is the Minister happy?

Sir George Young: We do not mind when we reach amendment No. 196, as long as it is reached at some point.

Madam Deputy Speaker: It will be called formally when I reach page 1148. It has already been taken with Government amendment No. 194. We are now dealing with Opposition amendment No. 192.

Mr. Soley: The first amendment on page 1148 is also an Opposition amendment.

I remind the Minister that in Committee we had a significant series of debates on home loss payments for tenants. We argued that tenants were not getting the credit that they deserved for the effort and money that they put into their homes. This is not a repetition of that argument but an attempt to deal with some of the groups who should be covered but are not presently covered. I hope that in my short contribution I can persuade the Minister to act.

The amendment is supported by the Law Society, Shelter, the Institution of Environmental Health Officers and the Institute of Housing, so it has wide housing support. It deals with home loss payments. These are paid to tenants and owners when they are permanently displaced from their homes. The amendment extends eligibility to certain groups of permanently displaced persons not at present covered.

Paragraphs (a) and (b) of the amendment extend entitlement to council and housing association tenants who lose their homes due to the need for extensive repair work. At present, such tenants receive a home loss payment if the work carried out can be described as "improvement". In practice, this leads to an absurd and unnecessary need to categorise extensive renovation work as either "repair" or "improvement", as only in the latter case is payment made. The amendment removes this problem by extending entitlement. It does not apply to tenants able to return to their homes after repair work. It applies only to those required to move permanently.

Paragraph (c) extends entitlement to assured tenants of housing associations required to move out permanently because of extensive work to their homes. At present, secure tenants of such associations have the right to a payment. The amendment maintains fairness between the two types of association tenant. The Government have suggested that it is unnecessary as associations can be encouraged to make payments in such cases by the Housing Corporation. Experience suggests that associations are already pressed for funds and will make payments only when legally necessary. There is a strong case for bringing them into line.

Paragraph (d) deals with the situation of a tenant who has a home declared unfit or dangerous by a magistrates court. Often the tenant will have to move out for only a short period while remedial work is undertaken. However, sometimes the only way to deal with an extensive problem is to demolish the property or to prohibit occupation

[Mr. Soley]

indefinitely. The amendment extends entitlement to tenants permanently displaced by such orders. Paragraph (e) simply identifies the owner of the property as the person liable to make the payment unless the magistrates court that issued the order directs otherwise.

As I said, the amendment does not repeat the debate in Committee in which we discussed the amount of money paid in home loss. The amendment attempts to tidy up some of the anomalies and I hope that I can carry the Minister and the Government with me in regard to it.

Sir George Young: This amendment would involve an extension of the circumstances in which there is an entitlement to a home loss payment.

The first two parts of the amendment would bring in cases where the occupant is displaced in certain circumstances to allow repairs to be made to his home. Home loss payments are rightly available in cases where a person is displaced permanently from his home. The legislation already provides for payments to be made where there is such a displacement because of an authority's need to carry out improvements. However, I would expect that where repairs—as distinct from improvements—are concerned, there is a stronger likelihood that the occupant will return to his home once the work has been carried out. Therefore, I see no reason to accept that any change is required.

The hon. Member for Hammersmith (Mr. Soley) went on to propose an extension of home loss payments to assured tenants of housing associations which require possession of the tenant's home on ground 6 of schedule 2 to the Housing Act 1988. The hon. Gentleman will, I suspect, be aware that I have very recently written to the hon. Member for Knowsley, North (Mr. Howarth) explaining that, having looked again at the relevant legislation, we have concluded that all housing association tenants—including those with assured tenancies—are in fact already eligible for home loss payments under the existing provisions where they are displaced in qualifying circumstances. No further provision is therefore necessary, but we have asked the Housing Corporation to make sure that the tenants' guarantee will make the position absolutely clear.

Finally, the amendment seeks to extend entitlement to home loss payments to people displaced as a result of certain proceedings taken under the Environmental Protection Act 1990 or the Building Act 1984, where that displacement is permanent or indefinite.

Those statutory procedures are concerned with properties that are unfit for human habitation or structurally unsound and I accept that, where action is taken under one or the other of them, the effect will often —although not invariably—be to displace people who are living in them. Whether that displacement turns out to be permanent will depend very much on the circumstances of the case. In some instances, it may be permanent, in others not.

However, the key point is that it will not necessarily be clear at the time when the statutory action is initiated whether any displacements which may be required will be permanent or not. So I doubt that the distinction enshrined in this proposal would be workable. Also, it runs counter to the general principles of the home loss payment scheme by requiring a third party—the owner or another person as directed by the court—to be responsible for making the home loss payment, whereas under the scheme it is invariably the body responsible for the displacement which pays. On balance, therefore, I do not believe it would be right to bring this type of case within the home loss payment scheme.

Against that background, I hope that the hon. Gentleman will not feel it necessary to press his amendment.

Mr. Soley: I invite the Minister to ask his civil servants to read the *Official Report* tomorrow and, if necessary, to contact the Law Society, the Institute of Housing and Shelter. He will find that there is a good case for bringing those into line, and this is the appropriate time to do that.

Amendment negatived.

Mr. Iain Mills (Meriden): I beg to move amendment No. 105, in page 67, line 7 after 'different', insert 'percentage and'.

This is a small amendment about compensation. The Government have seen fit to introduce enabling powers in clause 61(3)(5) and (6) under which the Secretary of State can change the maximum and minimum amounts for compensation by statutory instrument.

Why should the Secretary of State have the power to change the maximum and minimum compensation for home loss, but not the percentage? That is why I have described the amendment as very small. That must lead to the view that compensation levels need entail no addition in overall terms to the cost of road developments. That could increase the speed of introducing the developments.

If there is a preparedness to take the powers to deal with maximum and minimum, why is there not a readiness to take powers to increase the percentage? If the taking of such powers would reduce the many years that ensue before road developments are completed because of the consequences of the public inquiry system, would it not be a good idea to take them? I am not saying that a percentage should be specified, but if it were found that a higher percentage would ease a certain scheme, whether in my constituency or elsewhere, or facilitate the introduction of new motorways, such as the M42 and the M6 in my constituency, that would surely be an important consideration.

11.30 pm

Sir George Young: I am grateful to my hon. Friend the Member for Meriden (Mr. Mills) for the concise and persuasive way in which he moved the amendment, which would enable my right hon. Friend the Secretary of State to vary by regulations the percentage that is to be used in calculating the level of home loss payment for owner-occupiers. My hon. Friend knows, as a member of the Standing Committee that considered the Bill, that the level of payment is set at 10 per cent. of the market value of the dwelling, subject to a minimum of £1,500 and a maximum of £15,000. There is provision for my right hon. Friend to vary the minimum and maximum amounts by regulation, but not the specified percentage.

As we have made clear, the object of the home loss payment is to compensate for the distress and upheaval that people will usually suffer when forced to move home at a time not of their own choosing. Setting the level of that compensation can only be a matter of judgment as to what is fair, to those who are displaced and to the central and

local taxpayers who are called upon to foot the bill. It is not an easy judgment to make, but we are generally satisfied that the approach that we propose to adopt strikes the right balance.

When we have specified the upper and lower limits for the flat-rate payments for claimants in the Bill, we have made provision for the Secretary of State to prescribe alternative amounts by regulation. That is common practice in primary legislation, and a prudent thing to do. A specified percentage is a different matter.

We believe that the proposed system represents a sound basis on which to calculate the level of home loss payment for owner-occupiers, and we see no reason to provide for it to be changed. Even if we were to decide that an alternative percentage were needed, I would regard that as a change so fundamental that it should be introduced by way of primary legislation rather than by regulations.

My hon. Friend touched on an argument that we heard much of in Committee, which is that, if the percentage were higher, claimants would have an incentive to move more quickly from their homes, and public development projects might move faster. There is no hard evidence that that would happen if higher levels of compensation were payable, not least because many objectors are not those who are directly affected and who receive compensation. I am not persuaded that higher rates of compensation would automatically have the effect that my hon. Friend desires.

I hope that my hon. Friend will accept that one factor is varied by regulation and the other by primary legislation. I hope also that he will decide, on reflection, not to press the amendment to a Division.

Mr. Peter L. Pike (Burnley): The Automobile Association strongly supports the amendment and has advocated its acceptance. Percentages are important, especially in areas where values are low enough not to be caught by the arrangements that are set out in the Bill. Someone in a low-value house might not be attracted to vacate it, but he could be if a higher percentage provision could be implemented. I recognise, of course, that any such provision could work both ways. We are anxious to see movement facilitated to prevent schemes from being held up when it is unnecessary. Of course, for an individual or family to move from a house is just as difficult and inconvenient whether the house is worth £5,000, £200,000 or any other amount.

Mr. Mills: I am tempted, because I am not quite satisfied with what my hon. Friend the Minister has said, to use the terms of Opposition Back-Benchers and say that I wish to call a Division. However, I am mindful of the time, the discussions that we had in Committee, and the Minister's obvious understanding of the matter. I beg leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Soley: I beg to move amendment No. 193, in page 69, line 4, at the beginning insert—

'(9) In section 37(3) of that Act subsection (c) shall be omitted.'.

Neither Back-Bench nor Front-Bench Members seem to be having any luck with the Minister tonight, but I intend to try again. I hope to persuade the Minister on compensation for tenants. The purpose of amendment No. 193 is to remove the effect of a decision of the High Court in Crown *v.* the London borough of Islington ex parte Knight, in which section 37(3)(c) of the Land Compensation Act 1973 was applied so that Mrs. Knight was denied a disturbance payment because the land from which she was displaced had been acquired by the council by agreement in 1930, many years before she became a tenant in 1975.

The first reason for the amendment is that many tenants are affected by the decision in view of the period over which authorities have acquired land. Secondly, paragraph (c) of section 37(3) is not compatible with paragraphs (a) and (b). Those paragraphs deal with denying payment to those who were not in occupation before the compulsory purchase process commenced. That is, they took up occupation when their displacement was imminent and could be deemed to have been aware of that. That was not so in Mrs. Knight's case. Her displacement did not become a possibility until six years after she took up occupation.

The amendment is compatible with parliamentary intention as stated in paragraphs (a) and (b). Unless the amendment is accepted, tenants could be denied disturbance payments when the land was acquired many years before the question of displacement arose. There seems to be a contradiction in the law. The amendment is an attempt to put that right, and I hope that the Government will take the opportunity to do so.

Mr. Yeo: The suggestion is that this proviso as to lawful occupation is unfair, in that it precludes a disturbance payment in the case of someone who may have lived in a property for a long time but cannot satisfy the test of having been in occupation when the authority's original acquisition took place.

The decision in the case to which the hon. Gentleman referred did not have a direct bearing on the concern at which the amendment is directed. I am advised that the decision turned on a technicality unrelated to the question of when the claimant entered into occupation of the dwelling. As I promised when the matter was raised in Committee, we have carefully considered whether there is a case for amending the existing provision, but the hon. Gentleman will be disappointed, although perhaps not surprised, to know that we have concluded that there is not a case.

The purpose of the restriction as to lawful occupation is to ensure that a disturbance payment is made to an occupant who stays on in a property after acquisition and is subsequently displaced, but not to someone who moves in after acquisition knowing full well that in due course he will have to move. That is perfectly reasonable. Many housing authorities and housing associations make a point of allowing people to occupy, on a short-term basis, accommodation which has been acquired with a view to redevelopment.

Having said that, where a claimant does not qualify for a disturbance payment as of right, the authority may none the less consider that there is good reason to pay expenses. Authorities are empowered under section 37(5) of the Land Compensation Act 1973 to make a discretionary payment. That ought to be sufficient generally to ensure that hardship is avoided in deserving cases.

We do not have evidence that a large number of people are being denied payment in the way that the hon. Gentleman describes. Against that background, I am afraid that it seems to us that the law is best left as it stands. I cannot recommend the House to accept the hon. Gentleman's amendment.

Amendment negatived.

Schedule 13

AMENDMENTS RELATING TO LAND COMPENSATION

Amendments made: No. 23, in page 172, line 33, after 'management'" insert—

'(aa) in subsection (2) after "shall" there is inserted "direct the acquiring authority to",

(ab) after that subsection there is inserted—

"(2A) Notice under subsection (2) above shall be given in such form and manner as the Secretary of State may direct".'

No. 24, in page 172, line 39, after "land"' insert—

'(aa) in sub-paragraph (3) after "shall" there is inserted "direct the acquiring authority to",

(ab) after that sub-paragraph there is inserted—

"(3A) Notice under sub-paragraph (3) above shall be given in such form and manner as the Secretary of State may direct".'—*[Mr. Yeo.]*

Schedule 14

COMPENSATION WHERE PERMISSION FOR ADDITIONAL DEVELOPMENT GRANTED AFTER ACQUISITION-SCOTLAND

Amendment made: No. 196, in page 184, line 28, leave out 'then', and insert 'and'.—*[Lord James Douglas-Hamilton.]*

Schedule 15

AMENDMENTS RELATING TO LAND COMPENSATION IN SCOTLAND

Amendment made: No. 96, in page 184, line 29, at end insert—

'2A. In paragraph 11 of that Schedule (purchase of open space)—

(a) in sub-paragraph (2), after "shall" there is inserted "direct the acquiring authority to"; and

(b) after that sub-paragraph there is inserted—

"(3) Notice under sub-paragraph (2) of this paragraph shall be given in such form and manner as the Secretary of State may direct.".'.

No. 188, in page 188, line 11, at end insert—

"(3) In subsection (4), for paragraph (b) there is substituted—

"(b) a right to occupy the dwelling-house—*[Lord James Douglas-Hamilton.]*

Clause 76

SHORT TITLE, COMMENCEMENT, ETC.

Amendment made: No. 62, in page 80, line 42, leave out 'section' and insert

'sections (*Home loss payments: Northern Ireland*) and'.—*[Sir George Young]*

Schedule 17

REPEALS

Amendments made: No. 122, in page 194, line 28, leave out 'subsection' and insert 'subsections (4) and'.

No. 36, in page 194, leave out from end of line 52 to end of line 2 on page 195 and insert 'Section 63.'

No. 22, in page 195, line 3, at end insert—

'In section 69, in subsection (1) "made to that authority" and in subsection (3) "made to the authority".'

No. 50, in page 195, line 13, at end insert

'In section 186(1)(c) the words from "or for its retention" to "granted".'

No. 15, in page 195, line 59, leave out 'and'.

No. 16, in page 195, line 61, after 'certificate'" insert 'and "mineral compensation modifications"'.

No. 55, in page 196, line 4, after '71)"', insert

'in the definition of "planning permission" the words from "and in construing" to the end'

No. 17, in page 196, line 4, after '71)"', insert

'the definitions of "relevant order", "restriction on the winning and working of minerals" and "special consultations"'.

No. 18, in page 196, leave out lines 26 to 28 and insert—

'Schedule 11'.

No. 60, in page 197, line 15, leave out 'and 35(1)(b)' and insert '35(1)(b) and 38'

No. 37, in page 197, column 3, leave out line 37.

No. 123, in page 198, line 39, column 3, at beginning insert 'in'.

No. 189, in page 200, line 12, column 3, at end insert—

'In Part II of Schedule 2, the entry for section 33(4) of the Land Compensation Act 1973.'.

No. 190, in page 200 leave out line 28.

No. 98, in page 201, line 6, at end insert—

'Section 153A.'.

No. 99, in page 201, line 20, at end insert—

'Section 159A.
Section 159B.'.

No. 100, in page 201, line 21, column 3, at end insert—

'In section 166(2)(c), the words from "or for its retention" to "granted".'.

No. 101, in page 201 leave out lines 22 to 24 and insert—

'Section 167B.
Section 167C.'.

No. 191, in page 201, line 42, column 3, at end insert—

'In section 251(1A), the definition of "development consisting of the winning and working of minerals".'.

No. 102, in page 201, line 58, column 3, after 'certificate', insert—

'and'.

No. 103, in page 201, line 59, column 3, leave out 'and' and insert—

'; in the definition of "planning permission" the words from "and in construing" to the end; and the definition of '.—*[Sir George Young.]*

Order for Third Reading read.—[Queen's Consent, on behalf of the Crown, and Prince of Wales's Consent on behalf of the Duchy of Cornwall, signified.]

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Sir George Young.]*

11.40 pm

Mr. Win Griffiths: A few words need to be said on Third Reading. The Opposition support the Bill as it has been amended, but we still have grave reservations about clause 12 and the issue of unilateral undertakings, because there is, unfortunately, some scope there for innuendo and rumour when it comes to the undertakings being made.

However, our main criticism of the Bill really rests on the Government's commitment in "This Common Inheritance" to green themselves. Given the previous Secretary of State's commitment to using the planning system for the enhancement and protection of the environment, many people, both inside and outside the House, were surprised at the lack of virtually all greenery in the Bill.

It is only because of the doughty fight put up in another place by peers of all parties and by Members from both sides of the House that we have, thankfully and appreciatively, seen some major concessions by the Government on environmental issues.

Nevertheless, we have still failed to include in the Bill important measures for coastal zone planning or sustainable development or proper planning controls in agriculture and forestry. We recognise that the Government have not accepted those, but we appreciate that they moved in the right direction on all the important environmental considerations.

We are only sorry that they did not come forward in the first place in a constructive spirit with the proposals which now exist in the Bill. We need to underline the fact that it is only because of the efforts of people other than the Government that they are now there. However, we thank the Government for responding 50 per cent. to 75 per cent. along the path of the green way which is so desperately needed.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

Mar Lodge

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Greg Knight.]*

11.43 pm

Mr. Tam Dalyell (Linlithgow): I believe that I speak with the good will of the right hon. Member for Kincardine and Deeside (Mr. Buchanan-Smith), in whose constituency lies the exquisitely beautiful Mar Lodge estate. His friends on both sides of the House know that he would have wished to be here if he had not had an extremely important appointment.

In the expert company of Dick Balharry, senior warden of the Nature Conservancy Council for Scotland, Dr. Adam Watson, a man who has given his life to the Cairngorms and works at the Institute of Terrestial Ecology, Banchory, and Dave Morris of the Ramblers Association, my wife and I had the good fortune to spend a day last month in the ancient Caledonian forest. Does anyone in Government dispute that the Mar Lodge estate is the key tract of land in the very heart of the Cairngorms?

The problem is encapsulated in a simple, if inexact, analogy. Translated into human terms, it is as if the remaining trees were all 85 to 90-year-old men. The next decade represents the very last chance of natural re-seeding for the ancient Caledonian forest. More deer than the land has ever carried before are now supported by winter feeding from those whose priority it is to ensure enough deer for stalking purposes.

In the old days, those who took stalking estates took them for a season, or perhaps for a couple of months. They were not unduly worried if they had blank days. Now, when people will pay thousands of pounds for periods of less than a week, they expect to have stags available each day. These circumstances combine to create a situation in which the young trees have no chance to grow. The crucial point is that if the Mar Lodge estate is to be subject to commercial considerations, we might as well say goodbye to the ancient Caledonian forest.

That would be a tragedy for Scotland. It would be a tragedy for the United Kingdom, which means that the Department of the Environment ought to be deeply involved. I insert the question whether it is true that there is no mechanism for transferring Department of the Environment funds to the Scottish Office. In particular, I would like to ask whether it is true that a special allocation of funds was made from the Department of the Environment to enable the NCC to buy the Creag Meagaidh estate from Fountain Forestry in 1985. As the Minister knows, I raised the issue of the transfer of funds with the Prime Minister and had a most useful conversation with his parliamentary private secretary about it. It concerns the Treasury, Downing street, the Department of the Environment and the Scottish Office.

The end of the Caledonian forest would also be a tragedy for Europe, since I understand that neither Norway nor Sweden has examples of ancient European forests as good as the southern Cairngorms, outside of nature reserves. The Caledonian forest is the only example in the EC countries of the boreal forest.

On 5 March 1980, when he was launching the world conservation strategy in his previous incarnation as Secretary of State for the Environment, the right hon. Member for Henley (Mr. Heseltine) said:

[Mr. Tam Dalyell]

"My co-ordinating role over the whole field is one to which I attach major significance."

Incidentally, I do not quote the speech in a snide way—I am sure that the right hon. Gentleman meant what he said. He continued:

"For, to my mind, it is the individual decision, when aggregated with hundreds or even thousands of others which, at the end of the day actually matters and only a fraction of those individual decisions are taken in government".

The right hon. Gentleman continued:

"That is the basis of my approach to environmental conservation. As Secretary of State for the Environment, I believe profoundly in the basis of the strategy that is being launched today—the maintenance of the earth's resources."

The right hon. Gentleman also said:

"In almost every decision the politician takes in the so-called 'environmental area' he has to balance a development need, with a clearly defined economic advantage, against a potential conservation loss, with perhaps no conceivable economic gain or even the imposition of a specific loss in terms of increased government expenditure.

What matters is that the politician consciously weighs up the various possible effects of development in taking his decision, and seeks a decision that is sound conservation, using our environmental resources as well as possible . . . Public bodies have to pay regard to nature conservation. And we give special protection to particularly important sites of interest of nature conservation or special scientific interest. As today's event underlines, we may need to consider decisions too from an international as well as a national standpoint . . . As soon as circumstances permit, we should like to ratify the UNESCO Convention for the Protection of the World Cultural and Natural Heritage . . . As examples of that commitment, in the last 10 months we have sanctioned additional expenditure to allow the NCC to acquire unique wetlands at Cors Fochno and to buy the Parsonage Down estate of special scientific interest with its outstanding flora . . . I can promise a philosophical approach totally in line with the objectives of a sensible conservation policy, and I can promise too a personal commitment that starts from a simple premise: in any individual decision, the starting point will be to conserve what matters: those who have a contrary objective must bear the onus of proof."

I ask tonight: do the Government stand by what the right hon. Gentleman said in 1980, particularly his view of our international responsibilities? Page 12 of "The Way Ahead", published in July 1990, highlights the need for Scottish Natural Heritage

"to purchase, own, lease, or manage land either alone or in partnership."

If Ministers are not prepared to apply such principles to Mar Lodge, where do they propose to apply them?

According to "The Way Ahead",

"The proposed powers for SNH will give it strength and flexibility beyond that available to the present agencies".

Mar Lodge is a kind of litmus test of the new body. If the Government will not find moneys to purchase it for the nation, will they at least fund a consortium of voluntary bodies—such as the Royal Society for the Protection of Birds, the World Wildlife Fund and the Chris Brasher Trust—on a pound-for-pound basis? I was a Doubting Thomas in regard to the changes; indeed, I wholly opposed them. As an unbeliever in the break-up of the Nature Conservancy Council, however, I am entitled to say that Mar Lodge is a litmus test for those who insisted on destroying the NCC.

Finally, I ask the Minister some questions, of which I have given notice to his officials—as, indeed, I have in regard to every point that I have made in my speech, thinking it sensible to do so. First, what costs would be incurred by the nation if Mar Lodge were managed as a private estate for nature conservation? It would involve the forgoing of profits, and compensation from the Nature Conservancy Council for Scotland. Such a management agreement, involving a huge estate, has not been achieved anywhere else, despite all the work that the Standing Committee on the Wildlife and Countryside Act 1981 put into the concept. I think that the hon. Member for Dumfries (Sir H. Monro)—who has done me the courtesy of being present at this late hour—will accept that.

Would the Government consider a compulsory purchase order for the estate on the basis of the Crown Commissioners' negotiations? If a national European and world living treasure is to be used as a bauble or toy for the mega-rich and hawked around the international market, should not the Government opt for a compulsory purchase order? After all, the Crown Commissioners have already set a value on the estate. In the event of there not being a compulsory purchase order, would Ministers consider buying Mar Lodge, or even using the compulsory purchase order to arrest possible purchase, and then to launch a public appeal for 50 per cent. of the purchase costs?

Those questions have been asked by a number of people, including my hon. Friend the Member for Cunninghame, North (Mr. Wilson), who, for understandable reasons, was here until a moment ago but has left because he has to go to Scotland tonight. These questions also arouse the curiosity of my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar), who has done me the courtesy of coming in at this late hour, and I thank him for that.

There is a great deal more to be said on an issue that deeply concerns many people, not only in Scotland, but in Britain, but it is more important that the Minister has time to expound Government thinking. I hope that the House will forgive me a personal reflection. On three occasions, Mr. Speaker has given me an Adjournment debate on rain forest problems. I have also been lucky to raise the subject of the Amazon on four occasions during the Consolidated Fund Bill debate and have asked innumerable questions.

How on earth can any of us seek to tell developing countries what they should do about the guardianship of their rain forests unless we set an example in relation to our own forests, and in particular to Mar Lodge? I shall never forget sitting in the office of Cesar Fernando Mesquita, then the Minister for the north, in Brasilia, and having to begin my plea for the Amazon with the observation that I came from a country where we had allowed most of our old forest to be destroyed and that I was in no position to lecture him or anyone else in Brazil. Only with that confession, and in a spirit of humility, which contrasted with that of his previous visitor—the American Senator Gore—did I get a kindly hearing. If we fail to do the right thing by Mar Lodge, we had better shut up about trying to protect the world's rain forests. Britain's international credibility is at stake. I wonder whether the Government agree with that.

11.47 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I congratulate the hon. Member for Linlithgow (Mr. Dalyell) on his success in raising these important matters. I know the area quite well as I stayed there some years ago, and a constitutent who was a stalker showed me around, from one end to the other, which was a fascinating experience.

I agree that the Cairngorms, which contain most of the highest peaks in Scotland, are probably the finest single example of the natural heritage of Scotland and are of considerable importance in international terms.

Remnants of the Caledonian forest which lie in and around the foothills of the Cairngorms are one of the most important features of the Cairngorms. These native pine woods are among the least modified woodland areas in Britain and represent an unbroken link with the natural forest that developed following the recession of the last glaciation some 8,000 years ago. They are an irreplaceable habitat for many rare animal and plant species. The importance of the Caledonian forest to Scotland, Britain and indeed the world is not in question and well deserves discussion tonight on the Floor of the House.

Preserving the health of the Caledonian pine forest is a matter of considerable concern to the Government and is a priority of both the Nature Conservancy Council for Scotland and the Forestry Commission. Those present who have seen Scotland's pine woods in their native setting will, I am sure, agree with me that a natural forest is one of the most spectacular features of our countryside. In its natural form, the Caledonian forest contains a wide variety of different species and animals.

Scots pine is, of course, the dominant plant species, but other trees, including birch, alder, willow, aspen, rowan, juniper and holly, also appear. The vegetation below the trees includes important plant features, including heathers, blaeberry and rare species such as twinflower, creeping ladies' tresses, and various wintergreens. The animal variety contained in the Caledonian forest includes pine marten, wild cat, red squirrel, capercaillie, crested tit and the Scottish crossbill, as well as a particularly rich collection of invertebrate fauna. Taken together, the Caledonian forest represents a habitat that is one of the most natural anywhere in this country.

Right hon. and hon. Members will no doubt share my regret that the extent of the forest has diminished considerably in recent centuries. Historical research has shown that it may once have covered more than 1·5 million hectares of the Highlands. A series of factors, including felling by man and grazing pressures from wildlife and domestic livestock, reduced its size considerable over the centuries, and by the middle of this century no more than small remnants remained.

The Scottish Office is fully aware of the importance of the Caledonian forest, and has for many years now taken steps to ensure its survival and, it is hoped, its future growth. Today, there are some 12,000 hectares of native pine wood of natural character in Scotland.

Under the woodland grant scheme introduced in June 1988, the Forestry Commission introduced special provisions for the management of native pine woods, aimed at maintaining and enhancing the pine wood ecosystem, protecting their aesthetic value and genetic integrity, and enlarging their area. The Forestry Commission has already received applications to create more than over 5,000 hectares of new native pinewood of natural character, which will represent a significant extension to the area of existing native pinewood in Scotland.

From next April, the pine woods will, in addition, be eligible for the special rate of management grant in return for managing the woods in a way that conserves their environmental value.

It is not, of course, possible to devise a future strategy for the Caledonian forest in isolation from other land uses in the immediate area. Factors such as the relationship with grazing and browsing animals, as well as the impact of recreational use of the land, need to be borne firmly in mind. Regeneration must rely on a number of factors to allow it to succeed. The Government are fully aware that grazing and browsing pressure has a major impact on the ability of the Caledonian forest to regenerate naturally.

Mr. Dalyell: Do the Government accept that there will be no chance of the forest naturally reseeding if the unnaturally high level of deer that exist there, for whatever reason, is allowed to continue?

Lord James Douglas-Hamilton: The amount of culling has increased steadily, year by year, and my understanding is that that will continue. As the hon. Gentleman knows, a review is under way of the powers of the Red Deer Commission, with a view to possible legislation at some time in the future. The matter is not being allowed to rest.

I am aware of the arguments of those who say that the best way to allow natural regeneration is significantly to reduce deer numbers in the area, and I know that deer culling at the right level is an important priority of deer management groups and the Red Deer Commission. I should say that another effective way of bringing about regeneration has been to fence off from the outside deer range the area where regeneration is required. Deer fences play a significant role in promoting regeneration in many parts of the Caledonian forest. Much of that fencing is grant aided, either by the Nature Conservancy Council for Scotland or by the Forestry Commission, acting on the advice of the Red Deer Commission.

Many of the important remnants of the Caledonian forest, including those at Mar Lodge and Ballochbuie in the south of the Cairngorms, as well as in Abernethy, Glenmore, and Rothiemurchus in the north, are in or near the area that is currently under consideration by the Cairngorms working party set up by my right hon. Friend the Secretary of State for Scotland earlier this year to consider current land and land use practices in the Cairngorms area and to recommend an integrated management plan consistent with the importance of the natural heritage of the area and the need to ensure social and economic benefits to local people.

The future of the forest is, I understand, already a major issue on the agenda of the working party and we shall be looking carefully at its recommendations on how to ensure the future of the forest. The working party will no doubt be considering the experience on the estates in the north of the Cairngorms where the forest is in good health due to a combination of the use of fencing and effective deer management, in part under the provisions of nature reserve agreements.

Mr. Dalyell: Will the Minister give way?

Lord James Douglas-Hamilton: If I do, I may not be able to answer all the hon. Gentleman's questions. If I have missed anything, I shall return to it later.

The hon. Gentleman asked about our international commitments with regard to the Caledonian forest in the Cairngorms. These are safeguarded as national nature reserves or sites of special scientific interest in full recognition of those commitments. We have also proposed that the Cairngorms be nominated to be a World Heritage

[Lord James Douglas-Hamilton]

site of natural importance, on the recommendation of the Nature Conservancy Council and the Countryside Commission for Scotland. We shall begin work to prepare our case on this matter once the working party has completed its work.

I should now like to refer to Mar Lodge estate itself. I listened carefully to what the hon. Gentleman said about the future ownership of the estate. First and foremost, I should tell him that I share his assessment of the importance of the estate, which occupies a central position in the Cairngorms. It contains three major peaks as well as other important high ground, and—most important in terms of this debate—important remnants of the Caledonian forest in the Forest of Mar. It provides important habitats for rare birds and other species, as well as providing the main access points to the plateau from Deeside, including access to the Lairig Ghru. I have no doubt that Mar Lodge estate will form an essential component in the integrated management plan for the Cairngorms and that the active participation of the owners of Mar Lodge estate will be an important element in the success of that plan.

As the hon. Gentleman will know, a series of discussions took place between various bodies, including the Nature Conservancy Council for Scotland, the Countryside Commission for Scotland, the Crown Estate Commissioners and a number of voluntary bodies to consider options for the purchase and management of the estate.

It was disappointing to us that the offer made by the Crown Estate to Mr. Kluge was not accepted. I understand that the Crown Estate offer was based on an independent valuation of the estate and was very substantial. Independent valuation is clearly the correct course of action to safeguard the potential use of public funds, and purchase at above this rate is unlikely to be cost-effective.

The hon. Gentleman asked whether the Government would be prepared to purchase Mar Lodge itself by compulsory purchase. As he will know, that is not the approach that the Government generally take to the management of the natural heritage throughout Scotland. Private ownership forms the basis of landholding in most of Scotland and has proved capable of sustaining environmentally sensitive management in many locations. The Scottish Office firmly believes that private ownership, with a management agreement negotiated with the conservation agencies, is in general the best approach to the management of Scotland's natural heritage. Private landowners have shown in many areas that economic land use, conservation and recreational management are able to co-exist. There is no reason why that should not happen at Mar Lodge in the future.

I do not accept that, if Mar Lodge is to remain in private hands, it will not be possible to give sufficient priority to nature conservation. As much of the estate is already part of the national nature reserve and protected by the arrangement governing sites of special scientific interest and other conservation designations, natural heritage interests will be well protected under the existing powers of the Nature Conservancy Council for Scotland, the Countryside Commission for Scotland, and later Scottish Natural Heritage. The Cairngorms working party will make recommendations on an integrated management plan for the area, including Mar Lodge estate, which will be consistent with World Heritage status and we shall look to the Nature Conservancy Council for Scotland and, later, Scottish Natural Heritage to negotiate appropriate management agreements with the new owner, whoever that turns out to be, which are consistent with this integrated management plan. I am confident that a satisfactory outcome to the negotiations is possible.

The hon. Gentleman asked what costs there would be to the nation in managing Mar Lodge as a private estate for nature conservation involving profits forgone and compensation by the NCCS. He will, I am sure, understand that it is not possible to give any clear indication of the costs involved, as there is no existing management agreement covering the management of Mar Lodge estate for the purpose of nature conservation alone. It is also impossible to predict with any certainty exactly what type of operations would be proposed by a private landowner that would involve compensation under the profits forgone principle. I can, however, assure the hon. Gentleman that the Government would look to the Nature Conservancy Council for Scotland, and later Scottish Natural Heritage, to seek to negotiate an agreement or agreements with the new owner that brought about the necessary objectives while ensuring that the interests of the taxpayer were fully respected.

Mr. Donald Dewar (Glasgow, Garscadden) *rose*——

Lord James Douglas-Hamilton: If I may answer the hon. Member for Linlithgow's other two questions, then I shall give way.

The hon. Member for Linlithgow also asked whether the Government would be prepared to arrest the sale of Mar Lodge estate and to support a public appeal for funds to buy the estate. I am aware that the voluntary conservation bodies are continuing to consider the possibilty of making a bid for Mar Lodge estate themselves. We would be prepared to consider any proposal that those organisations might wish to make to us for Government support. Such a proposal would need to be channelled through the Nature Conservancy Council for Scotland. But I should make it clear that that form of ownership, like public ownership, is not always the best means of securing our overall objectives in Scotland's countryside. I should also make it clear that we are not prepared to consider placing restrictions on private ownership such as would be implied by a temporary compulsory purchase order: that would place an unacceptable restriction on the operation of the market.

In response to the hon. Member for Linlithgow's point about Government finances, I should make it clear that the responsibility for nature conservation in Scotland now lies with my right hon. Friend the Secretary of State, following the coming into force of the Environmental Protection Act 1990. As he and I have made clear at many points during our debates on the Natural Heritage (Scotland) Bill, the Government are fully committed to implementing our responsibilities in this field effectively in Scotland. We have already provided NCCS with a substantial budget for this financial year and fully intend to provide SNH with the resources needed to make it a strong, viable and effective natural heritage body.

Creag Meagaidh was purchased by the NCC in 1985, after negotiations with a private owner on a management

agreement failed. The circumstances of that case and the scale of the purchase at £450,000 were considerably different from those proposed for Mar Lodge.

As a final point I should make it clear that the health of the pine woods on Mar Lodge is already a priority for the agencies of Government and will continue to be so in the future. Although the estate has increased its deer cull in past years, I recognise that natural regeneration on the estate is generally in poor shape at the present time. There are, however, small deer enclosures maintained by NCCS where regeneration has been relatively successful. I would expect the working party to recommend that the Forest of Mar, as well as other remnants of the forest in the Cairngorms area, be suitably sustained and if possible extended in future years.

We have one more minute, so perhaps the hon. Member for Glasgow, Garscadden (Mr. Dewar) could question me briefly.

Mr. Dewar: I wanted to clarify the position. The Minister allowed, or presumably encouraged, the Crown Estates Commissioners to bid after consultation with other public sector bodies. In the course of his remarks he gave the impression—in fact he specifically said, as I understood it—that his view was that private ownership and management agreements were the best way to do it, which seems somewhat incompatible with the Government's position only a short time before. He said that he will listen to any offer that is made. Does that include the possibility of positive Government financial co-operation?

Lord James Douglas-Hamilton: I cannot give a guarantee of funds on the table tonight. We will consider seriously any proposal made to us. The Crown Estates Commissioners are independent of Government and we were in touch with them. We considered sympathetically their aims, which we thought were very worthy. It is unfortunate that those proposals have fallen through. Mr. Kluge has made his position on that absolutely clear.

Mr. Dalyell: It is not a question of natural regeneration being in poor shape, it is that natural regeneration is non-existent. I hope that the Minister will go there and walk over the same areas that he may have walked over before. The situation has become absolutely dire. Before any decisions are taken, are we waiting for the report of the Cairngorms working party? Until we have the assurance that nothing irrevocable——

The motion having been made after Ten o'clock on Wednesday evening, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at thirteen minutes past Twelve o'clock.

House of Commons

Thursday 20 June 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BIRMINGHAM CITY COUNCIL BILL
Read the Third time, and passed.

LONDON UNDERGROUND BILL *(By Order)*
Order for consideration, as amended, read.
To be considered on Monday 24 June at Seven o'clock.

KING'S CROSS RAILWAY BILL *(By Order)*
Order for consideration, as amended, read.
To be considered on Thursday 27 June.

EAST COAST MAIN LINE (SAFETY) BILL *(By Order)*
Order read for resuming adjourned debate on Question [13 May], That the Bill be now read a Second time.
Debate further adjourned till Thursday 27 June.

Mr. Speaker: The remaining three Bills have blocking motions. With the leave of the House I shall put them together.

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *(By Order)*

LONDON UNDERGROUND (KING'S CROSS) BILL *(By Order)*

BRITISH RAILWAYS (No. 3) BILL *[Lords] (By Order)*
Orders for Second Reading read.
To be read a Second time on Thursday 27 June.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Fishing Industry

1. **Mr. David Porter:** To ask the Minister of Agriculture, Fisheries and Food when he next expects to meet his counterpart from the Dutch Government to talk about the fishing industry.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Curry): I shall meet the Dutch Minister of Agriculture and Fisheries on 2 July before the next Council of Fisheries Ministers on 8 July.

Mr. Porter: When my hon. Friend meets his Dutch counterpart, will he bear in mind that undersized fish are still being caught, landed, sold, and served on dinner plates in homes and restaurants throughout Holland? That galling practice is particularly offensive to the law-abiding fishermen of Lowestoft, who feel that turning a blind eye, as the Dutch Government seem to be doing, is a particularly English practice and is therefore liable to encourage English fishermen to do the same?

Mr. Curry: I am sure that my hon. Friend will agree that the Dutch have made significant efforts to tighten up inspection procedures and now have 100 inspectors—and some auxiliaries—for 550 boats. The previous Minister was changed because of the issue. We have good relations with the Dutch. If my hon. Friend has proof that we can put before the Dutch Minister, we shall not hesitate to do so.

Mr. Austin Mitchell: When the Minister meets the Dutch Minister, will he arrange it so that he and his Dutch counterpart bring pressure on their respective Foreign Offices to ensure both that the EC negotiations with the European Free Trade Association include no concessions to Spain in Norwegian waters which might endanger British or Dutch captures there, and that the negotiations are successful?

Mr. Curry: I am sure that the hon. Gentleman agrees that it is important to come to an arrangement with the EFTA countries, but it must not be at the expense of British fishermen. We are certainly conscious of the dangers of allowing Spanish vessels into Norwegian waters, particularly because of the impact that that might have on relative stability. We have, of course, made sure that the British Government are aware of the fishing industry's strong interests in such matters.

Mr. Kirkwood: Does the Minister accept that the Dutch fishing fleet seems to have avoided the worst effects—indeed, any effects—of the introduction of the eight-day tie-up scheme? Will he bear that in mind when he meets his Dutch counterpart and find ways of ensuring that the United Kingdom fleet—particularly the Scottish inshore fleet—can avoid the worst effects of the eight-day tie-up scheme?

Mr. Curry: Clearly, we should like to have a mechanism to control fishing efforts that does not involve a tie-up. However, the Dutch fleet is subject to a unilateral tie-up at the instruction of the Dutch Government. The Dutch Minister proposes tie-ups as part of a more universal package of fisheries control. We must be cautious of such a scheme, given the difficulties that it poses for the fleet.

OECD Report

2. **Mr. Irvine:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the report on agriculture recently issued by the Organisation for Economic Co-operation and Development.

The Minister of Agriculture, Fisheries and Food (Mr. John Gummer): The report estimates that support for agriculture in OECD countries increased between 1989 and 1990. Although producer prices fell, world prices also fell and the net effect was an increase in support measured in this way.

Mr. Irvine: My right hon. Friend will have noticed that the OECD report concludes that unless the principal trading nations take speedy and effective action to reform their agricultural support policies, there will be severe

economic consequences, in particular, the escalation of trade tensions, price inflation and the holding back of economic growth. Does my right hon. Friend agree with that conclusion?

Mr. Gummer: I am sure that that is a serious danger. That is why we are prosecuting the general agreement on tariffs and trade round so strongly. I know that the Organisation for Economic Co-operation and Development made it clear that changes will have to take place involving all the participants, and that the support for agriculture that we found in the United States has similar effects to that which we find in the European Community. The idea that only the European Community must change is wholly without foundation.

Dr. David Clark: Will the Minister confirm that since he became Minister of Agriculture, Fisheries and Food, spending on the common agricultural policy has increased by no less that 55 per cent?

Mr. Gummer: The hon. Gentleman is keen on insisting that spending on the CAP has increased. If only the moneys getting to farmers had increased by 55 per cent., I should be much happier. We are waiting for the hon. Gentleman to tell us how much his policy would increase the spending of any future Labour Government. We have been unable to cost his policy so far because he has not given us the figures. I challenge him to tell us by how much he would increase the taxpayers' bill to pay for his green premium.

Mr. Hind: Will my right hon. Friend take up with the OECD the problem that the CAP creates in preventing farmers from expanding production in areas in which Britain is not self-sufficient and in which we could increase our market levels? I am thinking especially of increasing our milk production so that we could more effectively compete in the richer market for dairy products. If we increased our export sales, that would help our balance of payments.

Mr. Gummer: Even though we are only 88 per cent. self-sufficient in butter fat, my hon. Friend must accept that we are producing butter and placing it in intervention. We must use the milk that we have to produce high-value products. That is why the milk marketing board is seeking new and better ways of marketing milk to that end. The idea of national self-sufficiency does not have the validity that my hon. Friend suggests within the European Community. We need to compete more effectively with over colleagues in the Community and ensure that we produce high-value products.

Scottish Fishermen's Federation

3. **Mr. Wallace:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his meeting with leaders of the Scottish Fishermen's Federation held on 3 June.

Mr. Gummer: My hon. Friend and I, with the Scottish Office Minister with responsibility for agriculture and fisheries, met leaders of the Scottish Fishermen's Federation on 3 June. We discussed conservation, decommissioning and the eight-day rule.

Mr. Wallace: There have been numerous press reports of the meeting, but will the Minister take this opportunity to clarify precisely what his position is on decommissioning? Does he think that the industry should make a contribution or that there should be total funding by the industry? If conservation measures are to be attached to the policy, what sort of measures should they be? I have asked a clear question and I hope that the right hon. Gentleman will provide clarification.

Mr. Gummer: My position is exactly what it was when I first stated it, and I shall continue to state it. The purpose of our policy must be the conservation of fish. Otherwise, there will be no fishing for the next generation of Scottish and English fishermen, or any other fishermen. I have said clearly that if conservation comes first, the decommissioning schemes so far proposed will not meet the conservation end. If we are to have any sort of decommissioning, it must be part and parcel of a package of measures that would conserve stocks. Such a package must be effective. Accordingly, I want the industry to propose measures that it believes it would be able to keep to and which it would be able to support. If such a series of measures came forward, it would have to have—I shall continue to use these words—a significant degree of support from the industry itself. I believe that to be necessary, and I want the industry to be involved in that way.

Sir Michael Shaw: Does my right hon. Friend accept that the fishermen in my constituency are always in favour of genuine conservation measures, but they have expressed to me on many occasions their concern that he should protect the interests of all United Kingdom fishermen and not just a section of them?

Mr. Gummer: My hon. Friend is right in saying that the interests of different sections of the fishing industry—different coasts of Scotland, different parts of England, and as between England, Scotland, Wales and Northern Ireland—are not always the same and there are bound to be arguments between them. But the one issue that matters is that we conserve the stocks or there will be no British fishing industry. I am sad at those who try to garner votes today at the cost of fishermen's jobs tomorrow—that is the challenge I put to the Scottish National party.

Mr. Morley: Is the Minister saying that he is willing to implement a decommissioning scheme if conservation measures are agreed with the fishing industry, because that is a bit different from what he has been saying in previous debates in the House? On the point made by my hon. Friend the Member for Great Grimsby (Mr. Mitchell) about the EFTA discussions taking place on fishing grounds off Spitzbergen, will the Minister give us a date when those discussions will be finalised and will he confirm that the fishing industry will be consulted on what steps are being taken as part of those talks?

Mr. Gummer: I certainly cannot give a date. The arguments are fast and furious and I am sure that the hon. Gentleman knows well that there is no division between us on our determination to maintain the basis of the common fisheries policy and not to have that destroyed as a by-product of the negotiations, and that is what we shall continue to do. I shall state my case once again. I have said quite clearly that I shall not consider a decommissioning proposal except if such a proposal is part of a package of effective additional schemes for conservation which comes

from the industry. If such a proposal were made, I would not count out a decommissioning scheme so long as it had significant support from the industry.

Sheep Dips

4. **Mr. Speller:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his policy on the future use of sheep dip compounds; and if he will now make it his policy to refuse future licences for the organo-phosphorous range of products.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Maclean): All sheep dips must be licensed under the Medicines Act 1968. It will continue to be our policy to issue licences for products that meet the strict requirements of safety, quality and efficacy after independent scientific assessment.

Mr. Speller: I do not thank my hon. Friend for that answer because it ducks the question of the future of organo-phosphorous dips. Is he aware of the number of farmers and farm workers who have been physically damaged by the use of those dips, which have precisely the same origin as the nerve gases used in warfare? Does he agree that farmers should be required to wear full protective clothing in the future and that fair compensation should be paid to those damaged in the past?

Mr. Maclean: Of course we are aware of the reports from people who have suffered allergies or reactions to the use of any compound, including pesticides and sheep dips. There are 99,000 sheep farmers in England, Wales and Scotland and we have reports of 63 adverse reactions. We are terribly sympathetic to farmers who suffer an adverse reaction, just as we are sympathetic to anyone who suffers an adverse reaction or has an allergy. I urge my hon. Friend to urge his constituents to send full medical reports to the independent veterinary products committee which is reviewing all organo-phosphate chemicals and sheep dips and any evidence will be taken into account. However, the Government do not insist on farmers using only organo-phosphate sheep dips. There is an alternative which is not made of that particular chemical.

Vets

5. **Mr. Pike:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the increase in the number of vets that will be needed to meet requirements arising from EC directives and regulations.

Mr. Maclean: In 1989, my right hon. Friend the Minister established a working party under the chairmanship of Dr. Ewan Page to review the need for veterinary manpower in the United Kingdom both for the public service and for the private sector, and to make recommendations on how any increased manpower requirement might be met.

Mr. Pike: The Minister will recognise the increasing demand for vets arising from our own legislation and from European directives and requirements. Only recently veterinary training at Cambridge and Glasgow was under threat. That threat has now been lifted, but in 1990 we brought in more than 400 vets from overseas. Will the Minister give us every assurance that the Government will not allow the nation to fail in those important services through not having sufficient trained vets from this country?

Mr. Maclean: Of course—we should be failing in our duty if we did not maintain the high standard of veterinary surgeons that this country has traditionally produced. Because we recognised the increasing work load that veterinary surgeons would be required to undertake under EC rules, we implemented the Page committee's recommendation that the ceiling on the intake of university students should be lifted. Universities are now recruiting more students to achieve the intake level of 400 per year.

Sir Richard Body: Does my hon. Friend agree that there would be no shortage if the British Government followed the German example and pressed for an exemption for smaller slaughterhouses, where in the main the problems do not arise?

Mr. Maclean: That is not the simple answer to the problem. Veterinary expertise and manpower will be required in a whole host of areas in the future. Even if some exemptions were introduced for the smallest slaughterhouses, they would relate to their design and construction—not to the hygiene standards that must be maintained in all slaughterhouses.

Mr. Andrew Welsh: Does the Minister agree that health, and the quality of the product, can give our farmers an important competitive edge? What positive steps is he taking to promote animal health campaigns to eliminate, for example, enzootic abortion in sheep or to deal with fallen livestock? Small amounts of money spent now could reap important rewards in the future.

Mr. Maclean: The Ministry has animal health schemes which it is keen to promote, and a growing number of farmers are joining them. Yesterday, in Standing Committee on the Draft Welfare of Pigs Regulations 1991, which is the successor to the Bill introduced by my hon. Friend the Member for Holland with Boston (Sir R. Body), I said that as we shall have higher welfare standards for pigs and for pig meat—although we shall be pressing hard for Europe to follow our lead—I hoped that British producers would use their marketing advantage. There is nothing unethical about that.

Green Pound

6. **Mr. Michael Brown:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the value to United Kingdom farmers of the green pound devaluation agreed in the recent CAP price fixing settlement.

7. **Mr. Harris:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the value to British farmers of the green pound devaluation agreed in the recent CAP price fixing settlement.

Mr. Gummer: It is estimated that the green pound devaluations should, on their own, increase United Kingdom producer incomes by around £125 million in a full year.

Mr. Brown: Does not my right hon. Friend's reply indicate that, against the expectations of the farming

community—which was steeling itself for difficult negotiations with the European Community—my right hon. Friend and his colleagues achieved an incredible increase in farm incomes? Ought not British farmers to acknowledge that we have a Minister and a Government who negotiate in Europe from a position of strength, and who have delivered to farmers an incredible settlement under this year's price review?

Mr. Gummer: I thank my hon. Friend for his comments. The figure of £125 million represents a restoration of the sum that British farmers ought to have —not an increase in their prices. We were offered only one third of that amount, but we got it all. That is partly a result of our strong position in Europe, which has been created in particular by my right hon. Friend the Prime Minister. Clearly, we are seeking to co-operate within Europe, but we also take an extremely strong view of Britain's interests.

Mr. Harris: Is my right hon. Friend aware that his achievement is welcomed by the hard-pressed farming community? Does he agree—as his last reply implied—that for many years British farmers have been cheated of their proper income by the wretched green pound system? Can he give an assurance that it will come to an end by the end of next year?

Mr. Gummer: Certainly. With the single market and Britain's membership of the exchange rate mechanism, we are moving towards a point where we shall be rid of the old green pound system. That is more proof—if proof is needed—that co-operation within the European Community is the way to achieve such ends. We have been successful, but that success was built on hard negotiation and a real understanding of Britain as being in the centre of the Community and not sidelined.

Mr. Martyn Jones: While the devaluation of the green pound is obviously welcome to my farmers, they would probably be far better helped by the payment of the 4 ecu ewe premium supplement this year, if that were possible. Has the Minister any plans to do that in view of the fact that the variable premium will be going by the end of the year and that my less-favoured area farmers are much more hard pressed than the average farmers in this country?

Mr. Gummer: I am sure that the hon. Gentleman would agree that we have tried to help the less-favoured area farmers in all circumstances by bringing forward the payments. It will be easier in future because the computerisation system now takes into account the headage payments and the rest which held us up before. I shall do everything possible to ensure that we pay those as early as we can in the circumstances and we have already announced that we shall do that in two parts.

Dr. David Clark: Can the Minister explain why, under his predecessor—the right hon. Member for Norfolk, South (Mr. MacGregor)—spending on the common agricultural policy fell, but under his own regime there has been an increase of 55 per cent? Does that not prove that the other agricultural Ministers in Europe are giving him the run-around?

Mr. Gummer: The hon. Gentleman proves only one thing—that he has no idea about agriculture—every time that he comes to the Dispatch Box. Farmers' incomes have fallen because the price in the market has fallen. Therefore, support prices have risen. When market prices rise it is possible not to increase support prices. *[Interruption.]* If the hon. Gentleman presses this matter, the farmers of Britain will know that if there were a Labour Government they could expect a slashing attack on their incomes, a destruction of the farming industry, because the Opposition do not even care about agriculture enough to understand it—*[Interruption.]*

Mr. Speaker: Order. A lot of the disruption could be stopped if the Minister would turn towards me.

Mr. Jopling: Is my right hon. Friend aware that the bonus of £125 million is enormously to be welcomed and is a matter on which he deserves congratulations? However, will he compare that figure with the second bonus that farmers have received recently, which arises from the 3·5 per cent. reduction in interest rates in the past six months?

Mr. Gummer: My right hon. Friend is perfectly right about that. You, Mr. Speaker, will recognise that the reduction of interest rates has been brought about by the Government's positive policy and our ability to get inflation under control. However, I am sure that you would want me to remind the Opposition that their policies would push interest rates up again and increase taxation to levels that we have not experienced for 15 years.

Canned Meat

8. **Mr. Loyden:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received about the effect on the United Kingdom canned meat industry of the import of canned meat from Poland.

Mr. Curry: I have received a number of representations about imports of pigmeat products from eastern Europe, but nothing about canned meat products in general or specifically about imports from Poland.

Mr. Loyden: Will the Minister investigate a claim made by a tinned meat factory in my constituency that cheap imports of tinned meat from Poland must be heavily subsidised to be as competitive as they are? The company is not afraid of competition, but this is tantamount to unfair competition and needs investigation to protect what remains of the British tinned industry and jobs in my constituency.

Mr. Curry: The hon. Gentleman was courteous enough to let me know that he has a constituency interest, and my officials have already been in touch with the firm of Parrish and Fenn in his constituency. Some limited Polish imports, which benefit from special generalised system of preferences concessions, are coming into this country at the moment. That has enabled an element of the benefit to be passed back to the Polish producers. That said, however, Polish exports to this country are down severely because the Polish Government are hard up and are no longer paying export subsidies—imports are down 40 per cent. this year compared with last. I shall ask my officials to verify the specific complaints with the company and we shall follow those up.

Mr. John Marshall: Will my hon. Friend have regard to the interests of the consumer rather than paying attention to protectionist devices and will he heed the good sense of the British housewife, who can look after herself?

Mr. Curry: Of course, we shall pay attention to the interests of the consumer—*[Interruption.]*

Mr. Speaker: Order. The Minister is answering a question.

Mr. Curry: I do not think, however, that the interests of the consumer would be served by a system that permitted the entire United Kingdom market to be taken over by imported products, to the detriment of our own production. That would cause a sharp reduction in consumer choice.

Animal Transportation

9. **Mr. Cohen:** To ask the Minister of Agriculture, Fisheries and Food what progress has been made to stop the transportation of live animals from the United Kingdom to Europe following 1992.

Mr. Maclean: Agreement has not yet been reached in the EC on the transport of animals, but we are pressing to ensure that animals are properly cared for on all journeys in the Community.

Mr. Cohen: In a report published today, the Select Committee on Agriculture says that the Minister should stand firm against any degradation by the EC of United Kingdom safeguards for animals in transit. It also says that the United Kingdom's minimum values system, which prevents horses and ponies from being exported for slaughter, must be retained. Public opinion is overwhelmingly in favour of those recommendations. Will the Minister accept them and show some gumption by saying no to the transport of live animals for slaughter after 1992?

Mr. Maclean: Ever since I became an Agriculture Minister, we have been saying exactly the same thing every month at the Dispatch Box. We will fight for the retention of minimum values and we will continue to fight for a welfare regime for animals in Europe that uses the best examples of the British system. We have our own excellent rules. We have been standing firm; we are standing firm; and we will continue to stand firm.

Dame Janet Fookes: Our EC partners seem to regard directives as lofty aspirations rather than detailed rules to be followed to the letter. What guarantee have we that, even if a good deal is struck, the regulations will be enforced?

Mr. Maclean: My hon. Friend has put her finger on a good point. That is why we are determined that an enforcement system should operate in Europe which applies to all member states. This country has excellent enforcement procedures, not only through the Government but through animal welfare organisations, which are terribly anxious to ensure that animals are treated properly in transit. Many other EC countries do not have the same cultural attitude towards the protection of animals; that is why an EC-wide inspectorate is essential if our high standards are to be applied in every corner of the Community.

Mr. Geraint Howells: I say this with the best will in the world. Does not the Minister agree that many more live animals will be transported to the Continent next year and the year after because of our lack of slaughtering facilities? Many slaughterhouses will close in the next six months. What plans does the Minister have to solve the problem?

Mr. Maclean: The hon. Gentleman is one of the nicest Opposition Members, but as he is a spokesman for the Liberal Democratic party—which only yesterday published a federal document—I will not take his advice, or that of his hon. Friends, on how we can negotiate strongly and robustly in Europe. Liberal Democratic party policy is to say to Mr. MacSharry, "Please take this shirt off my back—and here is a spare one for Mr. Delors."

CAP Reform

10. **Mr. Simon Coombs:** To ask the Minister of Agriculture, Fisheries and Food what proposals he is considering on the means by which the common agricultural policy may be reformed in order to promote better health.

Mr. Gummer: The Government fully recognise the need for any reform of the common agriculture policy to pay due regard to the nutrition and dietary needs of the population.

Mr. Coombs: Why must the British taxpayer subsidise the growing of tobacco in other Community states? Has my right hon. Friend any information to suggest that that iniquitous practice may soon be brought to an end?

Mr. Gummer: I have been a consistent opponent of the tobacco regime, which costs £1 billion a year. However, it is difficult to suggest that it is better to import tobacco from outside the Community than to use tobacco grown inside the Community. The real issue is to discourage people from smoking. That is the role of government and that role is becoming increasingly clear to all nations in the European Community.

Mr. McKelvey: Will the Minister accept that there was a forum in Ayrshire last week at which environmental health officers said that they were seriously concerned about the health risk resulting from the number of carcases, which they said was 54,600, that had been buried or disposed of, or in some cases even left lying on the hillsides of Dumfries, Galloway and Ayrshire? Will the Minister examine the issue seriously?

Mr. Gummer: We are constantly monitoring that matter. If they were environmental health officers, they came from local authorities which have all the legal requirements to make sure that that state of affairs does not occur and to enforce the law. They should enforce the law.

Sugar

11. **Mr. Gregory:** To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the volume and value of sugar to be used by the United Kingdom confectionery industry this year; and if he will make a statement.

Mr. Curry: I have no estimate, because we do not collect the information.

Mr. Gregory: Does my hon. Friend agree that there is great disappointment among consumers and producers in this country that the Commission's proposal to reduce sugar support prices by 5 per cent. has not gone through? Is he aware that our great confectionery industry will suffer as a result? Is he further aware that if the British Government were to press the matter further, we should be likely to see an increase in the benefits to the United Kingdom confectionery trade, which produces a surplus amounting to about £100 million in exports?

Mr. Curry: My hon. Friend will be aware that we supported the case for a cut in the sugar price, not merely because it would be of benefit to consumers and manufacturers in Britain but because it is the best formula for the developing world rather than to give compensatory subsidies. I am strongly aware of the importance of the confectionery industry, which, as my hon. Friend says, has a £100 million a year trade surplus. I appreciate that the industry is strongly centred in my hon. Friend's constituency and that he is particularly attentive to its interests.

Family Farms

12. **Mr. Ieuan Wyn Jones:** To ask the Minister of Agriculture, Fisheries and Food what measures he intends to introduce to assist medium-sized family farms that are dependent on livestock production.

Mr. Gummer: The Government are well aware of the difficulties facing livestock farmers. Government and Community support to the livestock industry is currently costing £900 million a year. This year, hill livestock compensatory allowances have been increased by an average of 14 per cent. and, as I announced on 14 May, for the second year running two advances will be paid under the annual ewe premium scheme. Furthermore, for the first time, sheep producers in the less-favoured areas will benefit from the £3·10 supplement to the ewe premium agreed last year, which next year will be increased by a further £1·20 as a result of the recent price fixing.

Mr. Jones: I thank the Minister for that reply. Does he agree that any reform of the common agricultural policy must take account of the fact that farmers' incomes have dropped significantly in recent years and that if we are to maintain a stable agriculture industry, we must support medium-sized family farms, particularly those involved in livestock production, because their capacity for diversification is extremely limited?

Mr. Gummer: The size of the farm is not the key issue. Some larger farms, for example, support a large number of families. We are concerned that farming as a whole should be sufficiently supported to make it prosperous so that it can look after the land and produce the food that we need. We want that sort of reform—not the building up of surpluses, payments to intervention storekeepers or support leading to dumped prices in developing countries. The modulation should be towards need rather than according to the size of the farm.

Mr. Nicholas Winterton: Does my right hon. Friend accept that one of the best ways to help medium-sized, or even smaller, farms and industry in Britain as a whole would be to reduce interest rates? Is he aware that to do that, it will be necessary to bring about a realignment of the pound within the ERM?

Mr. Gummer: My hon. Friend must accept that we have been able to reduce interest rates by 3·5 per cent. because of our membership of the ERM at the present level. I do not agree with him in the change that he seeks, but I hope that he agrees with me that the one way to ensure that interest rates would rise again would be to increase taxation by the 15p which Labour's present policies would do.

Food Hygiene

13. **Mr. Cox:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with the Consumers Association about improving food hygiene and safety in the United Kingdom.

Mr. Maclean: Representatives of the Consumers Association were present on 20 February 1991 at the fourth periodic meeting between my right hon. Friend the Minister and the office-holders of consumer organisations. The next meeting is planned for 25 June 1991.

Mr. Cox: The Minister must be aware of the deep concern of the Consumers Association about the ability of trading standards officers to detect irradiated products, especially if they are publicised in an inadequate and misleading way. What does the hon. Gentleman suggest to trading standards officers? To protect the consumer, why does not the Ministry set up an independent food standards agency?

Mr. Maclean: We have some of the most detailed regulations in Europe. Our standards are among the highest of all the European countries that have irradiated food and our regulations are as detailed as those of other countries. We have much detail on the policing of irradiated food. So far, we have received only one application to irradiate food and that was in respect of herbs and spices. The licence was granted and last week the Ministry published full details of the conditions to which the company must adhere. We already have independent experts who assess food and guarantee food safety. The hon. Gentleman is making yet another promise that a Labour Government will spend more of taxpayers' money on setting up quango after quango.

Mr. Soames: Is my hon. Friend aware that there is some concern that these food hygiene matters have been carried too far and that they are interfering with the activities of legitimate small organisations, which are unable to cope with the demands made upon them? Will my hon. Friend carefully consider any representations made to him in that regard and take care that he does not drive many valuable small organisations out of business?

Mr. Maclean: That is absolutely correct. In the pursuit of food safety, we must ensure that we do not drive out of business many of the excellent producers of high-quality, tasty food. My hon. Friend does not seem to have been deprived of a good supply of food.

Mr. Ron Brown: Food hygiene and safety are important, so why is the Minister blocking grants to fish processors and curers such as Kelly of Newhaven? Such

companies want to invest in new equipment for a future which, we hope, will bring better herring stocks to this country so that people can benefit.

Mr. Maclean: My Ministry will be happy to consider any specific proposals from the company that the hon. Gentleman mentioned.

Set-aside Scheme

15. **Mr. Tredinnick:** To ask the Minister of Agriculture, Fisheries and Food if he will make a further statement on his plans for a one year set-aside scheme.

Mr. Gummer: I shall be inviting applications from farmers so that they can gain the opportunity of entering into the one-year set-aside before the end of next month, which is the due date.

Mr. Tredinnick: Does my right hon. Friend agree that, because the scheme must be attractive to farmers, there is a strong case for having a United Kingdom payment over and above the EC proposed payments for set-aside?

Mr. Gummer: I believe that the offer will draw out of farms a sufficient amount of set-aside. I am not prepared to structure a scheme in such a way as to set aside large parts of Britain so that other countries can produce more. There must be comparability across Europe as a whole.

Mr. Campbell-Savours: If the Governor of the Bank of England can pick up £60,000 out of the Common Market set-aside scheme, surely that means that there is too much money in the budget. Why does not the Minister answer the question asked by my hon. Friend the Member for South Shields (Dr. Clark)? Is not it true that, since the day the right hon. Gentleman was appointed to the job, our CAP contributions have gone up by 55 per cent. Yes or no?

Mr. Gummer: It is very flattering that the hon. Gentleman thinks that I control the level of the dollar; indeed, it is one of the most flattering comments that he has made to me. The hon. Gentleman may want to live in a country in which individuals are treated differently by the Government because of class prejudice, but the British people do not—even at the high taxation cost that that would produce.

Milk

16. **Mr. Robert Banks:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the future prospects for the United Kingdom milk sector.

Mr. Gummer: In 1990-91, dairy farming remained one of the most profitable sectors of agriculture in the United Kingdom, for all sizes of farm. Removal of the remaining monetary gap will also contribute to improved prospects for the dairy sector; however, the Agriculture Council has also agreed to a cut in member states' quotas. Member states may cut producers' quota as necessary up to 3 per cent. and pay compensation.

Mr. Banks: I thank my right hon. Friend for that reply. Does he agree that Britain has the best standard of milk in Europe and that the milk marketing board serves our farmers particularly well—not least with a reliable monthly milk cheque? Does my right hon. Friend further agree that any changes to the milk marketing board should be approved only following a referendum of all our dairy farmers?

Mr. Gummer: The milk marketing board is making its proposals and it believes that changes are necessary. I have welcomed the board's desire to make the system more satisfactory. It must be a matter of concern that, in many recent years, the return to the farmer on milk has been one of the lowest in Europe and the cost to the consumer has been one of the highest in Europe. That must suggest that changes are necessary and those changes are being proposed by the board under its own constitution.

PRIME MINISTER

NATO

Q1. **Dr. Godman:** To ask the Prime Minister if he has any plans to meet the leaders of other NATO member states to discuss, inter alia, the membership, structure, functions and policy objectives of the organisation and related matters; and if he will make a statement.

The Prime Minister (Mr. John Major): NATO Heads of State and Government will meet in Rome on 7 and 8 November. Our main task will be to conclude the review of NATO's role, strategy and force structures set in hand by the summit in London last July. Good progress has already been made. The reformed alliance will continue to provide the essential basis for our security in the 1990s.

Dr. Godman: I am grateful to the Minister for that reply, but may I point out to him that, in Scotland, there is growing concern over what appears to be a piecemeal and fragmented restructuring of the armed forces of all the NATO countries, including the United Kingdom? Will the Prime Minister give the House an assurance that the rapid reaction force will never be deployed outwith mainland Europe unless and until it receives the specific authority of the United St . . . United Nations. *[Interruption.]* I said the United Nations and not the United States as I never want to see young Scots, or young men from anywhere in the United Kingdom, being turned into cannon fodder at the behest of an American President skilfully exploiting the sycophantic support of NATO leaders.

The Prime Minister: Let me say first how much I welcome the fact that the United Kingdom will command the future NATO rapid reaction force. That is a key role for the British Army and one which I think it will perform splendidly, both in the interests of this country and of NATO. The specific point that the hon. Gentleman raised is quite clear. The purpose of the rapid reaction corps is to defend NATO territory; it is not a signal of a more interventionist NATO approach elsewhere.

Sir Robert McCrindle: When the Prime Minister comes to consider these matters, will he also take into account the enormous advantage of the participation of the United States and Canada in NATO, mapping it out, in the opinion of many of us, as a much more effective medium of western defence than any of the alternatives recommended?

The Prime Minister: I entirely agree with my hon. Friend about that. The presence of north American forces in Europe is absolutely essential; by that I mean US

conventional and nuclear contributions, both of which are irreplaceable. They are here now and I hope, trust and believe that they will be here in the future.

Engagements

Q2. **Mr. Janner:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June 1991.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further meetings later today.

Mr. Janner: Does the Prime Minister know precisely how much, in pounds and pence, a single old-age pensioner has on which to live for a week? Does he regard it as adequate?

The Prime Minister: It would depend on his individual circumstances: whether he received income support, whether he had any state earnings-related pension supplement or a raft of other special payments.

Q3. **Mr. Roger King:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June 1991.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. King: Will my right hon. Friend give a pledge to the House that he and his Government will never increase funding for various aspects of Government by plundering the wage packet of the British working man and woman? Will he further compare his Government's spending—*[Interruption.]*—spending policies with those alluded to by the Opposition, whose policies of spend, spend, spend —[HON. MEMBERS: "Spund, spund, spund."]—have no regard to how they will be paid for?

The Prime Minister: I believe that people in this country need only look at our record on cutting the direct rate of taxation to be clear about the fact that we would not be in favour of increasing it. The Labour party, by contrast, is in favour of much higher spending, which can be met only by much higher taxation, not just for the well-off, but for those on the standard rate of income tax. My right hon. and learned Friend the Chief Secretary has shown that vividly this morning.

Mr. Kinnock: Does the Prime Minister recognise that in their recent comments, both of his Tory predecessors were only trying to help him? Which of them did he find most helpful?

The Prime Minister: The greatest help that this party often receives is from the right hon. Gentleman himself.

Mr. Kinnock: That must be why we are 10 points ahead and are winning by-elections. Why will not the Prime Minister tell us? It is a straightforward question—is he closest to the last leader of the Conservative party or to the last but one leader, or is he just piggy in the middle?

The Prime Minister: I am surprised at the right hon. Gentleman's remarks. I can tell him that I have no intention of being distracted from the policy on Europe which I have set out clearly and repeatedly in the House. I shall continue to negotiate in Europe for an outcome that I can safely recommend to the House. It will then be for the House to decide on it.

Mr. Waller: Will my right hon. Friend take time today to consider what the implications for taxation and public spending would be if the privatisation programme were to come to an end? Furthermore, what would happen if British Telecom, the water industry and the electricity grid were to be renationalised?

The Prime Minister: The privatisation receipts are about £5·5 billion a year. That is the equivalent of nearly 3p on the standard rate of income tax, so clearly to abandon those receipts would lead either to higher borrowing or to higher taxation. There can be no doubt about that.

Q4 . **Mr. Andrew F. Bennett:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June 1991.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Bennett: I am sure that the Prime Minister would want to be fair. If he is so keen to have everything costed, has he had Majorism costed, or is he merely sending the bill for that to the unemployed?

The Prime Minister: The hon. Gentleman plumbs new triviality with each question that he asks. In the past decade, conservatism has delivered a far higher standard of living for the people of this country than ever before and so it will in the next decade.

Sir Ian Stewart: When my right hon. Friend goes to the European Council, will he accept that he carries with him the good wishes of all Conservative Members and our gratitude for the constructive and responsible way in which he has tackled serious and important constitutional issues? Will he take the opportunity to point out to his colleagues in the other European countries that any rapid move to a single currency, before the economies of the various countries in Europe are very much closer in performance, would produce disastrous consequences which would be far more likely to blow the European Community apart than to lead to greater unity?

The Prime Minister: I entirely agree with every word that my right hon. Friend has said. I have made the point consistently over the past 15 months that until and unless there is proper convergence of the European economies, it would be utter folly even to contemplate a single currency.

Q5. **Mr. Loyden:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Loyden: The Prime Minister will be aware of the stand taken by the Secretary of State for Trade and Industry on the threat to ICI. What will the Prime Minister's stance be in the event of a hostile bid being made by Hanson to take over ICI?

The Prime Minister: There has been no such takeover bid and it would, therefore, be entirely inappropriate for me to comment.

Q6. **Mr. Beaumont-Dark:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Beaumont-Dark: Has my right hon. Friend had a chance to look at early-day motion 902, which is an all-party motion tabled by, among others, the hon. Member for Walsall, North (Mr. Winnick)? It concerns Guardsmen Povey, Hicks and Ray. Through no fault of theirs—whoever's fault it was, they were not on a holiday jaunt—they lost their legs in a tragic accident. With his well-known compassion and concern for individuals who have problems, will my right hon. Friend give the House an assurance that he will look at the problem with that compassion so that we can come to the right decision, which is to care for the individual who serves this state?

The Prime Minister: This is a very tragic accident. I am sure that the whole House feels that deeply and we offer our sympathy to the guardsmen concerned. The board of inquiry has examined the matter carefully and has reached the conclusion that it was a tragic accident and that no one was culpable for the dreadful affair. I am examining the matter, but I must do so on the basis of legal liability.

Mr. Ashdown: Does the Prime Minister agree with his predecessor when she said that joining the exchange rate mechanism relegated Ministers to the status of innocent bystanders at an accident? If he agrees, how would he describe himself—as the bystander or the accident?

The Prime Minister: We entered the exchange rate mechanism last year when my right hon. Friend the Member for Finchley (Mrs. Thatcher) was Prime Minister and I was Chancellor of the Exchequer. It was right to enter the mechanism then; it is right for us to be members of the mechanism now. I made it absolutely clear at the time that I felt that that was the best way in which to ensure that we not only got inflation on a downward trend, but kept it on a downward trend. We are in the exchange rate mechanism; we are staying in it. In due course, we shall move to the narrow bands.

Q.7 **Mr. Anthony Coombs:** To ask the Prime Minister if he will list he official engagements for Thursday 20 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Coombs: In considering local government matters in the light of the appalling record of the past eight years of the Labour administration in Liverpool—the appalling inefficiency, massive debts and uncollected refuse there, and the impending gravediggers' strike—does my right hon. Friend agree with the statement made yesterday by the Leader of the Opposition that the Labour council there——

Mr. Speaker: Order. This is not the Prime Minister's responsibility.

Mr. Coombs: —with the statement made yesterday that the council there is merely trying to provide— *[Interruption.]*

Mr. Speaker: Order.

Mr. Coombs: When considering the reform of local government, does my right hon. Friend agree that the appalling inefficiency of Liverpool should be rate-capped and in future should be avoided by local government reform, or is the statement of the Leader of the Opposition merely pie in the sky?

The Prime Minister: The whole country will observe what has happened in Liverpool over recent years and will be perfectly well aware where the blame for that lies. As the Labour Co-ordinating Committee has written about Labour councils:

"They demonstrate as far as the public is concerned, what a Labour Government would be like".

Mr. Ashley: Is the Prime Minister aware that when considering the future of Britain the volatility of a couple of Prime Ministers is a trivial sideshow compared with the potential volatility of £84 billion sterling hot money as a result of the Government's incompetence? How far can the Prime Minister say that he is confident that there will be no sterling crisis before the next general election?

The Prime Minister: If there were to be a sterling crisis, it would occur only if there were no longer a Conservative Government.

Q.8 **Mr. Quentin Davies:** To ask the Prime Minister if he will list his official engagements for Thursday 20 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Davies: Does my right hon. Friend agree that even marginal increases in taxation can have a serious effect on incentives and that even marginal increases in Government borrowing can have a serious effect on inflation and interest rates and that to increase borrowing and taxation by something like £35 billion would have catastrophic effects on the British economy?

The Prime Minister: There is absolutely no doubt about that. In practice it would mean either dramatically higher borrowing with consequentially much higher interest rates and mortgages, or it would mean up to an extra 15p on the standard rate of income tax to 40p in the pound. With a policy of adding national insurance contributions throughout the income scale, that would make us one of the highest-taxed countries in the industrial world.

Business of the House

3.31 pm

Mr. Bruce Grocott (The Wrekin): Will the Leader of the House give us the business for next week, please?

The Lord President of the Council and Leader of the House of Commons (Mr. John MacGregor): The business for next week will be as follows:

MONDAY 24 JUNE—Opposition day (15th allotted day). Debate on an Opposition motion in the name of the Liberal Democrats entitled "The government of Liverpool".

Consideration of Lords amendments to the Natural Heritage (Scotland) Bill *[Lords]*.

The Chairman of Ways and Means has named opposed private business for consideration at seven o'clock.

TUESDAY 25 JUNE—Consideration of Lords amendments to the Criminal Justice Bill.

Motion on the Child Benefit and Social Security (Fixing and Adjustment of Rates) (Amendment) (No. 2) Regulations.

WEDNESDAY 26 JUNE—Debate on the European Community on a motion for the Adjournment of the House. The European Community White Paper, July to December 1990 (CM 1457), is relevant.

Motion to amend the Standing Order on European Standing Committees.

THURSDAY 27 JUNE—Debate on the Royal Navy on a motion for the Adjournment of the House.

FRIDAY 28 JUNE—Private Members' motions.

MONDAY 1 JULY—Debate on the Army on a motion for the Adjournment of the House.

The House will also wish to know that European Standing Committee B will meet at 10.30 am on Wednesday, 26 June, to consider document No. 4822/91 relating to duties on mineral oils.

[Wednesday 26 June
European Standing Committee B
Relevant European Community Document
4822/91 Excise Duties on Mineral Oils

Relevant Report from European Legislation Committee HC 29-xvii (1990-91).]

Mr. Grocott: Will the Leader of the House arrange for a Minister to make a statement next week on the continuing problems of the Kurdish people and the Government's safe haven policy? If the Foreign Secretary can make statements abroad about that, we are entitled to have a statement in this House.

Secondly, are we not entitled to have a debate in Government time on the unemployment crisis in view of the record figures? It should not be up to the Opposition to have to raise such issues all the time. It is up to the Government to provide time.

Thirdly, and this is a matter that affects all hon. Members, can we have a statement from a Minister, preferably from the Leader of the House, about the problems that hon. Members face in getting proper answers from Ministers to written questions, particularly in Government Departments where there are executive agencies? It really is not good enough. We knew that agencies would mean a diminution of ministerial responsibility, but it is not good enough to receive only a holding answer from a Minister when we ask questions on behalf of constituents, and when a proper answer never appears in *Hansard*. We are entitled to proper answers and the Leader of the House owes it to us to make a statement.

It is your central concern, Mr. Speaker, and that of the Leader of the House to protect the rights of Back Benchers in matters such as Wednesday's debate on Europe. Does the right hon. Gentleman agree that Back Benchers should be given ample opportunities to contribute to Wednesday's debate, especially his right hon. Friend the Member for Finchley (Mrs. Thatcher)? Does the right hon. Gentleman also agree that it is important that the right hon. Lady should express her views in this House rather than confiding them abroad to American business men?

Finally, in view of the widespread interest and debate on the subject, will the Leader of the House arrange a debate on Majorism some time next week. It need not be a long debate——

Mr. Speaker: Order. That is not a parliamentary term.

Mr. Grocott: In that case, I shall not repeat it, Mr. Speaker, but the Leader of the House should find time for such a debate.

Mr. MacGregor: I agree that the hon. Gentleman's first point raises an important issue. He knows that the Liaison Committee has recommended that a half day should be given to the issue of aid to refugees, which clearly includes that matter. I knew that that issue would be aired soon and I hope to find time for that debate in the near future because it will give us a useful opportunity to discuss these matters.

The hon. Gentleman knows that my right hon. and learned Friend the Secretary of State for Employment made an important and full statement yesterday on many aspects of unemployment, an issue that we have debated on many occasions. As far as I can see, hardly a day goes by in the House without some of my hon. Friends pointing out the real dangers of the Labour party's programme for a national minimum wage and the effect that that would have on unemployment. I assure the hon. Gentleman that there is no shortage of opportunities for raising that matter, and that we seek every opportunity to compare the two parties' respective policies on employment. It is clear that the Conservative party has the policies that provide long-term employment, while the Labour party's policies would greatly increase unemployment in the short term.

On the hon. Gentleman's third point about answers in the House and agencies, I should like to make the position clear to him. With the exception of those of a confidential or personal nature, all letters from chief executives are placed in the Library of the House and its Public Information Office. In addition, copies of those letters are available to hon. Members, researchers, the media and any other interested parties through the Public Information Office. Some of those letters are very long and detailed. The important point is that the answers are available to the House, to hon. Members and to others outside in the same way as they would be through the columns of *Hansard*.

The hon. Gentleman's point about the European debate was a complete waste of business questions. He knows very well that that is a matter for my right hon. Friend the Member for Finchley (Mrs. Thatcher) and for you, Mr. Speaker.

The hon. Gentleman was floundering in his last question. The plain fact is that all aspects of the Government's policy under the leadership of my right hon. Friend the Prime Minister will be fully outlined in the months ahead, not only in speeches all over the country, but in this House and in many other debates. We are only too delighted to take every opportunity to make those contrasts—not least the contrast between expanding public spending programmes which are prudent and within the capacity of the taxpayer to pay, and those which would involve an increase of 15p in the basic rate of tax. We look forward to every opportunity to ram that message home, together with the message that the Labour party has learnt nothing from the mistakes that it made during the last election.

Mr. Michael Shersby (Uxbridge): Will my right hon. Friend arrange for an early debate on the decision of the South Yorkshire police authority to settle out of court instead of allowing the events which arose from the mass demonstration at the Orgreave coking plant to be tested in the civil courts? Is he aware that to have dealt with the matter in that way is costing a great deal of money to the taxpayers and charge payers of South Yorkshire and that the matter has been stitched up between the Labour-controlled police authority and the lawyers for the claimants? The matter should be debated in the House.

Mr. MacGregor: I do not think that it would be right for me to comment on those issues today because the civil action was entirely a matter between the South Yorkshire police and the individuals involved. We have had several opportunities to debate the much wider issues which arose out of that period. However, I have taken note of what my hon. Friend requested and I shall draw it to the attention of my right hon. Friend the Home Secretary.

Mr. Tony Benn (Chesterfield): Is the Leader of the House aware that the award of £500,000 or more in damages and costs to 39 miners who were injured, maliciously prosecuted and in other ways damaged by the South Yorkshire police is unprecedented in the history of British law? Does he recall that on 19 June 1984 the then Prime Minister and the then Home Secretary, who is now a Commissioner in Brussels, described what happened as "mob rule", that the then Home Secretary said that those charged with riot might face life imprisonment, that the case was tested in the courts and that the courts threw out the charge of riot, and that the men were proved innocent?

Is the Leader of the House aware that the other day when the settlement was made it was clear that in so far as there was violence, it was on the part of the police, and it was admitted during the riot trial that the BBC transposed the film to show stones being thrown before the cavalry charge although the police video confirmed otherwise? Indeed, the ministerial responsibility for what happened was established on 22 July 1985 when I made public the text of the "public order tactical operations manual" which the Home Secretary had approved. This is a matter of ministerial responsibility on which the Home Secretary should make a full statement.

Mr. MacGregor: It is not for me to comment on the allegations. The whole House and the country know that during that period there were some disgraceful episodes and some clear provocation. The police had to handle matters often in conditions that were extremely difficult. On the specific case of the miners, I have already made it clear that that action was entirely a matter between the South Yorkshire police and the individuals. The right hon. Gentleman knows that all police use of force is governed by the rule of law.

Mr. Ivan Lawrence (Burton): Will my right hon. Friend accept that he made a slip of the tongue in an answer a moment ago? It is not the South Yorkshire police who want the matter settled—it is the South Yorkshire police authority, which is predominantly left-wing Labour-controlled and supported the miners' pickets. The South Yorkshire police and the police from Derbyshire and all over the country had to put up with a disgraceful display of public disorder. They want the matter heard in open court so that their case can be known to the country.

Mr. MacGregor: I accept the point that my hon. and learned Friend makes that it was the South Yorkshire police authority.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): With regard to next Wednesday's debate on Europe, will the Leader of the House confirm that this Chamber is, to repeat the famous phrase, the heart of Parliament, and that it is therefore a matter for him to make sure that, instead of traipsing round the rubber chicken circuits in the United States, Members of this House who wish to criticise Government policy should do so here in debates? Therefore, it is up to him to persuade his right hon. Friend the Member for Finchley (Mrs. Thatcher) to be here to do her duty.

Mr. MacGregor: I have never seen it as the job of the Leader of the House to persuade individual Members to come and speak in particular debates. That would be to move outside my sphere of responsibility. However, I confirm to the right hon. Gentleman that it is an important debate next week and that I have followed the approach of my predecessor, my right hon. and learned Friend the Member for Surrey, East (Sir G. Howe), and sought to fix the debate on a motion for the Adjournment. That will enable it to be a European Community debate in which the House will have an opportunity not only to consider the White Paper but to express its views on issues which are expected to be considered at the forthcoming European Council. That is why it is timed as it is. I believe that that will be for the convenience of the House. I think that it will demonstrate the overwhelming support of my right hon. and hon. Friends for the position being taken by my right hon. Friends the Prime Minister and the Foreign Secretary in their approach to the European negotiations.

Mr. Bob Dunn (Dartford): Would the Leader of the House consider rearranging business in the near future to permit Conservative Members to debate the impact on employment patterns of the introduction of a minimum wage, a jobs tax and a strikers' charter—policies enthusiastically endorsed by the Leader of the Opposition and all Members who take the Labour party Whip?

Mr. MacGregor: I entirely agree with my hon. Friend. I am not sure that it is necessary to have a specific debate, but if a slot can be found for one, I will welcome it. However, Government time is limited if we are to rise in reasonable time for the summer recess. My hon. Friend is

[Mr. MacGregor]

entirely right, and we shall take every opportunity to point out the damaging effects on employment and standards of living of those and many other aspects of Labour policies.

Mr. Harry Ewing (Falkirk, East): May I return to the matter of Orgreave and, in the presence of the distinguished Chairman of the Select Committee on Procedure, ask whether the Leader of the House will table a motion next week to refer to the Select Committee on Procedure the case whereby members of the British public can be smeared in the House of Commons and subsequently cleared of any criminal charges by the courts, but the smears remain on the record? Today's announcement relates to a civil matter arising out of the men being cleared of criminal charges. I am certain that the Leader of the House appreciates that the smears against the men and their families by the former Prime Minister, the then Attorney-General, the present junior Minister at the Ministry of Agriculture—the hon. Member for Penrith and the Border (Mr. Maclean)—and the then Home Secretary still remain on the record. Will the Leader of the House confirm that he is not in favour of members of the British public being smeared by Parliament and cleared in the courts but the smears being allowed to remain?

Mr. MacGregor: That matter does not seem to me to be appropriate for the Select Committee on Procedure.

Sir Michael Shaw (Scarborough): Will my right hon. Friend seriously consider providing time next week for the Government to explain to the House and to the country why they are not already carrying out the priority proposals being put forward by the Labour party? Could it be that those proposals would cost a further £35 billion?

Mr. MacGregor: As my hon. Friend knows, in a previous capacity I had the task of costing the Labour party's programme before the last general election. I was struck by two factors. First, the Labour party was absolutely unable to undermine the accuracy of the costings. Secondly, and astonishingly, the figure grew by the month so that there was extra spending above that of the first costing. I suspect that that will happen again and I am sure that the Labour party will be unable to undermine the costings announced today by my right hon. and learned Friend the Chief Secretary to the Treasury. I agree with my hon. Friend that these are extremely important matters, not only for the House to discuss, but for the country.

Mr. Dennis Skinner (Bolsover): If the Leader of the House will not have a debate, will he ensure that the appropriate Minister comes to the House to make a statement on the state's conduct during the miners' strike, and the collusion that took place between the Government, the judiciary and Mrs. Thatcher's private army, the police—*[Interruption.]*

Mr. Speaker: Order. The hon. Member knows that we refer to each other by our constituencies.

Mr. Skinner: I said that because she is never here.

Mr. Speaker: The hon. Gentleman must refer to the right hon. Lady by her constituency.

Mr. Skinner: If we can get her here on a fee, we might be able to hear what she has to say, so that we can obliterate her statements about the miners being the enemy within. It is time that the public understood that the state, through the taxpayer, had to fork out £6,000 million so that the ex-Prime Minister could tackle the miners, their communities and their families. It is time that a public inquiry was held so that the whole truth can be revealed.

Mr. MacGregor: If the hon. Gentleman feels so strongly about the matter, he might like to talk to those who occupy the Opposition Front Bench to see whether he can persuade them to hold such a debate. They have many opportunities to arrange full-day debates. The hon. Gentleman might like to see whether they would be willing to have a debate in the time available to the Opposition. I can assure him that we would not be averse to having a debate and going over the issues again.

Mr. Bill Walker (Tayside, North) *rose*——

Mr. Bob Cryer (Bradford, South): Ministers made statements about the miners, and individual miners were charged——.

Mr. Speaker: Order. When I call the hon. Member—if I call him—he will have the opportunity to ask a question. He must not seek to put a question to the Leader of the House from a sedentary position.

Mr. Walker: Can my right hon. Friend confirm that during the debate on the European Community next Wednesday we shall have the opportunity to refer to the importance of the raspberry growing industry in Tayside and the dangers that it faces from dumping by eastern European countries? It is probable that some hon. Members, and possibly some Foreign and Commonwealth Office Ministers, as well as some in the Treasury, do not fully understand the importance of that industry to Scotland in particular and to the United Kingdom generally. There must not be barter—we must not give the industry away to try to persuade eastern Europeans to become democrats.

Mr. MacGregor: I of course recognise my hon. Friend's great interest in these matters and I know of the importance of the raspberry industry to his constituency and to that part of Scotland. I can assure him that the Government recognise it, too. I think that I told my hon. Friend previously that when I was Minister of Agriculture, Fisheries and Food I tried on several occasions at this time of the year to take steps through the European Community to help the industry. I can confirm that if my hon. Friend were called to speak in the debate it would be relevant for him to raise the matters to which he has referred this afternoon.

Mr. John Garrett (Norwich, South): On a domestic matter, on most mornings this week there have been six to eight Select Committees or Standing Committees sitting in public. At the same time, on the front door, as it were, at St. Stephen's entrance, where the public might want to enter the Palace, there is a notice stating that the public are not admitted without an appointment. Can the Leader of the House make a proposal that would make this place rather more welcoming and voter-friendly than it is at present?

Mr. MacGregor: I am grateful to the hon. Gentleman for raising the matter with me. I should like to look into it, and I will write to him after I have done so.

Sir Jim Spicer (Dorset, West): I do not much care who initiates a debate on Liverpool, but will my right hon. Friend ensure that whoever replies to it from the Government Front Bench understands that the matter is no longer for Liverpool and Liverpool alone, which has been governed by incompetent and ineffective Labour moderates for the past four years? It is a national matter and in the interests of the people of Liverpool something must be done about it.

Mr. MacGregor: As my hon. Friend knows, the debate on Monday is in the name of the Liberal Democrats. I am sure—[HON. MEMBERS: "Where are they?"] I know that they are not here now, but I was going to say that I am sure that many of my right hon. and hon. Friends are very pleased that the subject has been chosen for debate on Monday. I agree with my hon. Friend that the matter is not confined to the government of Liverpool. The slide to anarchy in Liverpool demonstrates to the country generally the dangers of militancy—in fact, it is not militancy that we are facing at the moment—and the dangers of so-called "moderate" government on the part of a local authority. I think that my hon. Friend is right to say that, while the issue is the government of Liverpool, there are much wider national repercussions.

Mr. John P. Smith (Vale of Glamorgan): Can the Leader of the House find time before the Luxembourg summit to debate the urgent matter of the banana protocol under the Lomé convention? Unless we can reach an agreement soon which guarantees the price of Caribbean bananas and access to the United Kingdom economy, many jobs will be lost in my constituency. If an agreement is not reached, the economy of the Windward Islands will be destroyed and there could be a dramatic increase in the international drug trade. In Kingston in 1987 the former Prime Minister, the right hon. Member for Finchley (Mrs. Thatcher), promised the Caribbean people that their interests would be protected after 1992. I hope that the House will have a chance to implement that promise.

Mr. MacGregor: As I said to my hon. Friend the Member for Tayside, North (Mr. Walker) a moment ago in relation to the raspberry industry, that matter could be appropriately raised in the debate on Wednesday. The purpose of Wednesday's debate is not just to look at the issues that will come up in the European Council but to look at developments over the past six months and to have a wide-ranging debate on the EEC.

Sir Peter Emery (Honiton): My right hon. Friend announced that we would be dealing with Lords amendments to the Criminal Justice Bill on Tuesday. Will he confirm that that will be the occasion of an experiment in terms of the paperwork for Lords amendments? I hope, therefore, that hon. Members will pay attention to the new procedure on that day to see whether it is helpful to the House and to the progress of business. We need to ensure that that is properly publicised.

Mr. MacGregor: I am grateful to my hon. Friend as Chairman of the Procedure Committee for doing just that. He is right to say that we shall be having a trial run of the recommendation on Lords amendments which the Procedure Committee thought would be helpful. I hope that those hon. Members who are listening to this exchange will consider how the matter is tackled on Tuesday and let my hon. Friend and me know what they feel about the change.

Mr. Harry Barnes (Derbyshire, North-East): Has the Leader of the House seen the report of the Office of Population Censuses and Surveys showing that 1 million people are missing from the electoral register, which is related to the development and operation of the poll tax? That is particularly serious among attainers, those coming up to 18—who should be appearing on the electoral register for the first time. Should not hon. Members of all people debate that matter urgently?

Mr. MacGregor: The hon. Gentleman knows that the two are unconnected.

Mr. Michael Latham (Rutland and Melton): Will my right hon. Friend reconsider his answer about putting executive agencies' replies in *Hansard*? Will he remember that those agencies are run by civil servants and are accountable directly to the Public Accounts Committee and that replies should be in *Hansard* even if a fuller letter is subsequently sent to an hon. Member?

Mr. MacGregor: I have already said that there are problems about that because sometimes the replies are lengthy. We need to allow a little more time. That is a matter which can be looked at again when we have had sufficient experience to see what the demand is.

Mr. Tony Banks (Newham, North-West): We have a number of debates on the armed forces coming up next week. Please may we have an Adjournment debate on the police which would give us the opportunity to raise not only the incidents at Orgreave but similar incidents at Wapping? A number of Opposition Members were accused of all sorts of things by Conservative Members when we gave the House the benefit of our eye witness accounts. We saw the police thuggery at Orgreave and Wapping. Opposition Members are unequivocal in condemning violence, whether it is committed by pickets or by the police, but not one word of criticism do we ever hear for police thuggery from Tory Ministers or Back Benchers.

Mr. MacGregor: We are having the debates on the armed forces because, as the hon. Gentleman will know, I am obliged to find three days during the year for such debates. Because of the Gulf crisis and the need to deal with a great deal of legislation, it was not possible to have them earlier. I will bear in mind what the hon. Gentleman says about a debate on the police, but it would help if acknowledgement were sometimes given to the immensely difficult tasks that the police carry out in difficult circumstances on many occasions in protecting the public.

Mr. Roger Gale (Thanet, North): My right hon. Friend will recall that in 1982 the Government brought before the House proposals that would allow local authorities to charge a flat rate for school transport. He will know that at that time Kent county council published plans which would have allowed all parents to benefit, whether their children lived 2·9 miles or 3·1 miles from the school, and that that proposal was thrown out by the other place. In

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the light of the Audit Commission's report, will my right hon. Friend find time to allow the House to debate school transport once again?

Mr. MacGregor: I have not seen the Audit Commission's report, but I shall certainly look at it. Frankly, I do not think that there will be an opportunity to debate that matter in Government time before the summer recess. Looking at the commitments ahead, it will be difficult enough to fit everything in. However, there are other opportunities available, such as an Adjournment debate, for my hon. Friend to raise that matter.

Mr. Max Madden (Bradford, West): Will the Leader of the House urgently arrange a public transport debate, which would enable right hon. and hon. Members in all parts of the House to discuss Government transport policy, particularly in respect of investment in the railway system? Is the right hon. Gentleman aware that there is intense concern about the delay and, it is feared, the inevitable sabotaging of the modest West Yorkshire electrification scheme because of the Government's refusal to give it loan approval? That feeling has been intensified by the leaking of news today that the Government are to make a considerable investment in the rail system for London and the south-east. All of that smacks of double standards. Will the Leader of the House urge the Secretary of State for Transport to give the go-ahead to the West Yorkshire scheme, which is badly needed for the jobs and regional investment that it would bring?

Mr. MacGregor: The Government, through British Rail, are investing record sums in the railway system, and a good deal of the investment to which the hon. Gentleman refers—for example, in relation to the channel tunnel—will benefit the whole country, not just London and the south-east. On Wednesday, my right hon. Friend the Secretary of State for Transport announced the possibility of a further increase in British Rail investment. It is unlikely that we shall find time for a debate before the summer recess, but it is open to the Opposition to choose subjects on their own Supply days.

Mr. John Browne (Winchester): May I draw the attention of my right hon. Friend the Leader of the House to early-day motion 967?

[That an Humble Address be presented to Her Majesty, That she will be graciously pleased to give directions that there be laid before this House a Return of all papers held by the Secretary of State for Defence relating to the Board of Inquiry instituted to investigate the circumstances of the explosion at the Suffield Range, Canada, on 7th July 1989, which grieviously injured three young Grenadier Guardsmen, Austin Hicks, John Ray and Sean Povey.]

I draw the attention of my right hon. Friend also to early day motion 776, to the statement made by my right hon. Friend the Minister of State for the Armed Forces, reported at column 134 of *Hansard* on 3 June, and to that made by my right hon. Friend the Prime Minister this afternoon. Both statements referred to the accident as tragic, but as one for which no one could be blamed. Is my right hon. Friend the Leader of the House aware that not only was the board of inquiry not asked to investigate, but it called no evidence whatever in investigating why the shell had lain in a non-impact area of a live firing range for six years? That was a serious error, and such statements just do not wash. May the House please have an early debate on early-day motion 967 so that we can be told the truth?

Mr. MacGregor: It is not for me to comment on the substance of that matter, but I heard the comments of my right hon. Friend the Prime Minister this afternon. It will be possible for my hon. Friend to raise the matter during the debate on Monday 1 July.

Mr. David Winnick (Walsall, North): While I am pleased that justice is being done in respect of compensation for miners, a television programme will be broadcast tonight in which the most senior officer in the Grenadier guards will say that he believes that the three guardsmen concerned—one of whom, Sean Povey, is a constituent of mine—should receive compensation. I remind the right hon. Gentleman of the strong feeling which exists on both sides of the House and which is expressed in early-day motion 902.

[That this House calls on the Prime Minister, as a matter of urgency, to review the decision taken by the Ministry of Defence into the case of the three guardsmen who suffered the loss of both legs and other injuries in July 1989 when they were engaged in a training exercise; deplores the continuing refusal of the Ministry to pay any compensation at all; and urges the Prime Minister to realise that an injustice has therefore been done to Sean Povey, Adrian Hicks and John Ray, which should be righted as quickly as possible.]

Why is it that the three guardsmen concerned, who have been crippled for life, should suffer the additional stress of not knowing whether or not they will win their court case? For heaven's sake, let us have some compassion from the Government.

Mr. MacGregor: Solicitors acting for the three soldiers are considering the question of negligence. To enable them to do so, the Ministry of Defence has already released a summary of the board of inquiry and will shortly release the range standing orders. The Minister has also stated that it will be willing to consider any further requests for information. I repeat that it will be possible for right hon. and hon. Members to raise that matter in the debate on Monday week.

Mr. Nicholas Winterton (Macclesfield): My right hon. Friend announced that the Government will next week move an amendment to the procedures relating to European Standing Committees. Will he indicate whether that tells the House that the Government are, in some rather underhand way, seeking to reverse the decisions taken by a European Standing Committee relating to patent law and the pharmaceutical industry? If they are, that is despicable and totally unjustified.

Mr. MacGregor: No, the point is fairly technical. As I have said, I wish to have a review at the end of the Session of how the European Standing Committees have gone. I have been discussing them fairly regularly with members of the Committees and, broadly, they have been going extremely well. However, a number of matters have arisen which I am prepared to look into. The subject that we are discussing next week is very technical and my hon. Friend will see that it is on the Order Paper. It relates to an anomaly which has emerged—if a Committee comes to no

conclusion on an issue, it is not possible to report back to the House. The amendment has been tabled simply to deal with that, as has happened on one occasion.

Mr. Paul Flynn (Newport, West): Will the Leader of the House arrange for an early debate on the slow catastrophe being suffered by the peoples of Iraq? Six months after the bombing, people are suffering and dying as a result of those bombs. Will he give special attention in that debate to the Shia peoples, who are out of range of the television cameras and in deadly peril from Saddam Hussein's forces? Is it not about time that the United Nations and the coalition finished the job that we started?

Mr. MacGregor: Without commenting on the matters of substance that the hon. Gentleman mentioned, it is unlikely that it will be possible to find time for a wide-ranging debate on those issues, although one aspect, on aid to refugees, is being recommended for debate on Estimates day, as I have already said, and I hope to find time for that shortly.

Mr. Richard Tracey (Surbiton): May I urge my right hon. Friend to consider an urgent debate on the burden of taxation on the average wage earner? He will be aware that there have been some costings of policy ideas coming from various quarters of this House, especially from the Opposition Benches, showing that it could cost the average wage earner more than an extra £20 a week in income tax. My right hon. Friend will agree that this House should consider the effect that that would have both on prospective growth and in terms of a possible brain drain.

Mr. MacGregor: I agree that an additional £20—or 15 pence in the pound, which is another way of putting it—would have a substantial effect on growth, the brain drain and incentives generally, and I believe that it would be strongly resisted by many people in this country if they knew that it was in prospect. I therefore agree with my hon. Friend that it will be important to have opportunities in the House for the programmes that lead to a tax burden of a further 15p in the pound to be thoroughly explored, although I do not know that we shall have a specific debate.

Mr. Cryer: May I draw the attention of the Leader of the House to early-day motion 963 on the regrading of nurses, and ask for a statement next week, in view of the fact that 40,000 outstanding regrading payments are due to nurses from 1988 and that 150 of them are in Bradford?

[That this House notes with great concern that nationally 40,000 nurses are still awaiting re-grading appeals about pay scales awarded three years ago, that over 150 nurses are affected in Bradford; and expresses outrage that Dr. Mark Baker, Chief Executive of the Bradford Hospitals Trust, should have received by contract, a rapid re-grading with a 10 per cent. salary increase to £66,000 per annum, free car and a £5,000 performance bonus linked to closure, cut-backs and sackings; and condemns this class-ridden policy for the National Health Service.]

Those nurses were outraged at the recent 10 per cent. increase given to the manager of the new Bradford national health service trust—which, as the Leader of the House knows, is a step towards privatisation of the national health service—by which his salary will increase to £66,000 and he will get a £5,000 performance bonus for closing hospitals, closing a baby unit and sacking 300 workers. Nurses and other NHS workers feel outraged at that preferential treatment. We would like a statement next week so that the Leader of the House can set his face against that class-ridden policy.

Mr. MacGregor: I think that some people feel outraged when the policy of NHS trust hospitals is described as leading to privatisation from the NHS. The hon. Gentleman knows that that is perfectly untrue. However, as regards the substance of the early-day motion, I well understand his remarks about nurses and Ministers have already emphasised that they wish clinical regrading appeals at all levels to be heard quickly and fairly. The obstacle to achieving that has been the unions' insistence on retaining very complex procedures. The salaries of chief executives of NHS trusts have already been discussed in the House. The level of their salaries is a matter for individual NHS trust boards to decide.

Mr. James Pawsey (Rugby and Kenilworth): Will my right hon. Friend—as a former Secretary of State for Education and Science—call a debate as a matter of urgency to discuss the appalling education conditions in Labour-controlled Lambeth? Is he aware that head-masters in the borough have appealed to the Department to help before irreparable damage is done to the children? Does he agree that grant-maintained status will be one way forward for parents there?

Mr. MacGregor: To take the second point first, my hon. Friend is right—that is one option available to some of the very good schools currently suffering from Lambeth council's administration.

As for my hon. Friend's first point, he probably knows that my hon. Friend the Minister of State is meeting representatives of Lambeth council this very afternoon to discuss education in the borough. We must wait to see what comes out of that meeting before deciding whether it would be appropriate to report to the House.

My hon. Friend is absolutely right. It is not a question of money. Lambeth is spending 17 per cent. less than its standard spending assessment on education. It is, I think, a question of the council's sheer inability to operate sound financial systems and proper administrative procedures.

Mr. Dave Nellist (Coventry, South-East): Is it not about time the Leader of the House organised a proper debate on the telecommunications industry? Virtually no Government statements have been made since the statement on 5 March by the Secretary of State for Trade and Industry. During the ensuing period of deafening silence, GEC Plessey Telecommunications plc in Coventry has announced 267 more redundancies, bringing the total number of job losses in that one firm in the past three years to more than 2,500.

The Leader of the House may reply that he will refer that point to the Secretary of State for Trade and Industry. If he does, will he at least ensure that the DTI replies to me? Like most Opposition Members—and, probably, most Conservative Members as well—I am getting fed up with the way in which the right hon. Gentleman is becoming a bottomless postbox. Every week we make our requests; they go into the postbox, and then disappear. We never receive any replies from the Departments concerned.

Mr. MacGregor: As the hon. Gentleman knows perfectly well, the point of business questions is to discuss next week's business, and my responsibility is to decide what it should be. It is up to hon. Members to pursue the

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substance of their questions. It is entirely possible for the hon. Gentleman to approach Ministers and Departments directly—he should not feel that he must always do so through me.

Sir Alan Glyn (Windsor and Maidenhead): My right hon. Friend has said that there will be service debates next week. Would it be in order to raise in those debates the situation in Kuwait and the question of secure areas for the Kurds?

Mr. MacGregor: The debates will concern the armed services generally, but it may be possible to raise those aspects in one of them.

Mr. Alfred Morris (Manchester, Wythenshawe): Is the Leader of the House aware of the anxiety and depth of feeling among ICI employees—not least in my constituency—about the continuing threat of a hostile Hanson bid against that important enterprise? Will he respond to yesterday's dignified and impressive lobby of Members of Parliament by employees from all ICI's north-west sites —who feel that the Government have adopted a do-nothing approach—by at least arranging a statement next week? The matter is of great concern to right hon. and hon. Members on both sides of the House.

Mr. MacGregor: I am not sure whether the right hon. Gentleman was present at Prime Minister's Question Time. If he was, he will have heard my right hon. Friend say that no takeover bid had been announced. It would be inappropriate to comment on what is an entirely hypothetical situation.

Mr. John Wilkinson (Ruislip-Northwood): Is my right hon. Friend aware that early-day motion 921 on the future of the Brigade of Gurkhas has been signed by no fewer than 139 right hon. and hon. Members in all parts of the House?

[That this House believes that the Gurkhas have a unique record of service in the British Army and loyalty to the British Crown, that their qualities of adaptability and devotion to duty will still be required in the defence of Britain's interests in an uncertain world in the future; and calls on Her Majesty's Government to confirm that the Gurkha Brigade will continue to have a worthwhile and viable future in the British Army as previously declared by the Right honourable Member for Ayr, the former Secretary of State for Defence on 22nd May 1989.]

Will he suggest to the Secretary of State for Defence that he make a statement next week to the effect that the brigade will have a viable and worthwhile future in the British Army, which was the assurance given by his predecessor in a statement on 22 May 1989, or, if not, give a similar assurance in the Army debate on Monday 1 July?

Mr. MacGregor: I welcome the opportunity to pay tribute to the fine record of the Gurkhas, as is made clear in the early-day motion. The Secretary of State for Defence made it clear in his statement on 4 June that consultations were taking place within the Army on the future structure of regiments and corps. My hon. Friend will appreciate that it would not be possible to make statements about the future of individual units in advance of that process being completed.

Mr. D. N. Campbell-Savours (Workington): In the light of the 140 redundancies announced at the Leyland-Volvo bus manufacturing plant in Workington, arising out of deregulation, privatisation, cuts in revenue support and cuts in bus grant—in effect, the destruction of the British bus industry—may we have a debate on those issues, which are causing much concern in my constituency?

Mr. MacGregor: There are, of course, other ways in which those matters can be raised in the House. I cannot find time for a debate in Government time on those specific issues before the summer recess because we have many other matters to which to attend.

Mrs. Elizabeth Peacock (Batley and Spen): There is great interest in the continuing discussions on the GATT round, particularly in relation to the multi-fibre arrangement. My right hon. Friend will be aware that many people in my constituency and throughout the Yorkshire textile industry are watching the negotiations carefully. In view of their importance, will my right hon. Friend find time soon for a debate on the progress of those discussions?

Mr. MacGregor: I have commented on many occasions on the GATT round and its importance for the textile industry, and I assure my hon. Friend that I well understand that. The Government are aware of the industry's wish to minimise the uncertainty and of the need to agree arrangements for the future of international trade in textiles before the current multi-fibre arrangement expires this year. As my hon. Friend will know, the European Community has proposed an interim extension of the current MFA to the end of 1992. I shall convey to my right hon. Friend the Secretary of State for Trade and Industry my hon. Friend's desire for a statement, but perhaps we should wait for the most appropriate time in the progress of the talks for that to be done.

Mr. Peter Shore (Bethnal Green and Stepney): If next Wednesday's debate on the European Community is to be really worth while, it is bound to concentrate on the forthcoming summit meeting in Luxembourg. That being so, will the right hon. Gentleman make certain that the latest version of the draft treaties on political union and on economic and monetary union are available in the English language in the Library so that hon. Members in all parts of the House know precisely what propositions of a federal kind are now being placed before us?

Mr. MacGregor: I appreciate that, as always, the texts are changing as the negotiations proceed. I will discuss the matter with my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs who will, of course, be taking part in the debate.

Mr. Robin Squire (Hornchurch): As my right hon. Friend is aware, we invariably have an annual debate on the Government's public expenditure proposals. Would he consider a small constitutional innovation—using the usual channels, as I judge that there is mutual interest on both sides of the House—to debate the Labour party's policies, together with the Government's spending policies, so that Opposition Members can advertise the annual minimum extra cost of £35 billion and we can seek to demonstrate how that will be paid for, either through more borrowing or through taxation?

Mr. MacGregor: There should not be much difficulty about that. In any debates on tax and economic matters, and on matters concerned with employment, unemployment and industry, it is relevant for hon. Members to comment on alternative policies and proposals. Indeed, I recall that in various economic debates in 1986 and 1987, when I was Chief Secretary to the Treasury, I spent a considerable time costing Labour's alternatives.

Mr. Alex Salmond (Banff and Buchan): Is the Leader of the House satisfied that a single day's debate on Europe will be adequate to explore the full range and diversity of views on the Tory Benches, never mind any comments that Opposition Members might wish to make? The debate should take place on a substantive resolution so that Tory unity on the issue can be tested on a vote. Will the Prime Minister be leading from the front in that debate so that the fudge that he is developing on the single currency can be fully explored, debated and tested?

Mr. MacGregor: It is the normal procedure to have a one-day debate. My right hon. Friend the Foreign Secretary will lead for the Government in that debate—a Foreign and Commonwealth Office Minister often does so in such debates. A Treasury Minister will deal with the Treasury aspects.

As for a substantive motion, we are following the recommendations of the Procedure Committee on the format for these debates. My right hon. and learned Friend the Member for Surrey, East (Sir G. Howe) talked about that a short time ago, when he said:

"In future, such debates might be renamed simply 'European Community debates' and would give the House an opportunity to express its views on issues that are expected to be considered at European Council meetings."—[*Official Report*, 28 June 1990; Vol. 175, c. 530.]

We are following that procedure. I believe that an Adjournment motion is the proper way to proceed.

I assure the hon. Gentleman that one day will be ample time in which to demonstrate that the vast majority of my right hon. and hon. Friends are wholly behind the Government's approach to these negotiations.

Mr. Roger Knapman (Stroud): Is my right hon. Friend aware that tomorrow there will be a debate on local councils and the provision of council services? Will he use his considerable influence to ensure that at least one Opposition Militant Member of Parliament is present so that we can establish for whom Militant would vote in the Liverpool, Walton by-election?

Mr. MacGregor: I am afraid that I have no influence over the Militants—nor, it seems, have many Labour Members. I cannot tell what will happen tomorrow. I am sure that my hon. Friend will wish to develop his point in that debate.

Mr. Tom Clarke (Monklands, West): Will the Leader of the House join me in deploring the increasing tendency of some Ministers to decline to meet hon. Members on legitimate matters? Does not the right hon. Gentleman find it unacceptable that the appropriate Scottish Office Minister has refused to meet me to discuss the circumstances of the death of an eight-year-old girl in an accident on a roadway in the village of Bargeddie, notwithstanding the fact that a petition signed by more than 1,000 people was presented to the House?

Does the right hon. Gentleman agree that we should deplore rumours that the Secretary of State for Health has declined to meet on 8 July, the anniversary of the Disabled Persons (Services, Consultation and Representation) Act 1986, the all-party group led by my right hon. Friend the Member for Stoke-on-Trent, South (Mr. Ashley) and others to discuss an important matter? Surely the right hon. Gentleman will discourage Ministers from living in ivory towers.

Mr. MacGregor: I assure the hon. Gentleman that Ministers certainly do not live in ivory towers. They spend a great deal of their time not only going around the country, discussing issues and meeting people, but meeting deputations of hon. Members from all parties. It must be for Ministers to decide individual cases. I do not know of the two matters that the hon. Gentleman raised, but I shall draw them to the attention of my right hon. Friends.

Mr. Robert G. Hughes (Harrow, West): Will my right hon. Friend assure the House that there will be enough time in Monday's debate on Liverpool to discuss all the matters contained in early-day motion 992 and everything else that has gone wrong in four years of so-called moderate control in Liverpool?

[That this House condemns the fact that after four years of so-called moderate Labour rule, Liverpool has more than 5,500 council dwellings standing empty, representing misery for thousands of families and a loss in rent of £4·5 million per year, uncollected rent arrears of £25 million, rate arrears of £22 million, absenteeism amongst the workforce the equivalent of 1,200 full-time employees being paid for doing no work for the council at all, has proved so incompetent that it has failed to claim millions of pounds in Government grant, has so little control of its finances that the 1988-89 accounts understated their spending by nearly £17 million, and has so failed the people of Liverpool that rubbish is piled high in the streets, whilst the two Labour parties bicker about who is most to blame.]

In particular, will there be time to debate the conduct of entertainment licensing by that Labour-controlled authority? As my right hon. Friend knows, entertainment licensing involves a great deal of money as well as the success, or failure, of many businesses. It has become widely known in Liverpool that the conduct of these affairs by the Liverpool Labour group can be described only as corruption deep inside that group.

Mr. MacGregor: I fear that half a day on Monday will not be enough time to explore all the issues that my hon. Friend would like to raise. Often, there are not enough opportunities to do so because of the pressure of time. It will be possible to raise all these matters in tomorrow's debate. If it is convenient for my hon. Friend to be here, he may like to elaborate on his point then.

Mr. Joseph Ashton (Bassetlaw): Is it not an outrage that the poll tax payers of south Yorkshire should now have to pay £500,000 in compensation for what was a military operation organised by the Home Office? Why should that burden fall solely on south Yorkshire? I was an eye witness to much of what happened on the picket lines, as was my hon. Friend the Member for Bolsover (Mr. Skinner). Is the Leader of the House aware that often a brother among the police faced a brother among the miners, and that there was very little trouble with the Yorkshire police and very little violence? The violence came from imported police —mainly from the metropolitan authority. That is why the inquiry has been held in silence, why the facts have not

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been published, and why the costs should be borne by all taxpayers rather than by south Yorkshire alone. As miners will tell the right hon. Gentleman, the police there had a very good record. So let us have an inquiry now.

Mr. MacGregor: I do not think that those are questions for me to answer in relation to next week's business.

Mr. Alistair Burt (Bury, North): Will my right hon. Friend find time soon for a debate on the state of the licensed trade? He will recall that, following the Monopolies and Mergers Commission report on the brewing industry, some well-intentioned legislation was introduced but, unfortunately, there have been some side effects. Some licensees have found themselves in a difficult position and the trade is calling for a general review of the policy. Will my right hon. Friend suggest to the Secretary of State for Trade and Industry that we might have a debate on that topic?

Mr. MacGregor: I think it unlikely that I shall be able to find time for a debate on that topic in Government time, although it may be possible for it to be raised in other ways.

We are aware of concern about the difficulties currently facing some pub tenants. As my hon. Friend knows, we have already responded to pub tenants' concerns by introducing legislation to give them security of tenure. In 1993, the Director General of Fair Trading will be reviewing all the measures that the Government have introduced, when their effectiveness can be assessed. If my hon. Friend wishes to raise matters well in advance of that, however, opportunities are available to him.

Mr. Harry Cohen (Leyton): Is the Leader of the House aware of the report placed in the Library last week on criminal records? It promotes a single centralised system, which would have serious civil liberties implications. The Lindop report said that that could be done by administrative fiat, without Parliament even being told or having an opportunity to debate the matter. Will the Leader of the House ensure that we do, indeed, have an opportunity to debate it before any such decision is made?

Mr. MacGregor: I am not familiar with the issue that the hon. Gentleman raises, but I shall discuss it with my right hon. Friend.

Mr. Andrew Mitchell (Gedling): Is my right hon. Friend aware that it is specifically Conservative legislation on competitive tendering which now offers the ordinary people of Liverpool the chance, at last, to have their bins emptied and their rubbish collected? Has he noticed similarities between Labour local government in Liverpool in action—with bins not being emptied and threats that the dead will not be buried—and the demise of the last Labour Government in 1978-79, when we suffered from a similar pattern of activity? Will my right hon. Friend arrange for the House to have a debate on competitive tendering so that the Labour party can eat its words on that subject, as on so many others?

Mr. MacGregor: I would go further than my hon. Friend. It is interesting to note that the one way that Liverpool council has been able to find out of its dilemmas of mismanagement, and all the other difficulties that have afflicted Liverpool, has been to take advantage of Conservative policies. Conservative policies and Conservative actions are now enabling that council to begin to clear up the mess. It is significant that those same policies were opposed throughout by the Labour party. The matter therefore goes further than my hon. Friend suggests, although I agree with him, and he will be able to develop his argument both in the debate tomorrow and on Monday.

Mr. John Hughes (Coventry, North-East): Following the remarks of the Leader of the House on British Rail investment, may I draw to his attention early-day motion 998?

[That this House views with the utmost concern the fact that the plans for and the mock-ups of the new generation of Class 323 cross-county advanced electrical trains with an expected 30 year service life and which are currently on display at the Tickford factory in Coventry, fail to make adequate provision for disabled people; notes that the three-car, 289 seater trains provide only one wheelchair place per unit; further notes that access from the platform to the train is made needlessly difficult for independent disabled people as passengers have to climb two steps from the platform to board the train; condemns the glaring omission of toilet facilities for disabled people; deeply regrets that no real consultation with disabled peoples' organisations had taken place; and therefore calls upon British Rail, as a matter of urgency, to consult fully all relevant organisations of disabled people with a view to introducing acceptable and user-friendly standards and provisions for disabled passengers and wheelchair users in Class 323 trains and in all its new rolling stock; in particular urges the provision of toilets for disabled people in all British Rail passenger trains; further considers that disabled people deserve a far better deal from British Rail; and recognises that this requires financial support from Central Government as well as legislation making decent provision for disabled people mandatory.]

Clearly British Rail is not investing in provisions for the disabled. The new 323 train is a glaring example of that. Will the Leader of the House give us an opportunity for a debate on discrimination against disabled people?

Mr. MacGregor: I have seen the early-day motion. I understand that British Rail's policy is to aim to provide access for disabled people on all new rolling stock, with wheelchair-accessible toilets on all long-distance routes. On short routes, the policy is to cater for toilet access for disabled passengers at stations. Much remains to be done, but the needs of disabled passengers are now considered carefully before any investment.

Mr. Patrick Nicholls (Teignbridge): Is my right hon. Friend satisfied on reflection that the type of debate which he said might be available to my hon. Friends the Members for Hornchurch (Mr. Squire) and for Surbiton (Mr. Tracey) would be of sufficient length to bring out the seriousness of the issues to which they alluded? Does he agree that it would need a lengthy debate—and one which, by its nature, is in the Government's gift—to emphasise the fact that, although it is now well established that Labour's plans would lead to a minimum increase of 15p in the pound in the basic rate of income tax, by the time that is taken into account, together with its pledges to increase national insurance contributions, we should be facing a marginal rate of income tax of about 50p in the

pound? Would not a major Government debate give the public the opportunity to understand the implication of voting Labour into office?

Mr. MacGregor: I agree with my hon. Friend, but there will be opportunities for such major debates inside and outside the House. However, I would go further: if one considers the document on many aspects of policy which was published by the Government this morning, one will see that there are opportunites to explore parts of that in many debates other than purely economic ones.

Mr. Derek Fatchett (Leeds, Central): Will there be a statement by the Secretary of State for Defence in the next few days about the order for tanks for the British Army, which is of great concern to my constituents? Or is the further delay explained by the fact that the Government are still looking for alternatives? Are they not the only Government in western Europe who, instead of buying from their own producers, would look for alternatives in other countries?

Mr. MacGregor: I understand the importance of the matter. My right hon. Friend the Minister of State for Defence Procurement has already made it clear that the Government intend to make a further announcement before the end of the month. That is not very far away, so the hon. Gentleman can be sure that there will be a statement in the near future, and certainly before the end of the month.

Points of Order

4.31 pm

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker. You may recall, Mr. Speaker, that last Thursday during a point of order I raised with you the early day motion sponsored by the hon. Member for Dartford (Mr. Dunn), which included the precise and full home address of Councillor Mike Crosby. At that time, you rightly said that the text of an early-day motion is the responsibility of any right hon. or hon. Member who sponsors it. I ask you to reflect on that ruling, bearing in mind the extremely considered letter which was dated yesterday and sent to you by Councillor Crosby and which you should have received today. In that letter, Councillor Crosby rightly maintains that the inclusion of his full address in no way added to the substantive text of the motion. Indeed, he and others regard the inclusion of his address as an incitement to other to intrude on his and his family's—

Mr. Speaker: Order. It has never been the practice of the House for correspondence to the Speaker to be revealed by another hon. Member.

Mr. Madden: May I ask you, Mr. Speaker, to reflect on the rules concerning early-day motions? It would be extremely helpful if you could consider introducing a rule whereby the Table Office would advise right hon. and hon. Members who intended to include in such a motion the address of a private individual that it would be unwise to do so. I ask you to consider that, bearing in mind the important point made by Councillor Crosby in his letter to you.

Mr. Speaker: I do not underestimate that point in any way. I am certainly considering the councillor's letter. My problem is that we have freedom of speech in this place and it is not for the Chair to censor motions provided that they are in order. I can only repeat that hon. Members who use their freedom of speech in this place should do so with great discretion.

Mr. Bob Dunn (Dartford): Further to that point of order, Mr. Speaker. I should be grateful if you would direct the hon. Member for Bradford, West (Mr. Madden) to give me an apology today, and now. I have just been made aware from what he said that this is the second time that he has raised on the Floor of the House the early-day motion tabled in my name. At no time during the past few days has the hon. Gentleman attempted to contact me by letter or by telephone or through the Whips' Office or any of the agencies in the House.

I left the Chamber 10 minutes ago after my part in business questions, and after performing the usual courtesy of remaining in the Chamber to hear the hon Members who followed me. I found a note from the hon. Member for Bradford, West (Mr. Madden) informing me that he intended to raise this matter today. Had you, Mr. Speaker, called me last today, I should have had no warning of the point of order. Had I been absent from the Chamber, and in and around my Dartford constituency, I should not have known of it.

On another point, further to the point of order, there is no question that among Opposition Members—this will be made crystal clear to Councillor Crosby—there is no dissent from any part of the early-day motion except the

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reference to the address. That clearly means that there is no support for Councillor Crosby and his actions from Opposition Members.

Mr. Speaker: If the hon. Gentleman was given notice that this matter would be raised, that is in line with our conventions.

Mr. Tony Banks (Newham, North-West) *rose*——

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker.

Mr. Speaker: Well, it will take time.

Mr. Skinner: No, it will not take a second.

Mr. Speaker: Well, I will call Mr. Banks first, just in case.

Mr. Banks: The point that I want to make, further to the point of order, is that it is all very well for the hon. Member for Dartford (Mr. Dunn) to talk about courtesies inside the House. I should have thought that the House should afford certain courtesies to people outside. To put someone's address in an early-day motion can be interpreted only as maliciousness on the part of the hon. Member for Dartford. Of course we have free speech, but we also have rules about early-day motions. There is not absolute licence here. I suggest to you, Mr. Speaker, that one of the rules that should now be applied is that we do not put people's personal addresses in contentious early-day motions.

Mr. Speaker: It would not be for me to impose a rule on the House. That would have to be done through the Select Committee on Procedure.

Mr. Terry Dicks (Hayes and Harlington): Further to that point of order, Mr. Speaker. It is a bit hypocritical of Opposition Members to raise that matter, bearing in mind that the Labour party in my constituency has taken photographs of my home, which was very unwelcome for security reasons. Opposition Members should put their own house in order before they start criticising others.

Mr. Skinner: Just by chance, I was in Dartford last Friday. As the hon. Member for Dartford (Mr. Dunn) knows, I was involved in a public meeting there and met Councillor Mike Crosby. The people there told me about the early-day motion—indeed, they have a copy. Although, as my hon. Friend the Member for Bradford, West (Mr. Madden) said, it is believed by some people to be wrong to print the name and address of the person concerned, I must make the point that the motion concerned the non-payment of poll tax. The truth is that Councillor Mike Crosby had paid his poll tax and I saw all the receipts, so the early-day motion is wrong.

Mr. Madden: Further to that point of order——

Mr. Speaker: There is nothing further to add. I made my position clear in terms of order. I have no authority to change the rules of the House. The rules must be changed by the Select Committee on Procedure. There is no more to be said.

Mr. Madden: The hon. Member for Dartford (Mr. Dunn) gave the impression that I had not given him notice of the point of order. I left a note for him on the message board at 2.15 pm today saying that I intended to raise the matter on a point of order. I also tabled early-day motion 972 about the matter, asking the hon. Member for Dartford to withdraw his early-day motion and to apologise. I am sad that he has not taken the opportunity to do so today.

Orders of the Day

Northern Ireland (Emergency Provisions) Bill

Lords amendments considered.

Ordered,

That the Lords Amendments to the Northern Ireland (Emergency Provisions) Bill be considered in the following order, namely, Nos. 12, 31, 1 to 11, 13 to 30, 32 and 33.—*[Dr. Mawhinney.]*

After Clause 59

Lords amendment: No. 12, to insert the following new clause—

Independent Assessor of Military Complaints Procedures in Northern Ireland.

(" .—(1) The Secretary of State shall appoint a person to be known as the Independent Assessor of Military Complaints Procedures in Northern Ireland (in this Act referred to as "the Independent Assessor").

(2) A person shall not be eligible for appointment as the Independent Assessor if he is, or at any time during the period of twenty years ending with the date of the appointment has been, a serving member of Her Majesty's forces.

(3) Schedule *(Independent Assessor of Military Complaints Procedures in Northern Ireland)* to this Act shall have effect with respect to the Independent Assessor.

(4) The Independent Assessor—

(a) shall keep under review the procedures adopted by the General Officer Commanding Northern Ireland ("the GOC") for receiving, investigating and responding to relevant complaints;

(b) shall receive and investigate any representations concerning those procedures;

(c) may investigate the operation of those procedures in relation to any particular complaint or group of complaints;

(d) may require the GOC to review any particular case or group of cases in which the Independent Assessor considers any of those procedures to have operated inadequately; and

(e) may make to the GOC recommendations concerning any inadequacies in those procedures, including inadequacies in the way in which they operate in relation to any particular complaint, group of complaints or description of complaints.

(5) In this section "relevant complaint" means a complaint relating to the behaviour of any member of Her Majesty's forces under the command of the GOC, other than—

(a) any complaint which has been referred by the GOC to the Royal Ulster Constabulary and not remitted by the Royal Ulster Constabulary to the GOC to be dealt with by him; and

(b) any complaint relating to a matter in respect of which a claim for compensation has been made under section 62 below or which is the subject of proceedings involving a claim for compensation which have been instituted in any court.

(6) The GOC shall—

(a) furnish such information;

(b) disclose such documents; and

(c) provide such assistance,

as the Independent Assessor may reasonably require for the purpose of the performance of his functions.")

Motion made, and Question proposed, That this House doth agree with the Lords in the said amendment.—*[Dr. Mawhinney.]*

4.39 pm

Mr. Kevin McNamara (Kingston upon Hull, North): I beg to move amendment (a), as an amendment to the Lords amendment, in subsection (4), at end insert—

'(f) may, in the interests of justice, investigate any relevant complaints or groups of relevant complaints.'.

Mr. Speaker: With this it will be convenient to take Lords amendment No. 31.

Mr. McNamara: Although the appointment of an independent assessor of military complaints procedures in Northern Ireland represents a step forward in finding a form of procedure for complaints against the Army, this

[Mr. McNamara]

step is very limited and does not in any way go as far as the tentative scheme proposed by the Opposition when the matter was discussed in Committee.

There are a number of major difficulties with the Government's proposal. First, the assessor will deal not with individual complaints but with the procedures for handling complaints. He has no power to investigate complaints, to give findings or to order recompense. His powers are therefore much more limited than those of the already agreed, but nevertheless limited powers of the independent Police Complaints Commission.

Judging by the duties laid down in Lords amendment No. 12 on the independent assessor, the Government appear to conceive the role of the assessor primarily as an adviser to the General Officer Commanding and to the Secretary of State. His ability to act independently in favour of an individual complainant is constrained by the powers proposed in the Bill. He is very much held at arm's length by the nature of his remit from the investigation of the complaint.

That is reflected in his limited term of office and the variety of reasons for which the Secretary of State can remove him from office. Bearing in mind the controversial nature of investigations into the security forces in Northern Ireland—for example, Army personnel do not appear at coroners' inquests, do not give sworn evidence and are not subject to cross-examination—it does not augur well for the independence of the new office. However, I hope and trust that I will be proved wrong. Decisions on appointment and removal of the independent assessor will be made by the same Minister whose conduct could come under scrutiny.

The debate in the other place showed that the Government assume that the authority of the assessor will derive from his ability to report to Parliament and from the co-operation of the General Officer Commanding. It is automatically assumed in the Government's proposals that there will always be full co-operation between the GOC and the independent assessor. However, the fact that the assessor is meant to be independent raises the possibility of conflict among Ministers, the GOC and the assessor. There are no proper grounds for believing that in those circumstances the independent assessor will be paramount.

Amendment (a) seeks to strengthen the position of the assessor. We urge that he may, in the interests of justice, investigate any relevant complaints or groups of relevant complaints. That would give him an ultimate power to intervene and investigate complaints himself if the interests of the circumstances and of justice so require. In that way, he would be able to act more directly in resolving the issue and be seen by complainants as being more directly involved in their problems.

Lord Colville's report was cited in the other place in support of the Government's amendment. However, while Lord Colville's proposals can be cited in support of the Government's version and procedures, it cannot be used to reject other options. His recommendation was tentative, although his insistence on the importance of the issue of having a viable system of complaints against possible Army or security forces misbehaviour was not.

Lord Colville points out that an informal and rapid procedure for handling complaints is the best way of dealing with many grievances. No one would deny that, but there are always cases that cannot be easily handled in that way, where independent formal investigations may be necessary to alleviate public concern in matters which perhaps do not amount to specific and direct criminal offences.

There are certain cases which are not merely of direct concern to the people involved but which have substantial implications for public policy, confidence in the security forces and for public belief in the possibilities of securing justice in Northern Ireland against the security forces. Those are the types of case that amendment (a) seeks to address.

4.45 pm

In addition to those issues addressed by amendment (a), there are other matters to which the Government must address their mind when explaining the purposes of Lords amendment No. 12. Why is there such a difference between the Army and police complaints procedures? Why is it so great? The Government have not spelt out the reasons for the particular form of Lords amendment No. 12.

Why does the assessor have such limited powers? Why can he not both initiate inquiries and have complaints brought directly to him? Given the definition of "relevant complaint" as one relating to a member of the armed forces under the command of the General Officer Commanding Northern Ireland, can the Minister give an assurance that all members of Her Majesty's forces in Northern Ireland are directly under the command of the GOC Northern Ireland?

A further problem arises when a complaint against a member of the armed services is referred to the Royal Ulster Constabulary for possible criminal charges. What happens if no such charges materialise? As I understand the procedures in the Government's proposals, once the police begin an investigation into such a matter, such a charge would be in abeyance.

If the police decide that there is insufficient evidence for the Director of Public Prosecutions, or if the DPP decides not to prosecute, what will happen? Will the case revert to the jurisdiction of the assessor? If so, will there be any time limits on the period in which the RUC will make complaints? The essence of a complaints procedure, particularly when it does not involve a criminal offence, is that it should be speedy and direct, and the persons involved should see immediately that their problems are being addressed. The biggest complaint we hear from members of the public from both communities relates to the time that it takes for a matter to be resolved.

The Government have responded to a degree to matters which were raised by all the Opposition parties in Committee. However, the Government have missed the opportunity to give their full, frank acceptance of our proposal to give the ordinary person in the street an opportunity to see that justice was being done and that the complaint was being attended to, and that the person involved in assessing the complaint was and is sufficiently independent of the Government, the Minister and the General Officer Commanding.

Mr. Deputy Speaker (Mr. Harold Walker): I should inform the House that this group of amendments involves privilege.

The Minister of State, Northern Ireland Office (Dr. Brian Mawhinney): On 17 January, in Committee, I

announced that the Government were considering whether it would be possible to introduce an independent element into the complaints procedure relating to Her Majesty's forces. I returned to the subject on Report, and announced that the Government had decided to accept Lord Colville's recommendation that we should consider the appointment of some independent outside person to carry out on a continuing basis an audit of the way in which armed forces complaints procedures are operating. I also said that the necessary provisions would be brought forward in another place. The new clause and its associated schedule give effect to that undertaking.

The new clause would require the Secretary of State to appoint an independent assessor of military complaints procedures in Northern Ireland. It also outlines the independent assessor's functions in some detail. The assessor would be required to keep under review the procedures adopted by the General Officer Commanding Northern Ireland for receiving, investigating and responding to non-criminal complaints relating to the behaviour of members of the armed forces under his command. The assessor would be required to receive and investigate any representations concerning those procedures. He may also investigate the operation of those complaints procedures in relation to any particular complaint or group of complaints. He may require the General Officer Commanding Northern Ireland to review any particular case or group of cases in which he considers any of the procedures to have operated inadequately; and he may make recommendations to the General Officer Commanding concerning any inadequacies in the procedures.

The assessor has not been given any role in relation to complaints of criminal misconduct by the armed forces. Allegations of criminal misconduct by the armed forces are, and will remain, subject to independent investigation by the Royal Ulster Constabulary.

I have listened carefully to what the hon. Member for Kingston upon Hull, North (Mr. McNamara) said in moving amendment (a), but I have to tell the House that the Government do not support it. The hon. Gentleman criticised the fact that the assessor has not been empowered directly to investigate the substance of non-criminal complaints. The purpose of his amendment is to give the assessor such a role. But the Government do not support giving such a role to the assessor, and I should like to explain why.

First, I ask hon. Members to note that the Government have done exactly what Lord Colville recommended. I refer the House to paragraph 5.25 of Lord Colville's report, where he refers to the appointment of independent outside persons

"who carry out an audit of the way in which complaints procedures are operating".

Lord Colville goes on to say:

" . . . such persons do not perform a reappraisal of any individual complaint investigation on its merits, but undertake a survey of the effectiveness of the machinery. They have generous access to files, can accept complaints about the procedure from anyone aggrieved, exercise a general oversight and usually publish an annual Report."

That is exactly what the Government have provided in the new clause.

Mr. Seamus Mallon (Newry and Armagh): At this stage, the Minister should perhaps elaborate on what he means by "generous access to files", because that is a crucial element of the proposal. By "generous", does he mean comprehensive?

Dr. Mawhinney: I am not sure what distinction the hon. Gentleman is seeking to draw between "generous" and "comprehensive". The assessor will have access whatever files he wishes to have access to.

We believe that Lord Colville's recommendation—

Mr. McNamara: Returning to the intervention of the hon. Member for Newry and Armagh (Mr. Mallon), the Minister made an important point when he said that the assessor will have access to any files that he thinks necessary. Does that mean that no inhibitions whatsoever will be placed upon the assessor seeking to look at any file?

Dr. Mawhinney: The answer to the hon. Gentleman's question is that the provisions place a duty on the General Officer Commanding to

"furnish such information . . . as the . . . Assessor may reasonably require."

That is a direct quote from amendment No. 12. That is what I meant when I said, in shorthand, that the assessor will have access to whatever files the assessor believes that he should have access to.

Mr. McNamara: Does "reasonably" apply to what the GOC regards as reasonable or what the assessor regards as reasonable?

Dr. Mawhinney: As the hon. Gentleman knows, there is a mechanism for ultimately determining what is or what is not reasonable in the legislation.

Mr. David Trimble (Upper Bann): I am sure that the hon. Minister will agree that amendment No. 12 states that the GOC shall provide

"such information . . . as the . . . Assessor may reasonably require for the purpose of the performance of his functions."

Surely that means "reasonably require" from the point of view of the independent assessor's functions, and that other factors should not intervene.

Dr. Mawhinney: The hon. Gentleman does the House a favour by quoting the provisions exactly and at length.

Mr. Mallon: He is acting as the Minister's PPS.

Dr. Mawhinney: I am not sure that the hon. Member for Upper Bann (Mr. Trimble) would necessarily favour that offer by the hon. Member for Newry and Armagh (Mr. Mallon).

The hon. Member for Kingston upon Hull, North is right that this is an important part of our new proposals. I hope that a consequence of our exchange is that he has been able to accept that some of his remarks, on moving his amendment, did not deal as deeply with the powers that we are giving the assessor as he might originally have thought.

We believe that Lord Colville's recommendation was right. The Government are confident that all complaints alleging non-criminal misconduct by members of the armed forces are treated seriously by the Army authorities and are scrupulously and thoroughly investigated; and that appropriate disciplinary action is taken in relevant cases. We are not currently persuaded of the need for independent investigation of such complaints.

However, I ask hon. Members also to look carefully at the functions which have been conferred on the

[Dr. Mawhinney]

independent assessor, as set out in clause 60(4), and in particular those in paragraphs (c), (d) and (e). Although these do not amount to giving the assessor a direct role in the investigation of complaints, they do amount to important new and review functions which go a long way to meet the concerns which have been expressed.

Thus, the assessor will be able to investigate how the complaints procedures have operated in relation to any particular complaint. That will enable the assessor to examine the effectiveness of the procedures for investigating complaints. Moreover, as I said, the assessor may require the General Officer Commanding to review any particular case where he believes that the investigation procedures have operated inadequately.

Finally, the assessor is empowered to make recommendations to the GOC concerning any inadequacies in complaints procedures, including—and this is of crucial importance—any inadequacies in the way in which the procedures have operated in relation to any particular complaint or group of complaints. It is clear, therefore, that, if the assessor finds the investigation procedures to have operated inadequately in relation to a particular case, he may require the GOC to review that case, and he may make recommendations to the GOC concerning any inadequacies that he has identified.

I hope that the House will agree that this is an important new provision. The Government believe that the assessor's functions are appropriate, and that he has been given sufficiently wide powers to make the new office fully effective.

Mr. Peter Robinson (Belfast, East) *rose*——

Dr. Mawhinney: It is for those reasons that, as I said earlier, I must ask the House to reject the Opposition amendment——

Mr. Robinson: I am grateful to the Minister for giving way, because I suspect that he is coming to the end of his speech and I want to intervene before he does so.

Does the hon. Gentleman accept—I know that he will—that people in Northern Ireland look at the same situation from a different angle or vision? Is he aware that a broad body of opinion in Northern Ireland is concerned about the legislation that is piling up, which seems to burden our security forces and to make it more difficult for them to operate and to move left or right? Given that we are meeting after another soldier was brutally done to death in my constituency last night by the Provisional IRA, I am sure that the Minister will understand that, when considering with whom they should have sympathy in such circumstances, most people have sympathy with our security forces. Do we really need to make their job that much harder instead of making the task of the terrorist harder?

Dr. Mawhinney: I am sure that the whole House will have sympathy with the family and friends of the soldier who was murdered last night, and that that will not be a matter of debate across the House—nor will the associated condemnation of those who coldly, calculatedly and cold-bloodedly killed him.

I understand the point that the hon. Member for Belfast, East (Mr. Robinson) made. Indeed, I believe that it was made in Committee on several occasions. I recollect his hon. Friend the Member for Mid-Ulster (Rev. William McCrea) making a similar point. However, his hon. Friend also accepted in Committee that it was important to have a balance between allowing the security forces to get on and do the job of supporting the Royal Ulster Constabulary, which they are there to do and in which, as the hon. Gentleman said, they have the backing of the vast majority of people in Northern Ireland, and the need, which is also important, for the community to have confidence in the conduct of security-related activity in the Province, because, if that confidence were in any way undermined, the task of the security forces would be made more difficult.

It is not part of the Government's intention in the amendment to shackle the security forces and make their job more difficult. But the Government seek to recognise that a certain level of accountability must be required from the security forces, as it is of the police and others who are involved in public service in the Province.

5 pm

Rev. William McCrea (Mid-Ulster): Does the Minister agree with me, however, that, while confidence in the security forces is certainly necessary, it is important that Members of Parliament should not only say that they give their support to the security forces but encourage their supporters to be an effective part of the security forces in their drive against the terrorist threat that is upon the whole community?

Dr. Mawhinney: The hon. Gentleman is tempting me to move wide of the amendment, but he makes a point in his own way which has been reflected on several occasions in the House. Within the House, there is general support for the security forces in carrying out their functions legitimately. I am sure that that support is welcomed on both sides of the Chamber.

Mr. Mallon: Will the Minister make it clear, before the issue keeps cropping up throughout the debate, that we are dealing with legislation, and therefore, in effect, with the law? It is not a matter of condescending to give people some type of protection under the law. The law itself is duty bound to protect the individual as well as to apprehend and punish the guilty. That is the responsibility of the law. Protection is not something given by grace or favour by the House or by any legislation. There is a duty under the law to provide it. I should like the Minister to clarify that as of now.

Mr. Deputy Speaker: Order. I should perhaps express a cautionary note at this stage: we are in danger of going very wide of the amendments.

Dr. Mawhinney: I take your caution, Mr. Deputy Speaker. All that I would say to the hon. Gentleman is that the law has been agreed through Parliament and, of course, it must be applied in exactly the way that he says.

Mr. Trimble: I want to ask the Minister two questions. The first is on subsection (2) of the new clause. While I appreciate that one wants to ensure that the independent assessor is genuinely independent, that will depend largely on the character of the assessor. So is it really wise or right to exclude from that post any person who has served in Her Majesty's forces in the past 20 years? Might not experience of service in the forces in some cases be of assistance, and possibly regarded as a qualification?

My second question is on subsection (5) of the new clause. The Minister may recall that the hon. Member for Kingston upon Hull, North (Mr. McNamara) asked for an assurance that all persons deployed as members of the security forces in Northern Ireland would be under the command of the General Officer Commanding. The Minister may have forgotten to deal with that.

Dr. Mawhinney: I am grateful to the hon. Gentleman for reminding me of the second point. Not everyone in Northern Ireland is under the command of the GOC. There are Territorial Army units and training units in Northern Ireland which are not under his control.

Mr. Trimble: I was referring to forces operating as security forces.

Dr. Mawhinney: Security force operations are under the control of the GOC. The hon. Gentleman did not mention the word "security"; I think that he simply said "forces". He used a broad brush in his question, and I was seeking to respond to the question that he asked.

The first point is a matter of judgment. Of course, the hon. Gentleman is right. One could say that service in the armed forces might be an advantage to someone in the role of an assessor. It is a matter for judgment whether in such cases there should be five, 10, 20, or 30-years between service and eligibility. The Government have come to a judgment that 20 years is appropriate, but I recognise that that is a judgment and, as such, is open to debate.

The associated schedule deals with a number of "housekeeping" matters, such as the independent assessor's tenure of office, his remuneration, staff and reports. I should like to say a little more on that last matter. The assessor would be required to submit an annual report to the Secretary of State on the performance of his functions. The schedule provides that such reports are to be published and laid before each House of Parliament. Provision is also made for the independent assessor to make a report to the Secretary of State about any matter which comes to his attention in the course of the performance of his functions. The Government believe that that is an important new safeguard.

We are confident that this new measure to establish the office of independent assessor of armed forces' complaints procedures, coming in addition to all the other improvement in complaints systems introduced in recent years, will be in the public interest. We believe that it will be of value to not only the community, but the armed forces themselves in helping retain the confidence and support of all men and women of good will from both traditions in Northern Ireland.

As I said earlier, we cannot accept the Opposition's amendment, but I commend the Lords amendment to the House.

Mr. Mallon: I support the amendment tabled by the hon. Member for Kingston upon Hull, North (Mr. McNamara), although I regard even that as inadequate, for several reasons which I shall explain briefly. The first problem is the location. In practical terms, if the complaints procedure is to be effective, there must be ready access to the person's office so that the role can be overseen in a practical way in accordance with the Government's position and the Lords amendments.

Whoever would be appointed would sit in an office somewhere in the Greater Belfast region. He might deal adequately with the situation in Greater Belfast, but he would be completely inaccessible to the vast tract of Northern Ireland outside that area. The problem of location also affects the operation of the Police Complaints Commission. It is a common factor. Although the commission has the power under the legislation to go out, investigate and see for itself at first hand, the instances of its doing so are few and far between. Location seems a small point, but it is a big problem if one happens to live in say, South Armagh and happens to be the recipient of undue attention from the security forces. People in such areas have no access to the location where the assessor will be.

The second point is about the person. I do not want to make it in an offensive way, but I can find no other way of doing so. What sort of person will he or she be? Will he or she be drawn from the coterie of people in the north of Ireland who, for whatever reason, seem to be suitable for a Government appointment to such a job? He or she will certainly not be a Unionist with a capital "U" or a Nationalist with a capital "N". If experience is anything to go by, he or she will be someone whose experience in the community bears no relation to the sort of problems being dealt with. I would rather see the position given to a committed Unionist, with a capital "U", with enough courage and bottle to stand up and deal with the problems, than to a nice person who has been brought in because she or he holds a tea cup properly on special occasions.

Without being offensive, may I suggest that, given the circumstances in the north of Ireland, with 20 years of violence and 20 years of problems stemming from violence of all sorts, it seems incredible that we cannot find the right sort of person to sit on the Police Complaints Commission who has direct experience on the ground. I do not wish to be personal, but it stretches my credibility—and perhaps that of others—that the vice chairman of the Police Complaints Commission is the wife of a High Court judge. It requires a stretch of the imagination to establish any credibility for that appointment. I shall not go further than that, although I could. I make a plea to those who make the decisions that the communities in the north of Ireland, whether Unionist or Nationalist, contain some honest people who could be chosen to carry out such a job.

I envisage some great difficulties in relation to the operation of the assessor, which I shall couch in terms of recent experience. Mr. Stevens was sent to the north of Ireland to investigate alleged collusion between members of the security forces and terrorist organisations. Mr. Stevens' team had to go to Army headquarters, knock on the door or ring the bell, and say to whoever answered, "We understand that you have boxes of montages containing confidential information about people, and that those boxes were given to you by a member or members of a terrorist organisation to prevent them from being caught with them; could we please have them?" I wonder what the position of the independent assessor, supervising the Army's position, would be in those circumstances. Where would his powers—his teeth—lie? That situation occurred recently in the north of Ireland and was investigated. If we put an independent assessor without any power into that position, it is difficult to imagine what the GOC might have to say to him. In reality, the Stevens inquiry had to wring the evidence out of the Army. That is one of the good reasons why the assessor must be independent, not someone without the power or the teeth to deal with the problem

[Mr. Mallon]

I shall make a third general point which I believe is relevant. With whom does the responsibility rest for the implementation of the legislation that Parliament draws up? Is it the GOC, the Chief Constable or the Government, acting through Parliament? That is a crucial question, to which the answer is equally crucial. The attitude is developing both in the House and in practice that the people who make security decisions, on policy or otherwise, are not Ministers, but those who carry security clout—be they members of the security services, senior Army officers or civil servants. I should like an assurance from the Minister at some stage today that each and every element of Government in relation to Northern Ireland is honouring its duty in making those decisions, not having the decisions imposed on it by people who are not empowered to do so.

Another relevant factor is the grey area of what has been known as "public interest". The term "public interest" is often used on the Floor of the House. If the independent assessor asks to examine the way in which a complaint was made and is told that information and files will not be given to him because it would not be in the public interest, where is the independent assessor's authority? Surely his authority diminishes almost immediately. Such circumstances can and will arise.

5.15 pm

There is a distinction to be made between the criminal complaint and the non-criminal complaint. Those of us who deal with such matters at the coal face on an almost weekly basis know exactly what the procedure is. First, the complaint goes to the police to establish whether it is a criminal complaint. A period elapses while that decision is made. If the complaint is deemed not to be a criminal one, it is returned to the Army authorities, by which time the soldier and regiment involved are no longer in Northern Ireland, but are in Germany or somewhere else. I have filing cabinets full of letters stating that the Army would be only too glad to deal with a problem, but that the person involved is now in a different country and, unfortunately, the matter must rest there.

These are the sort of difficulties that present themselves on a daily basis. That is why the independent assessor, as envisaged by the Government, will be quite inadequate. Even if the Lords amendment were carried, as I hope it will be, the assessor's toothlessness will remain due to his inability to penetrate the grey area of the decision-making process in relation to security.

Mr. Peter Robinson: I wish briefly, not so much to make a speech, but to put several questions to which the Minister may respond when he replies.

During an intervention I told the Minister of my general concern, and that of a large section of the community in Northern Ireland, at the practice of wearing down the security forces with various forms of restrictions, regulations and inquiries about this, that and the other, as though people in the forces had to be scrutinised the most and we should spend the majority of our time looking at what they were doing. Instead, we should concentrate on those causing death and devastation in Northern Ireland. Perhaps if the House spent as much time thinking of ways and means to take on the terrorists and remove them from our society, we should have less cause to concern ourselves with the tasks that our security forces are asked to do in the most difficult circumstances.

When I consider clause 59 and the appointment of an independent assessor, I am forced to think of the difficulties faced by the Secretary of State when he is being asked to appoint people to independent posts. During the past weeks, if not months, we have been considering the appointment of an independent chairman. If that has not acquainted the Secretary of State with the difficulties of finding someone who is deemed to be independent by all parties, perhaps nothing will. If he did not have the power that is set out in the Bill to make an appointment, I suspect that no one would be found to take on the task. It would be a long day before the hon. Member for Newry and Armagh (Mr. Mallon), we who represent constituencies in Northern Ireland who sit on the Government side of the Chamber and those who similarly represent Northern Ireland constituencies but who sit on the Opposition Benches agreed on who the independent assessor might be. I have no doubt that we would have to take into consideration the views of both the Government and the Opposition.

Would the matter have to go before the Anglo-Irish conference? Will that body have a say in who the assessor will be? Under the Anglo-Irish Agreement, would the Government of the Irish Republic be entitled to make a proposal? Perhaps the Minister will tell us when he replies.

I suspect that much of what is contained in the Bill is designed for cosmetic purposes. I say that with the deepest regret.

Mr. Barry Porter (Wirral, South): Has it not become entirely obvious during this short debate that the Government have leant over backwards to provide someone who is independent to take on the task of the independent assessor? However, if we produced the Archangel Gabriel, some Opposition Members would find something wrong with that.

Mr. Robinson: I think that they would object if Gabriel was chosen for the task.

When introducing legislation in the past relating to terrorism in Northern Ireland there have been attempts, for cosmetic purposes, to show that something is being done. I have in mind the legislation that prevents members of proscribed organisations from being heard when they are shown on television. We see their mouths moving, but we are not allowed to hear what they say. An actor can speak for them and utter the appropriate words as the lips of the terrorists move. For some unknown reason we are not allowed to hear terrorist spokesmen as they make their remarks. My view is that if we are to do a job, we should do it properly. In other words, we should ensure that terrorists do not appear on television screens. I suspect that this sort of legislation will contain provisions that are designed for cosmetic purposes.

Can the Minister assure the House that a truly independent person will be appointed? I do not want a yes man to be appointed. I have genuine sympathy for some of the comments made by the hon. Member for Newry and Armagh, for there is a small group in Northern Ireland from which the Government seek to make their appointments for all the major posts within the Province. Appointees have usually been members of the Alliance party at some stage in their careers. Alternatively, they are

members of the small group in Northern Ireland that has affiliated itself to the Conservative party. They have assisted the Tory party from time to time, no doubt because of their affluence if not their influence. These people seem always to be given the key posts by means of the various appointments that are made in Northern Ireland by the Secretary of State. I doubt whether the right hon. Gentleman will have any credibility if he appoints someone who merely holds down the post and is not seen to be doing the job for which he has been appointed.

Mr. Trimble: The hon. Gentleman is right to draw attention to the disproportionate number of public appointments that are made within the membership of the minuscule Alliance party. He must concede that a few appointees are members of Nationalist parties and of nationalist persuasion. Almost no appointees come from the majority Unionist community.

Mr. Robinson: I shall be cautious in replying to the hon. Gentleman's intervention. The Minister appointed me to a post on the Sports Council. I know that if I do not admit that now he will ensure that it is commented upon at the end of the day. He was able to make the appointment because I was nominated by my district council. My hon. Friend the Member for Mid-Ulster (Rev. William McCrea), who was appointed to the Housing Executive, followed the same route, as have many others.

Rev. William McCrea (Mid-Ulster): Now that my hon. Friend has aspired to the great heights of the Sports Council, perhaps he will use his influence to encourage the Minister to appoint some of our colleagues to other positions in the Province.

Mr. Robinson: I have greater hopes. I hope that with the success of the talks it will be us who will be appointing rather than the Minister. We might appoint the Minister to something after we have taken over.

It seems that there is one major criterion that must be considered when it is decided whether a person is appropriate to take on the task of the independent assessor. One would think that it would be deemed that the character of the individual would be the most important factor, and that a clear guideline would appear in legislation that no one with a criminal record should be appointed to the post. That guideline is not to be found in the Bill. One might think that some degree of experience in an area of the law, for example, might be necessary. Again, that is not set down in the Bill. Following the deep thinking of those who drafted the Bill, there is only one criterion, and it is a negative one: the Bill provides that the appointee should not have been a member of Her Majesty's forces for the past 20 years. It seems that it is all right if someone has been a criminal, but if he has been a soldier or an airman he is ineligible to take up the post.

I suggest that someone from another branch of the security forces might be the best person to be appointed. He would have some knowledge of the way in which Her Majesty's forces operate. He would know when the General Officer Commanding or any other senior officer was trying to pull the wool over his eyes. Such a person would perhaps not be so easily intimidated as others by the top brass within the Army when he attempts to do business. It is wrong that there is a carte blanche refusal to have an independent assessor who has been in Her Majesty's forces within the past 20 years.

There is not much information about the way in which the independent assessor will undertake his responsibilities. We are aware of the various rights—perhaps "rights" is putting it too strongly—that the assessor will have to obtain papers and other pieces of information. To take up one of the terms used by the Minister, I think that they are generous. It would have been pleasant for those of us who were members of the Northern Ireland Assembly to have had the same rights, which would have enabled us to obtain documentation from Departments. The Minister is right that the position of the independent assessor will be such that it will not be possible to hold him back from doing his job by failing to supply him with adequate information. It seems, however—perhaps I have not studied the provisions closely enough—that the independent assessor will not be able to speak to the soldier against whom an allegation has been made, whether or not in the company of a senior officer, so that he can make an assessment of whatever the complaint may be. Will the Minister give us a more graphic description of the sort of job that he sees the independent assessor doing and the way that he might go about it?

Lords amendment No. 12 would insert a new clause 59, subsection (4)(d) of which says that the independent assessor

"may require the GOC to review any particular case".

Can the independent assessor simply force the GOC to review the case, or can he go beyond that and force him to review it in a particular way? It would be fairly meaningless if, having looked at what the GOC might have done in a particular case and having found that he dealt with it inadequately, he asked them to review it and the GOC did just what he did before. The independent assessor would not convince people in the community of his worth if he did not have the power to encourage the GOC to go beyond simply rubber-stamping his decision.

I hope that the Minister will respond to those matters, but, above all, I press him, instead of introducing more and more legislation to tie down our security forces, to bring us legislation that will encompass a new, strong, tough security initiative against the terrorists so that the men who are really causing problems in Northern Ireland can be dealt with.

5.30 pm

Dr. Mawhinney *rose*——

Mr. Deputy Speaker: I take it that the Minister has the leave of the House to speak again.

Dr. Mawhinney: The hon. Members for Newry and Armagh (Mr. Mallon) and for Belfast, East (Mr. Robinson) asked a number of questions, and it would be courteous if I responded briefly.

The hon. Member for Newry and Armagh commented on the Stevens inquiry and collusion. That goes well beyond the purpose of the clause. It is an offence under the Bill to possess information such as montages likely to be useful to terrorists, and because it is illegal, it would be an offence for the RUC to investigate rather than the assessor.

The hon. Gentleman also asked who makes policy. As the hon. Gentleman knows, policy is made by Ministers, but operational details are not their responsibility. He, like the hon. Member for Belfast, East, asked who the assessor would be and what would be his standing in the community. I hope that he will accept what I am about to

[Dr. Mawhinney]

say in the spirit in which it is said. The assessor will have to be someone who can command confidence across the community.

That leads me to a question asked by the hon. Member for Belfast, East. When he said—I do not believe that I do him an injustice—that he thought that it would be difficult for him and the hon. Member for Newry and Armagh to agree on an independent assessor, he highlighted the importance of having someone who can command confidence across the community and put the appointment into sharp political focus. Perhaps, in so doing, he went at least some way to answer the concern expressed by the hon. Member for Newry and Armagh about the appointment of those who are clearly and strongly identified in political terms with one part of the community or the other.

The hon. Gentleman said that the only requirement was that the man should have been independent of the armed forces for the previous 20 years, but he did not go on to mention paragraph (1) (4) of Lords amendment No. 31, which enables the Secretary of State to remove from office anyone who has been convicted of a criminal offence, has been made bankrupt or is otherwise unfit to perform his functions. Those were some of the points raised by the hon. Gentleman, and I hope that he will be encouraged to find them in the legislation.

The statutory responsibility for the appointment falls on the Secretary of State. I have already answered the hon. Gentleman's point about the appointment of a yes man. As I said to the hon. Member for Newry and Armagh, the man, or woman, will have to command confidence across the community. The hon. Member for Belfast, East is right—getting political agreement across the community is not necessarily the easiest job of any Secretary of State, as we have discovered during recent weeks, but I believe that there are people who can command confidence, and I accept the comment of the hon. Member for Newry and Armagh that that confidence should involve a degree of independence to enable him to do his job.

The hon. Gentleman asked how the person appointed will do his job. That is a matter not for me but for the person who is appointed. He will have his own views on how the job should be conducted within the law passed by this Parliament. He will be able to ask the GOC to review procedures in a particular case, and the GOC, who I am sure will want to co-operate with such a request, will also be conscious that the assessor will be producing an annual report which will not only go to the Secretary of State but will be laid before both Houses of Parliament. I believe that, when I spoke about that matter, I stressed the importance of that aspect of the legislation.

Mr. Peter Robinson: The Minister does me an injustice if he suggests that I have not seen the amendment to the schedule concerning being convicted of a criminal offence. Clearly, I did not get my point over to the Minister. I was drawing a comparison between the clause 59 provision that a person shall not be eligible if he has been a serving member of Her Majesty's forces and the schedule which says that the Secretary of State may remove someone who has a conviction or a criminal record. There is nothing to prevent the Secretary of State appointing someone with a conviction or a criminal record as an independent assessor. It may be unlikely, but the legislation does not prohibit it.

Dr. Mawhinney: I apologise if the hon. Gentleman thought that I was misrepresenting him; I was not doing so deliberately. I think that the hon. Gentleman and I would agree that it would be fairly unlikely for the Secretary of State to appoint someone with a major criminal conviction, given the power in the legislation to have such a person removed were it to happen once he had been appointed.

I think that I have addressed the questions that were asked of me. I hope that, in the light of what I have said, the House will not accept amendment (a) but will accept Lords amendments Nos. 12 and 31.

Mr. McNamara: I have listened with care to what the Minister had to say. He did not answer the main point at issue—the individual right of complaint to be taken up by an independent assessor against the security forces. In view of the Minister's failure to do that, I shall seek to divide the House.

Question put, That the amendment be made *to the Lords amendment:—*

The House divided: Ayes 98, Noes 199.

Division No. 184] **[5.37 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Anderson, Donald
Armstrong, Hilary
Ashton, Joe
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Battle, John
Beckett, Margaret
Beith, A. J.
Benn, Rt Hon Tony
Blair, Tony
Boateng, Paul
Brown, Nicholas *(Newcastle E)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cook, Frank *(Stockton N)*
Corbett, Robin
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Edwards, Huw
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Foster, Derek
Fyfe, Maria
Galloway, George
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Graham, Thomas
Griffiths, Win *(Bridgend)*
Haih, Peter
Hattersley, Rt Hon Roy
Hood, Jimmy
Howells, Geraint
Hughes, John *(Coventry NE)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Jones, Martyn *(Clwyd S W)*
Kennedy, Charles
Leighton, Ron
Lestor, Joan *(Eccles)*
Livingstone, Ken
Loyden, Eddie
McAllion, John
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McGrady, Eddie
McKelvey, William
McMaster, Gordon
McNamara, Kevin
Madden, Max
Mahon, Mrs Alice
Mallon, Seamus
Marek, Dr John
Marshall, Jim *(Leicester S)*
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Mullin, Chris
Nellist, Dave
O'Brien, William
Owen, Rt Hon Dr David
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Quin, Ms Joyce
Randall, Stuart
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Sheerman, Barry
Short, Clare
Skinner, Dennis
Smith, C. *(Isl'ton & F'bury)*
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*

Williams, Rt Hon Alan
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Ken Eastham.

NOES

Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Beggs, Roy
Bennett, Nicholas *(Pembroke)*
Blackburn, Dr John G.
Blaker, Rt Hon Sir Peter
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl'ts)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evennett, David
Farr, Sir John
Fenner, Dame Peggy
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Gale, Roger
Gardiner, Sir George
Garel-Jones, Tristan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(Herts W)*
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knowles, Michael
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Lester, Jim *(Broxtowe)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Rt Hon Sir Nicholas
McCrea, Rev William
McCrindle, Sir Robert
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McNair-Wilson, Sir Michael
Maginnis, Ken
Malins, Humfrey
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mitchell, Andrew *(Gedling)*
Moate, Roger
Molyneaux, Rt Hon James
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Paisley, Rev Ian
Patnick, Irvine
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Raison, Rt Hon Sir Timothy
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Sir Robert
Riddick, Graham
Robinson, Peter *(Belfast E)*
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Ryder, Rt Hon Richard
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stewart, Andy *(Sherwood)*
Summerson, Hugo
Taylor, Sir Teddy
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Tracey, Richard
Tredinnick, David
Trimble, David
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. David Lightbown and
Mr. Neil Hamilton.

Question accordingly negatived.

Subsequent Lords amendments agreed to. [Special Entry.]

Clause 1

THE SCHEDULED OFFENCES

Lords amendment: No. 1, in page 1, line 9, leave out ("or Part III") and insert (", III or IV")

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 9, 10 and 20.

Dr. Mawhinney: The amendments were added to the Bill in another place to strengthen further the provisions aimed at those people who deliberately involve themselves in activities intended to provide finance for terrorism. That objective has been widely reported in this House and also in another place.

The combined effect of the amendments is to provide that any offence which is charged as a result of the use by authorised investigators of the new powers set out in clause 57 and schedule 5 of the Bill should be both scheduled offences—that is, triable before a non-jury court—and relevant offences—that is, offences, convictions for which will count for the purpose of attracting the confiscation provisions in part VII and schedule 4 of the Bill.

Amendment No. 1 simply inserts a definition of the new scheduled offence into schedule 1 of the Bill as a new part IV to that schedule. Amendment No. 20 contains the context of that new part IV. The definition is provided by reference to a certification by an officer of the Royal Ulster Constabulary, not below the rank of superintendent. That officer will certify as to a question of fact that the offence is one charged in consequence of a terrorist fund investigation. The definition in those terms is necessary because the pre-trial procedures for scheduled and non-scheduled offences are different, and there must be some measures by which the magistrate can be informed that an offence which might not look like a scheduled offence is such an offence.

[Dr. Mawhinney]

Amendments Nos. 9 and 10 provide that any offence which is tried as a scheduled offence, by virtue of the amendments to which I have just referred, will be a relevant offence, as defined in clause 49.

The amendments were widely welcomed in another place. They are intended to ensure that those people who wilfully involve themselves in activities which generate finance for terrorism, and often in profit for themselves, can more effectively be brought to justice, and I commend them to the House.

Mr. McNamara: It is interesting to note that we are arriving at a scheduling-in process. Perhaps in future that will be developed even more firmly.

Question put and agreed to.

Clause 19

POWER TO SEARCH FOR MUNITIONS, RADIO TRANSMITTERS AND SCANNING RECEIVERS

Lords amendment: No. 2, in page 13, line 23, leave out from beginning to ("any") in line 25 and insert—

("(3) If it is necessary for the purpose of effectively carrying out a search—

(a) a member of Her Majesty's forces or constable exercising the powers conferred by subsection (1) above may be accompanied by other persons; and

(b)")

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

Clause 19(3) of the Bill creates a new power to enable civilian specialists to accompany searches of premises, including dwelling houses or other places where there are munitions or transmitters.

When this provision was considered in Committee on 15 January concern was expressed by the hon. Members for Leicester, South (Mr. Marshall) and for Newry and Armagh (Mr. Mallon) that the provision was too widely drafted and could enable almost anyone to be authorised to accompany a search. At that time the hon. Member for Leicester, South said that the clause contained no provision that requires someone's presence to be "both justifiable and or necessary." We have given thought to that matter. The Government amended the provision in another place to provide that other persons may accompany a search or be authorised to accompany a house search only if it is necessary effectively to carry out the search. Therefore, the amendment requires a person's presence to be justifiable and necessary, which would be a further safeguard on the operation of the new provision.

Mr. McNamara: The Opposition are grateful to the Government for accepting our argument that more precision is needed in the safeguarding of individuals. We welcome what has been done.

Question put and agreed to.

Lords amendment: No. 3, in page 14, line 22, at end insert—

("(7A) Where a member of Her Majesty's forces or a constable carries out a search under subsection (1) or (2) above he shall, unless it is not practicable to do so, make a written record of the search which shall specify—

(a) the address of the premises, or a description of the place, which is searched;

(b) the date and time of the search;

(c) any damage caused in the course of the search; and

(d) anything seized in the course of the search.

(7B) Such a record shall also include the name (if known) of any person appearing to the person making the record to be the occupier of the premises or other place searched; but—

(a) a person may not be detained to find out his name; and

(b) if the person making the record does not know the name of a person appearing to him to be the occupier of the premises or other place searched, he shall include in the record a note otherwise describing him.

(7C) Such a record shall identify the person by whom the search is carried out—

(a) in the case of a constable, by reference to his police number; and

(b) in the case of a member of Her Majesty's forces, by reference to his service number, rank and regiment.

(7D) Where a record of a search is made under this section a copy of the record shall be supplied at once or, where that is not practicable, as soon as is practicable to any person appearing to the person making the record to be the occupier of the premises or other place searched.")

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendment No. 8.

Dr. Mawhinney: The purpose of Lords amendment No. 3 is to place a duty on the police and the armed forces to make a written record, subject to practicability, when they carry out searches of premises, including dwelling houses, or other places under the powers in clause 19.

Lords amendment No. 8 requires similar written records for searches of vehicles, vessels or aircraft under clause 26, but only when they have been removed for the purposes of a search.

While such searches are clearly necessary in the interests of security, it is right that the Government should seek, wherever possible and practicable, to build in safeguards in the exercise of those powers. I know that some hon. Members might wish that the Government had gone further and had required written records for searches of persons in a public place under clause 19(6), or when the power to stop and question under clause 23 is exercised. However, as I said before, such powers are used so frequently that it would not be possible or practicable to complete a written record when they are exercised.

The amendments place a duty on the police and armed forces to make a written record, which must also specify the address of the premises or a description of the place, the date and time of the search, any damage caused and anything seized in the course of the search. It would identify the constable or member of the armed forces making the search, and there is a requirement for a copy of the record to be supplied to the occupier of the premises, or other place searched, at once or as soon as is practicable.

The Government believe that this is an important new safeguard, and I hope that the House will welcome it.

Mr. McNamara: I welcome this amendment, but we could have been saved all this time if the Government had accepted it when we originally tabled it in Committee.

Question put and agreed to.

Clause 22

EXAMINATION OF DOCUMENTS

Lords amendment: No. 4, in page 16, line 29, at end insert

("at once or, if that is not practicable, as soon as is practicable")

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

Clause 22 requires the police and armed forces to make a written record when they exercise their power to examine documents under the clause, and to provide a copy of the record to the owner of the documents. However, the clause does not specify any time limit within which the written record must be provided to the owner of the documents. While that was not a matter of concern to the House when the Government amended clause 22 on Report, it was a matter which concerned their Lordships in another place. It was always the Government's intention that, where practicable, a copy of the written record should be provided at once. That would be especially valuable where documents are used or removed for examination. The amendment is designed to have that effect, and I hope that the House will welcome it.

Mr. McNamara: This amendment requires the security forces to provide a written record on examination of any document under the terms of clause 22 as soon as is practicable, and it is a response to an amendment moved in another place by the Opposition. As it responds to our suggestion, we welcome it.

Despite the Government's efforts to amend the clause, it still presents a number of problems. The problem of legal privilege remains, although the clause has been amended to provide for the recognition of such privilege. The amended clause is still defective, because it does not address the practical difficulty identified in the other place —how the determination of legal privilege is to be made.

The difficulty arises when a policeman or soldier finds a document in the course of a search, or has to determine whether it is legally privileged. As drafted, the clause contains an inherent contradiction: it empowers members of the security forces to search such documents to verify whether they are legally entitled to search them.

6 pm

We foresee a number of problems. Members of the security forces will be forced to make decisions that are normally in the hands of the judiciary. It is not clear how the power will work in practice. The Government have promised that force instructions will be issued to the police and the Army, but there appear to be no plans to provide the public with guidance on how the operation of the clause will affect them—or, indeed, on the degree to which the force instructions will be made freely available to them. There is a possibility of endless friction between the public and the security forces, and the clause is more likely to hinder the security forces than to help them.

The Government seem to rely on the fact that the power to search and seize documents is included in ordinary criminal law—the Police and Criminal Evidence Act 1984. That is a false analogy, for two reasons. First, such powers are confined to searches of premises; secondly, they are subject to judicial control of the issuing of search warrants. Neither condition applies in clause 22.

The Government have tried to make the clause more palatable by inserting the practicability test; nevertheless, we still believe that the Bill would have been better without the clause, which will cause needless confusion. That might as well be on the Government's head, however.

Question put and agreed to.

Clause 23

POWER TO STOP AND QUESTION

Lords amendment: No. 5, in page 17, line 5, leave out ("and question any person") and insert

("any person for so long as is necessary in order to question him").

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

The purpose of the amendment is to clarify the powers to stop and question conferred by clause 23. In Committee, the hon. Member for Newry and Armagh (Mr. Mallon) expressed concern that, in some instances, the power was being used effectively as a power to detain persons for longer than was necessary to question them about the matters covered by subsection (1). This is the second Lords amendment to have arisen, at least in part, as a consequence of what was said in Committee by the hon. Member for Newry and Armagh. We considered his points carefully, and subsequently tabled the amendment in another place to ensure that the clause would not be regarded as a power to detain people for longer than necessary.

The only powers to detain persons for a significant period are those provided by clause 18—the Army arrest power—and clause 94, which allows persons' movements to be restricted during a house or vehicle search. In both cases, the maximum period for which persons can be detained is four hours, unless a further period of detention is authorised by the police.

The amendment is intended as a modest safeguard. I hope that it will be welcomed by the hon. Member for Newry and Armagh and by the House.

Mr. McNamara: In so far as the amendment limits the power to stop and question to the period required for questioning, it should prove a useful means of preventing harassment and what is regarded on occcasion as undue persecution by the security forces—the use of delaying tactics before people are actually questioned. We therefore welcome the amendment, which should go a long way towards enabling us to gain the support for the security forces that is currently needed. People will feel that they are being treated fairly, rather than being unduly harassed and delayed.

Mr. Mallon: I thank the Minister for his kind words. It would be churlish of me not to welcome what he has said, in part at least.

Welcoming the amendment, however, is almost akin to welcoming the news that one is going to be not hanged but half hanged. That is of course an exaggerated analogy, but I should like to take this opportunity to repeat a plea that I constantly make to the Minister.

In emergency legislation, we must always safeguard the rights of the individual, whoever that individual may be. The iniquitous business of stopping people on the street —especially young people—under guard of guns, and

[Mr. Mallon]

searching and questioning them, is not only humiliating; it is bad policing and bad military tactics, and completely counter-productive.

Question put and agreed to.

Clause 25

Power of Secretary of State to Direct the Closure, etc. of Roads

Lords amendment: No. 6, in page 18, line 12, leave out ("The Secretary of State") and insert

("If the Secretary of State considers it necessary to do so for the preservation of the peace or the maintenance of order he").

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

Clause 25 empowers the Secretary of State to direct the closure or diversion of roads, and makes it an offence to interfere with works carried out in connection with such a closure. The amendment is intended to provide a certain safeguard on the exercise of those powers. It would enable the scope of the Secretary of State's power to be stated more explicitly, limiting it to occasions when he considers it necessary for the preservation of the peace or the maintenance of order. I hope that the House will accept the amendment on that basis.

Question put and agreed to.

Subsequent Lords amendments agreed to.

Clause 57

Additional investigation powers

Lords amendment: No. 11, in page 41, line 17, leave out from ("Where") to end of line 26 and insert

("a person who has been authorised under subsection (1) above to exercise the powers there mentioned considers that any material may be relevant to the investigation in relation to which the authority was given, Schedule 7 to the Prevention of Terrorism (Temporary Provisions) Act 1989 (terrorist investigations) shall have effect in relation to the material as if—

(a) the references to a constable in paragraphs 2(1), 3(1) and (2)(b), 5(1) and (3), 6(1), 12(2)(b), 14(3) and 15(1);

(b) the first of the references to a constable in paragraph 3(6); and

(c) the references to a procurator fiscal in paragraphs 12(1) and (6), 13(2), 14(1) and 15(1),

included references to that person; and where (by virtue of this subsection) such a person has made an application for an order under paragraph 3 of that Schedule, the reference in paragraph 4(2)(b) to the constable on whose application the order was made or any constable serving in the same police station shall be construed as referring to that person.")

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

The purpose of the amendment is to extend to authorised investigators appointed under clause 57 some of the powers of a constable under schedule 7 of the Prevention of Terrorism (Temporary Provisions) Act 1989. That Act empowers a police officer to apply for search warrants and production orders in connection with investigations of terrorist finances.

Because the material obtained as a result of the execution of such warrants and orders is likely to be complex and technical, in such cases the RUC will probably apply to the Secretary of State for the appointment of an authorised investigator to assist the investigation. The amendment would simply provide that, when an authorised investigator had been appointed to deal with such an investigation, he could himself apply for any further search warrants or production orders that were required. Persons applying for such orders can expect to be asked searching questions by whomever is considering the application, and it would not be easy for anyone but the authorised investigator to attempt to answer them.

The proposal in no way alters the properly strict conditions that must be fulfilled before any order may be granted under schedule 7. It simply enables an authorised investigator to apply for such orders. It also allows an authorised investigator access to any material that is the subject of an access order. Without such a provision, the authorised investigator would have to seek a production order for the material.

Question put and agreed to.

Clause 60

Codes of practice: police powers

Lords amendment: No. 13, in page 42, line 19, leave out from ("State") to ("the") in line 26 and insert

("shall make codes of practice in connection with the detention, treatment, questioning and identification of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989 and may make codes of practice in connection with—

(a) the exercise by police officers of any power conferred by Part II of this Act of by that Act; and

(b)").

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

On Second Reading, in Committee and on Report, concern was expressed from a number of quarters about police procedures at the terrorist holding centres. I repeat that the Government are wholly committed to ensuring that the highest standards apply in the conduct of police interviews with terrorist suspects. We have listened carefully to the anxieties that were expressed, and have decided to make a number of important changes.

First, we have decided to create a code of practice under the powers in clause 60, dealing with the detention, treatment, questioning and identification of terrorist suspects. The amendment would impose a duty on the Secretary of State to produce such a code; it would also leave intact the enabling power in relation to the other matters currently specified in the clause as possibilities for codes of practice.

The Government also announced in another place on 13 May that we were considering the appointment of an independent commissioner to monitor procedures at terrorist holding centres. While our ideas on that remain at a formative stage, it is possible to envisage a scheme with certain general features.

First, the commissioner would be appointed with the remit to visit holding centres and to have access to those centres at any time of his or her choosing. Secondly, the primary task of the commissioner would be to ensure that the proper procedures relating to the treatment of terrorist suspects were being followed. Thirdly, the commissioner would, therefore, be concerned with such matters as the proper completion of custody records, the procedures

under schedule 3 of the Prevention of Terrorism Act 1989, the proposed code of practice on detention to be made under the Bill, the provisions of part VI of the Bill, the continued supervision of the closed circuit monitors and, generally, to see that the arrangements for the detention of suspects were satisfactory. Fourthly, the commissioner might have the duty to report periodically to the Secretary of State and could be required to draw any matter of immediate concern to the attention of the Chief Constable.

It will take some time to work out the details of the scheme. We are currently having discussions with the RUC, the police authority and the Standing Advisory Commission on Human Rights, among others, on those matters. I hope that the House will feel able to welcome those developments. They demonstrate that the Government have given serious consideration to the concerns that were raised in the House and are prepared, wherever possible and practicable, to introduce new measures to enhance confidence in police procedures and to enhance further the rights of persons arrested and detained under the terrorism provisions in Northern Ireland. I commend the amendment to the House.

Mr. McNamara: The main purpose of the amendment is to place a statutory duty on the Secretary of State in connection with the making of codes of practice concerning detention, treatment, questioning and the identification of people detained under the Prevention of Terrorism Act 1989. That is to be welcomed.

There exists an internal contradiction, however, because whereas the codes of practice dealing with the Army and so on will be discretionary, the code that we are discussing will be mandatory. That requires explanation. When will the code of practice be published? It is important for it to become available as soon as possible because of continuing complaints and controversy surrounding matters at holding centres.

We greatly welcome the decision announced in the other place about the possible appointment of an independent commissioner to examine matters at holding centres. Under what power will the independent commissioner be appointed? Will it be under this or other legislation, or will the appointment flow from the publication of the code of practice?

Issues such as visits to holding centres to see the procedures that are followed, and other aspects of the independent commissioner's remit, are also important. Will the report to the Secretary of State and documents calling matters to the attention of the police constable be publicly reported? Is there likely to be a report to Parliament, as has been suggested under the procedures for the Army complaints system?

I appreciate the difficulties involved and I welcome the general thrust of what is proposed, but are we likely to receive further information on this issue before the House rises towards the end of July? Or shall we have to wait until after the House reassembles in the autumn?

The Minister should be aware that, no matter how much we welcome the new procedures, by far the best safeguard would be to adopt the suggestion of Lord Colville, against which the Government and the RUC have steadfastly set their faces, for the videoing of all interrogations and occurrences at holding centres. That would be the greatest safeguard. Indeed, if what is proposed were coupled with the full sound and video taping and recording of interrogations, that would go a long way towards overcoming many difficulties and suspicions. Even so, we welcome the step that the Government are taking.

6.15 pm

Mr. Mallon: I, too, welcome the code of practice, but I hope that the Minister will use all his courage and make the provision statutory rather than mandatory. Such an approach would go a long way towards helping to ease the minds of people concerned with the code of practice.

While I welcome the appointment of an independent commissioner, I believe that the commissioner should have the power to speak to the person or persons being held. If not, it will seem that he is hearing only one side of the story. Three criteria must be met in that connection. First, only by speaking to the person being held can he know whether and at what time a request for legal advice was made.

Secondly, he could be told whether a request had been made for a visit from the person's own medical practitioner. No amount of oversight of the documentation could establish properly in the mind of the commissioner the facts about that. Without that criterion being met, the commissioner will have to go on the word of, say, the senior police officer, who may have denied such requests for legal advice and the presence of a medical practitioner. To be properly convinced, the commissioner should have the right to talk to the person or persons being held.

Thirdly, the commissioner should know precisely how and when the next of kin was notified of the fact that the person concerned was detained in a holding centre. Without the right to speak to the person in detention, the commissioner will have to accept the word perhaps of the person who made the decision in question.

There seems no reason why such power should not be given to the independent commissioner, remembering that the person concerned is in a police station or holding centre. That person should have the right to say to the commissioner, "I asked for a legal adviser at a certain time; I asked for a visit from a medical practitioner at a certain time; and may I be told whether my parents or next of kin have been notified, as required under the legislation, and at what time that was done?"

Dr. Mawhinney: With the permission of the House, I will speak again.

I thank the hon. Member for Kingston upon Hull, North (Mr. McNamara) for welcoming the amendment. The Government are not currently convinced of the case for making codes of practice in connection with the exercise by the police and armed forces of the emergency powers conferred by part II of the Bill. However, we shall be updating the guide to the emergency powers and will keep the case under review. The hon. Gentleman knows from our exchanges in Committee and on Report that when I say that we will keep the matter under review, that is not just a form of words.

The hon. Member for Newry and Armagh (Mr. Mallon) has misunderstood the difference between mandatory and statutory. The code of practice will be statutory. The Bill would impose a mandatory requirement on the Secretary of State to make such a code.

Both hon. Gentlemen mentioned a number of points about our thinking concerning a commissioner. Though valid points, I cannot respond to them today, for obvious

[Dr. Mawhinney]

reasons. As I said, we are still at the formative stage of our thinking, but I undertake to draw the attention of my noble Friend to the comments of both hon. Gentlemen, although I must tell the hon. Member for Kingston upon Hull, North that I doubt whether we shall be able to conclude our thinking and consultations on the issue before the summer recess.

Question put and agreed to.

Subsequent Lords amendment agreed to.

Clause 66

ORDERS AND REGULATIONS

Lords amendment: No. 15, in page 46, line 35, after ("4") insert

("or paragraph 7 of Schedule 5")

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to take Lords amendment No. 30.

Dr. Mawhinney: Lords amendment No. 30 would place a duty on the Secretary of State to make a code of practice in connection with the exercise by authorised investigators of the powers conferred by schedule 5. Because those powers are, in some respects, as far-reaching as the powers of the security forces in relation to the detention, treatment, questioning and identification of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989, we have thought it appropriate that their exercise should be regulated by a code. Such a code will act as a safeguard for those who are subject to the use of the powers and for the authorised investigators who are to exercise them. The detailed provisions relating to the making of the code are set out in Lords amendment No. 30.

Lords amendment No. 15 provides that an order bringing such a code into operation shall be subject to the negative resolution procedure.

The amendments introduce a significant safeguard. They have been welcomed in another place and by interested parties in Northern Ireland, including the Standing Advisory Commission on Human Rights, and I commend them to the House.

Mr. McNamara: I welcome the Minister's announcement. When the question of greater and extensive powers being given to authorised investigators first jumped on the Committee, grave concern was expressed, particularly by my hon. Friend the Member for Leicester, South (Mr. Marshall) and the hon. Member for Newry and Armagh (Mr. Mallon). The ability to channel powers and responsibilities into a code of practice is to be welcomed, and it ties in with a previous amendment in which we regularised the position of investigators as constables. The combination of the code of practice and the position of constables puts something that was vague, and therefore dangerous, when it was first presented to the Committee into a framework that may allay some of our earlier fears about the powers.

We welcome the proposal, but we shall have to see what is in the code before we can say that it is fully welcomed.

Question put and agreed to.

Subsequent Lords amendment agreed to.

Schedule 1

THE SCHEDULED OFFENCES

Lords amendment: No. 17, in page 51, leave out line 44 and insert—

("(e) paragraph 25B of Schedule 4 (contravention of restraint orders.")

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this, it will be convenient to take Lords amendment No. 32.

Dr. Mawhinney: Lords amendments Nos. 17 and 32 consolidate and strengthen the law relating to breaches of restraint orders granted under powers in schedule 4. As the House will be aware, the purpose of such orders is to freeze assets so that they are available to be confiscated or forfeited if a conviction is obtained. It is right that the courts should have available a wide range of penalties to deal with those who choose deliberately to flout such orders, and that is the effect of the amendments.

Contraventions of restraint orders are normally dealt with as contempts of court. By virtue of the Contempt of Court Act 1981, the maximum sentence available to a court is two years' imprisonment. I believe that hon. Members will recognise that such a penalty is not adequate to deal with those who deliberately flout a restraint order relating to terrorist finance.

There is the further difficulty that contempt of court is neither a scheduled offence nor a relevant offence for the purpose of the confiscation scheme and, as most contempts of court have nothing to do with the emergency in Northern Ireland, it would be inappropriate to provide that they should be.

As hon. Members will recall, the confiscation scheme as introduced on Report included a new offence of contravening a restraint order granted by the Secretary of State. That was necessary because contravention of such an order would not amount to contempt of court but, because the offence was analogous to contempt of court, it was not considered that we could ask the House to provide a stiffer penalty for it than for contempt.

The inadequacies of the two-year maximum sentence and the other difficulties to which I referred were appreciated, but unfortunately it was not possible to complete all the consultations necessary before Report stage in the House. The consultation has since been completed, and the amendments are the result.

The amendments therefore create new offences of contravening restraint orders, whether made by the High Court or by the Secretary of State. It will be a defence to prove that the breach took place with lawful authority or reasonable excuse. The maximum penalty will be 14 years' imprisonment. The offences will be both scheduled and relevant for the purposes of the confiscation scheme in part VII. I commend them to the House.

Question put and agreed to.

Subsequent Lords amendment agreed to.

Lords amendment: No. 19, in page 52, line 15, leave out ("8(4)") and insert ("8A")

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this we shall take Lords amendment No. 29.

Dr. Mawhinney: Lords amendments Nos. 19 and 29 have the same effect for restraint orders under schedule 4 to the Prevention of Terrorism (Temporary Provisions) Act 1989 and the arguments for them are identical to those that I made in support of Lords amendments Nos. 17 and 32. I commend the amendments to the House.

Question put and agreed to.

Subsequent Lords amendment agreed to.

Schedule 4

CONFISCATION ORDERS: SUPPLEMENTARY PROVISIONS

Lords amendment: No. 21, in page 60, line 12, leave out from beginning to ("and") in line 14

Dr. Mawhinney: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this we shall take Lords amendments Nos. 22 to 28.

Dr. Mawhinney: Lords amendments Nos. 22 to 28 make a small but important change to the provisions on restraint and charging orders found in schedule 4 to the Bill. We now take the view that, in the very special circumstances that regrettably exist in Northern Ireland, the involvement of the Director of Public Prosecutions in the making of applications for such orders in terrorist cases, sometimes before anyone has even been charged with any offence, might be regarded as calling into question his independence at a later stage.

The effect of the amendments is therefore to provide that applications for such orders made before a person has been convicted are to be made by an officer of the Royal Ulster Constabulary of at least the rank of superintendent. Applications made after a person has been convicted will continue to be made by the DPP in Northern Ireland.

Lords amendments Nos. 21 and 23 to 27 are simply consequential on that decision not to involve the DPP in Northern Ireland in pre-conviction applications. I commend the amendments to the House.

Question put and agreed to.

Subsequent Lords amendments agreed to.

Northern Ireland (Interim Period)

6.28 pm

The Secretary of State for Northern Ireland (Mr. Peter Brooke): I beg to move,

That the draft Northern Ireland Act 1974 (Interim Period Extension) Order 1991, which was laid before this House on 3rd June, be approved.

The draft order renews the temporary provisions in the Northern Ireland Act 1974 under which government by direct rule continues in Northern Ireland. In presenting the draft order to the House, I owe the House an account of the Government's stewardship in Northern Ireland over the past year and, in particular, of the progress made in preparing the ground for the political talks on Northern Ireland which are now under way.

I shall first report on the security situation in Northern Ireland and on what Her Majesty's Government and the security forces are doing to bring terrorism to an end. Tragically, the security situation continues to bring death and suffering to the Province. Last year, 76 people were killed and this year to date the figure is 38. The terrorism which is the motor of this continuing misery is anathema and runs counter to everything that we value. Terrorists fail—or refuse—to comprehend that they will achieve nothing by their brutal methods of coercion and that they are an undemocratic and unrepresentative anachronism in a world where people increasingly settle their political differences by peaceful democratic means. They will not succeed because of the resolve of all decent people in Northern Ireland and because of the Government's determination to maintain the rule of law.

I must pay a special tribute to the security forces, whose courage and professionalism in the face of unremitting threat to their lives is exemplary and who strive to protect the people of Northern Ireland. The efforts of the security forces are all the more vital because it is the present intention of the terrorists to prevent any political progress. The security forces deserve the support of everyone in Northern Ireland.

The Government will do all in their power to assist and support the security forces. The House will be aware that the current Northern Ireland (Emergency Provisions) Bill brings together, in one piece of legislation, all the anti-terrorism provisions which apply uniquely to Northern Ireland. In addition to re-enacting the main emergency powers, as Lord Colville recommended, the Bill creates a number of new offences and additional powers which will materially assist in the defeat of terrorism. It is also important to strike the right balance between providing the legal means needed to protect the community effectively while at the same time providing appropriate safeguards for individuals. For that reason, the Bill provides for statutory codes of practice on the exercise of its powers, and creates the new office of Independent Assessor of Armed Forces Complaints Procedures in Northern Ireland to help enhance public confidence in the way in which non-criminal complaints against soldiers are dealt with.

The Government's determination to build on the progress that has been achieved with the Irish Government on security co-operation remains no less strong. Much has been achieved since 1985, but more needs to be done if both Governments are to defeat the terrorist threat to the entire island of Ireland.

[Mr. Peter Brooke]

The Government have of course been active over the whole range of their responsibilites.

Mr. Peter Robinson (Belfast, East): Will the Secretary of State assist the House? He said that more had to be done in terms of security co-operation with the Government of the Irish Republic. Can he tell us on what sort of security issues he is currently pressing the Government of the Irish Republic?

Mr. Brooke: I understand the hon. Gentleman's question and his reason for asking it, but I do not think that it would be in the interests of joint security efforts if I shared those details with the House because to do so would be to afford intelligence to others.

The Government remain strongly committed to strengthening Northern Ireland's economy. Northern Ireland's economic performance is closely bound up with that of the national economy and inevitably the Province has recently begun to feel the effects of the national recession. But the local economy has so far held up comparatively well. For example, the output of Northern Ireland's manufacturing industries in the fourth quarter of 1990 remained at the same level as in the fourth quarter of 1989 despite a fall in output within the United Kingdom as a whole of 3 per cent. during that same period. Unemployment has risen over the past six months and most recently available figures show that it stands at 99,400, or 13·7 per cent. of the work force. But that is still about 26,000 below the peak rate in October 1986, and the figure has risen significantly more slowly than in Great Britain.

There are encouraging signs of continuing interest in Northern Ireland as an industrial location. An increasing number of jobs—almost 1,400—will be created by organisations which are transferring or are in the process of locating "back office" work to Northern Ireland. These include Government Departments and private bodies such as British Airways, Prudential Assurance and BIS Beecom.

If the Northern Ireland economy is to grow stronger and take advantage of the opportunities that the 1990s offer—not least through the coming of the single European market—the competitiveness of its industry will be a key factor. Last year, we launched a strategy to assist the development of competitiveness in Northern Ireland. It is particularly directed at helping industry to overcome barriers to competitiveness and growth which stem from inefficiencies in the markets for capital, labour and information and which companies cannot surmount by their own efforts.

On the basis of that strategy, the Industrial Development Board will work with the private sector to maximise growth. Training will be an important component. Northern Ireland already has a strong asset in its work force. Educational standards are high. But we need to improve the job-related training and the skills and versatility of the Northern Ireland work force if productivity levels are to become competitive in a wider range of international markets. The Training and Employment Agency addressed these problems as its priority and launched its strategy last January.

Prosperity must be shared by all, and the Government are committed to eradicating inequality and disadvantage wherever they exist in Northern Ireland. Earlier this year, I announced that targeting social need would become one of our principal priorities for Government expenditure in Northern Ireland. That effort will play a significant role in removing the community divisions which are one of the obstacles to establishing a peaceful and stable environment in Northern Ireland.

Mr. James Kilfedder (North Down): Will the right hon. Gentleman comment on the campaign being waged against the economy of Northern Ireland by the Irish Republicans in the United States?

Mr. Brooke: I am grateful to the hon. Gentleman for his intervention. I am glad to say that, although the campaign in relation to the MacBride principles, which has been going for some years, has been endorsed by the legislatures of a number of states, it has been prevented in others. The serious feature of these principles is their deterrent effect on investment in the Province, given that it is the creation of extra jobs which is likely to lead to the securing of a balance in employment between the two sides of the community.

Rev. Ian Paisley (Antrim, North): Will the Secretary of State tell us whether the redundancies at Lummus Mackies have anything to do with the New York decision?

Mr. Brooke: I do not think that the decisions relating to Lummus Mackies relate to the New York decision. They arise essentially from a trading matter affecting the business itself.

In practical terms, last April I announced that the level of funding for "Making Belfast Work"—a major initiative that we launched in 1988—has been increased by 22 per cent. to £27·5 million in this financial year. The total allocated to the project over six years will be £123·6 million. That funding is addititional to the extensive resources that Northern Ireland Departments continue to put into these areas through their normal main line programmes such as economic development, health and education. Results so far are encouraging. For example, during the past two years the Local Enterprise Development Unit has promoted more than 2,000 new jobs in the areas covered by the initiative. That represents a trebling of its performance in the areas concerned before the initiative.

Financial support from Government is only one aspect of the road to recovery in disadvantaged areas. I am encouraged by the examples that I have seen of local groups working closely together and in partnership with Government. Communities are assuming direct responsibility over the important areas of employment, enterprise generation and training.

I should mention a recent report, commissioned by the Standing Advisory Commission on Human Rights, on the financing of schools in Northern Ireland, because of the concern it raises that Catholic schools may not be so favourably treated as others. The report recommends that the capital grant rates of 85 per cent. for voluntary school building should be reviewed. Voluntary schools include all Catholic schools. They differ from fully financed or controlled schools, which are largely Protestant, in that trustees have majority representation on school boards of governors. The basis for a review of those financial arrangements is under discussion with the Catholic Church authorities. The report also recommends that the

Department of Education should monitor the impact of its policies on the different sections of the education system. I am fully committed, within the "Targeting Social Need" initiative, to the task of monitoring the impact of the Government's policies and programmes, including the funding of capital grants for schools.

The programme of community relations work undertaken by the Central Community Relations Unit and the Department of Education is another example of our commitment to tackle Northern Ireland's problems. I have increased support for community relations from £4 million last year to £5·5 million in this financial year for projects designed to create equality of opportunity and equity of treatment for all parts of the community, to promote cross-community contact and to increase mutual respect and understanding of the different cultures and traditions in Northern Ireland.

Mr. Barry Porter (Wirral, South): This is an appropriate moment for me to express my regret at not having been at the Dorchester hotel last night, largely because I was not invited. It would be appropriate if the Secretary of State were to accept the House's view—whatever one believes the ultimate outcome will be—that he was a proper recipient of the award in recognition of his outstanding contribution to the spirit of reconciliation and harmony between the two countries. I do not know how it will all end, but however it ends it will be in no small part due to my right hon. Friend's efforts, and it is appropriate to say so.

Mr. Brooke: I am most grateful to my hon. Friend. My only regret is that any hon. Member should have been excluded from an event that took place in my constituency.

These policies and many other practical measures will, over time, I believe, help to ensure Northern Ireland's prosperity and to reduce community divisions.

I come now to the issue of political development over the past 12 months. As the House will be aware, matters have now progressed to the point where plenary meetings between the Government and the four main constitutional parties in Northern Ireland began on Monday of this week. This is the first time since the constitutional convention met in 1976 that the main parties have come together around the same table to discuss their common future. I am sure the House will join me in acknowledging that this can only be regarded as a positive step forward. It represents the culmination of some 18 months of careful negotiation between the British and Irish Governments and the four Northern Ireland parties, and we must all hope that—now that round table talks have become a reality—further, substantial progress will be possible.

Although it is right to acknowledge the positive progress that has been made, the House will not be surprised if I continue to counsel caution, as I have since this process began. It is still early days and there are many major issues yet to be addressed. Much hard work remains to be done. In that context, I am sure that the House will understand that I would not regard it as appropriate to go into detail about the issues that are currently under consideration. Hon. Members will appreciate that if the talks are to make orderly and substantive progress, that is best done by avoiding the glare of publicity. I can tell the House, however, that serious business is being conducted on the basis set out in my statement of 26 March. All the participants are continuing to display a purposive and committed attitude, and during this first week of plenary sessions much valuable progress has been made in explaining our respective positions to one another. It remains my intention, of course, to report on these matters to the House as and when a fuller disclosure would be possible.

In the meantime, I should like to extend the warm appreciation of Her Majesty's Government to Sir Ninian Stephen for agreeing to take on the role of chairing the discussions in strand two. As the House will know, Sir Ninian has a distinguished record of public service in Australia and we are fortunate indeed that he has agreed to take up this appointment. It was always understood that whoever was appointed to this job would be a person of special qualities, and it is a tribute to Sir Ninian that his appointment has been so warmly and widely welcomed.

I have explained that I would not regard it as appropriate to dwell on the detailed content of the discussions. It may be helpful, however, if I say something about how I would like matters to progress in the short term. The 26 March statement announced that there would be a gap in meetings of the IGC to provide an opportunity for political dialogue. It was announced subsequently that the gap would run between 26 April and 16 July. The political talks have started, and useful exchanges are taking place. However, because delay arose from the need to resolve a number of difficult and sensitive procedural and other issues, it seems very unlikely that all issues can be resolved before 16 July. The agreement between Her Majesty's Government and the Irish Government is that a meeting of the intergovernmental conference should be held on that date. However, the Government believe that a basis for a resumption of the talks should be found, and intend to initiate discussions with all the participants—including the Irish Government—to bring this about.

Rev. Ian Paisley: Will the Secretary of State interpret the word "resumption"? Is he suggesting that the talks cease and then resume in order to have an Anglo-Irish conference meeting?

Mr. Brooke: I said that I thought it unlikely that we would have concluded matters before 16 July when we are due to have an intergovernmental conference. I implied that it was my understanding that the parties participating in the talks would wish the talks to be continued and that I would therefore be initiating discussions with the parties as to how that might be.

Mr. Seamus Mallon (Newry and Armagh): Does the Secretary of State agree that the issue was resolved before the negotiations started, that the date for the next Anglo-Irish conference meeting was decided and announced, and that he gave an assurance that that date would be honoured even if—I believe that these were his words—the meeting had to take place in Lagos? Will he confirm on record in the Houses of Parliament that, in effect, it is not a matter for discussion with the Irish Government or with the parties, but a matter on which agreement has already been reached?

Mr. Brooke: I confirm what I said before, which was that there was agreement between Her Majesty's Government and the Irish Government that a meeting of the intergovernmental conference would be held on 16 July. I went on to say, when I responded to the hon.

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Member for Antrim, North (Rev. Ian Paisley), that it was my impression that the parties would wish to find a way of continuing the talks and that we should need to initiate discussions as to how that could be done.

As the talks process takes its course, the Government will continue to pursue their aim of seeking to identify institutions and arrangements which will reflect and promote the further development of good relations within Northern Ireland, among the people of Ireland, and between the two Governments.

Rev. William McCrea (Mid-Ulster): Does the Secretary of State not realise that the voice of reason and sanity suggests that it would be wrong for him to play around with the possibility of future stability in Northern Ireland by having a meeting of the Anglo-Irish conference in the face of substantial talks which are taking place in the Province?

Mr. Brooke: I understand the hon. Gentleman's point. However, I said—and it was the basis on which I made my statement on 26 March and which I reiterated after the intergovernmental conference on 26 April—that the time that we were setting aside was the period between 26 April and 16 July.

In pursuing our aim, we shall seek to ensure that the constitutional rights of both sides of the community continue to be protected. We shall also stand ready to give serious consideration to any proposals which might emerge from the talks and which would involve new political arrangements in Northern Ireland, provided that they were workable, stable and durable, would command widespread support, and would provide an appropriate and fair role for both sides of the community.

Mr. Ivor Stanbrook (Orpington): My right hon. Friend is dealing with what he calls the resumption of talks after the meeting on 16 July. There must be some confusion in the minds of others besides myself. I thought that there was an understanding that the meetings of the Anglo-Irish conference would be suspended while the talks were going on. Is that not the case?

Mr. Brooke: In the statement that I made on 26 March, which was agreed by all the parties, I said that after a subsequent IGC we would indicate the dates which would provide a gap in which talks could take place. I made that statement on 26 March. After the IGC on 26 April, I said that there would not be an IGC between 26 April and 16 July, thus affording a gap in which talks might take place.

Sir Michael McNair-Wilson (Newbury): In view of the weeks that have been lost in discussion about the chairman for the second and third stages, is there not a case to be put to the Republican Government that the date of 16 July should now be much more flexible? Is there also not a case to be made that even if that conference meeting is to take place it should do so in Dublin, and certainly not in Northern Ireland?

Mr. Brooke: As I said, the two Governments will meet on 16 July. As I have said to some hon. Members in informal discussions, I am concerned that we should not fudge the issue. There is business which needs to be done within the intergovernmental conference, and which should, therefore, be done properly and not surreptitiously. We shall, therefore, hold an IGC. We hold such meetings in a rhythm, but the particular rhythm is not a matter of significant importance. I will certainly bear in mind what my hon. Friend said.

Mr. Ken Maginnis (Fermanagh and South Tyrone) *rose*—

Mr. Kilfedder *rose*—

Mr. Brooke: The hon. Member for North Down (Mr. Kilfedder) has already intervened once, but as I saw him first, I will take his intervention first.

Mr. Kilfedder: Even though the Secretary of State has excluded me from the talks—for reasons that I do not understand, as my party is represented in the House and is the only party not involved in the talks—he is aware of my total commitment to their success. On that basis, I appeal to him not to have a meeting of the conference under the Anglo-Irish Agreement on 16 July. So much is at stake and the right hon. Gentleman has said that serious discussions have taken place. I plead with him not to rub the noses of the Unionist people in the dirt—which is how it will be interpreted—by having the meeting on 16 July. I beg him to postpone any meeting under the Anglo-Irish Agreement until stage one of the talks has been completed. I urge the Secretary of State to do that.

Mr. Brooke: To some extent, I am reiterating what I said a moment ago. Two points flow from earlier remarks and I will repeat them in response to the hon. Gentleman. On March 26, I made the statement that had been agreed with all the parties and which was to be the basis on which we would conduct our affairs. When one has such an agreement, which has been hammered out carefully over many months, it is dangerous to interfere with details of it at a later date. The second consideration that I want to make firmly to the House is that we have sought, during all the negotiations which led up to the statement of 26 March and since, to be totally straightforward with the House and not to do things in an underhand manner. There is an agreement to have the intergovernmental conference on 16 July. There is business to be done, and I repeat that it is the intention of the two Governments to have the conference.

Mr. Maginnis: I notice that the right hon. Gentleman keeps reassuring the House that he does not wish to do anything in a surreptitious or underhand way. But has not the whole Anglo-Irish process from 15 November 1985 been surreptitious and underhand? Was the arrangement not arrived at without consultation with the elected representatives? Does not the right hon. Gentleman hold meetings of the Anglo-Irish conference without letting hon. Members know what is on the agenda? Do not those meetings conclude without any open and frank statement about what has been arranged behind closed doors? When the right hon. Gentleman has the opportunity to have all the major Northern Ireland parties around the table and when we are moving, one hopes, consistently towards sitting round the table—all of us—discussing matters with the Irish Government in the not too distant future, is it not worth while to consider, instead of sacrificing that opportunity, postponing at least any idea of having another meeting of the conference?

Mr. Brooke: I do not want—and this characterises my exchanges with the hon. Gentleman—to be combative in

response to what he said, but I must admit that I react a little adversely to his remark that the intergovernmental conferences under the Anglo-Irish Agreement are conducted surreptitiously. It is known that they are taking place, and on every occasion a communiqué is published which is put in the Library of the House. I am consistently subjected to massive cross-examination by the media immediately after the conference meets.

Mr. Mallon: I repeat that, in effect, an agreement was made that each party entering the negotiations was aware of that date and of the fact that there was a commitment by both Governments to have the meeting on 16 July. The delay of almost seven weeks so far was not the fault of either Government and should not be another contrived road block against the meeting taking place. I welcome the assurance which the Secretary of State gave three times that the meeting will take place.

Mr. Brooke: I am grateful to the hon. Gentleman for his concluding remark. All of us who lived through that seven weeks know what happened during that period. A number of different factors contributed to it. That is why I am concerned to initiate talks to see whether we can find a basis for proceeding hereafter.

Mr. Peter Robinson: I hope that, the Secretary of State will forgive the interventions. Many of us had expected him to make today what might have been considered an uncontroversial speech, so we have been somewhat set back by its somewhat controversial nature thus far. As one of those—I think that the Secretary of State will recognise this—who has urged the process forward, who has wished it every success and who has done everything possible to make it succeed, I must emphasise for the Secretary of State the feeling within the Unionist community that, if there is to be a meeting of the intergovernmental conference, that in effect brings the agreed talks process to an end. The Unionist community would not see it in any other way.

The Secretary of State will know that his discussions with the two Unionist party leaders suggested a time band of approximately 10 weeks in which talks would take place. We had hoped to start those talks as soon as the period began from the end of the most recent intergovernmental conference, but matters that did not relate to strand one took up a considerable time during which we were quite happy to proceed with strand one dialogue. We feel that the time lost during that period in dealing with procedural and other matters should be made up and that the Secretary of State should, therefore, have an add-on to the period that he set, so that we can have the same time band available for talking. We are prepared to intensify our efforts, and to put in more hours each day and more days each week. I hope that the Secretary of State will meet us on that issue.

Mr. Brooke: I do not know where the hon. Member for Belfast, East (Mr. Robinson) was imputing controversy in my speech, except in the particular matter that has prompted a number of interventions. I did not seek to be controversial in other parts of my speech. In the part that has prompted interventions, I was concerned—as I sought to say in answer to earlier questions—that the Government should continue to be open and should not be thought to be doing something under the counter. The hon. Gentleman is correct in saying that we envisaged a period of about 10 weeks. The periods of eight weeks and 12 weeks were regarded as possible brackets, and we settled on 10 weeks. I acknowledge that we lost a number of weeks because of the procedural discussions to which I referred.

Given the fact that we sought to get all three strands of the talks completed in the 10 weeks, I am not at all confident that if we had dealt with what I described as procedural matters in the margins rather than dealing with them head on, we should not have got into separate and severe difficulties. The talks have benefited by getting those out of the way and from everyone knowing how we proceed hereafter. The statement of 26 March was the basis on which the talks should occur. As a general statement, the whole process is better if we know the firm basis on which we are proceeding. That is why I was proposing to initiate talks with other parties about what we might do hereafter.

If progress can be made——

Rev. Ian Paisley: Will the Secretary of State give way?

Mr. Brooke: Yes. I have sought to accommodate the House tonight.

Rev. Ian Paisley: This is a vital matter. I have the support of all my colleagues from the Unionist side. This is a very serious matter. We were given a time limit. When the Secretary of State consulted the right hon. Member for Lagan Valley (Mr. Molyneaux) and myself, the first document that he gave us had brackets in it and no dates. However, he assured us that we would have at least 10 to 11 weeks to carry out the process. We said that we did not know whether that would be time enough, but we agreed to give that time. Now we are not getting that time.

The hon. Member for North Down (Mr. Kilfedder) was right. The Unionist people will feel that they have been betrayed. They will not tolerate leaders who will be part of that betrayal. I will certainly play no part in telling my people that we cannot get 10 weeks now and that we have to do what the Dublin Government say. After all, this territory is part of this United Kingdom. It is not an annex colony of the Republic. Therefore, we need the 10 weeks, which is little enough time to try to achieve a solution to years of agony.

Mr. Brooke: In the context of the discussions that I had with the hon. Member for Antrim, North (Rev. Ian Paisley) and the right hon. Member for Lagan Valley (Mr. Molyneaux) in the period leading up to the statement of 26 March, I acknowledge that we discussed many things and there was no way in which we could have dealt with every possible contingency. If we had tried to deal with every possible contingency, we would never have started the talks.

In a situation where one cannot contemplate every contingency in advance, it is sensible to conduct affairs on a basis agreed by everyone. If an unforeseen situation arises, collective discussions would be required to consider what should be done thereafter. That is what I was proposing.

Mr. Barry Porter: In an attempt to be helpful, if circumstances have changed since the statement of 26 March, which I had understood to involve a de facto suspension of the IGC and time limits, it does not seem to me that 16 July is sacrosanct. I should have thought that rational and reasonable people in Dublin would

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understand if more time was given for discussions as some hon. Members are suggesting. Surely that is the pragmatic and sensible way forward.

Mr. Brooke: I thank my hon. Friend for that intervention. I will not try to become involved in a gloss on the statement of 26 March. If I may take a different legislative example from the affairs of this House, when the House passes a Bill it is for others to interpret it thereafter, rather than for hon. Members, although we may individually try to help our constituents to understand that Bill. The words in the statement of 26 March were carefully honed and we had spent much time agreeing them. The statement states the basis on which we would be going forward.

I said earlier that the intergovernmental conference under the Anglo-Irish Agreement was a necessary meeting for us to carry out proper business which needs to be done. I repeat that I was concerned that we should not try to do that by some other means which might have been regarded as surreptitious and underhand. I was concerned that we should do these things openly.

I hope that it will be possible in discussions between the parties to discover a way through these matters. In the meantime, the business of Government must necessarily proceed on its present footing and the order before the House for approval today therefore remains essential. I commend it to the House.

7.4 pm

Mr. Kevin McNamara (Kingston upon Hull, North): I join the hon. Member for Wirral, South (Mr. Porter) in congratulating the Secretary of State on the award that he received yesterday evening. That was important and I hope that the spirit in which it was given and the hopes contained in the giving of it might permeate our debate this evening.

I welcome the appointment of Sir Ninian Stevens. I trust and hope that he will get down to his task of chairing the second strand of talks soon. He is a man of distinction and a man about whom, despite all the digging, no one seems to have found anything that would render him unacceptable as chairman of the conference. That in itself must be a considerable achievement in that someone somewhere in the past 20 or 30 years has not left his fingerprints on the history of Ireland or made unacceptable statements.

When we began this debate we had more grounds for optimism than we have had for many years about the political future of Northern Ireland and I trust that those grounds for optimism will remain. On behalf of the Opposition, I express our good wishes to all the participants in the negotiations which began last Monday. We sincerely hope that arrangements will be agreed that will allow direct rule to be replaced by a much more effective system of devolved government with the consent of all the parties in Ireland and subject to agreement by referendum in both parts of Ireland.

We would like to hope that this was the last occasion on which we were seeking to renew direct rule. I am sure that all hon. Members share the view of the Labour party. Obviously direct rule has not been an entirely negative system. Some progress has been made over the years. For example, the urban landscape of Northern Ireland has improved immeasurably over the past 20 years as a result of the activities of the Housing Executive and the various area, rural and urban schemes to improve the appearance of places such as Derry and Belfast. We must congratulate the various parties involved in direct rule in Northern Ireland on achieving that in co-operation with the people of Northern Ireland. They have given quite remarkable facelifts to many towns. I have visited Northern Ireland frequently over the past 25 years and I have seen the changes that have taken place. That is a tribute to the Ministers involved and to the people in Northern Ireland whose ideas and schemes were carried out.

I also welcome the Secretary of State's comments about the last SACHR report on the funding of voluntary schools. That is important and it must be examined and explored to discover what help can be provided.

The Opposition must place on record our congratulations to the Government on their work in seeking to improve community relations and on the programme for education for mutual understanding and the curriculum changes. Those are important issues. They do not attempt to destroy people's beliefs or ideals. They try to promote understanding of other people's beliefs and ideals. As the Secretary of State said, strength can come from a diversity of tradition rather than from a monolithic acceptance of matters. That is to be welcomed. However, I still regret what I regard as the political mistake that the Secretary of State made in the past year when he banned Glor Na nGael. I hope that the problem will soon be overcome and that if Glor Na nGael reapplies for funds it may get them.

It is worth reflecting for a moment on the present unacceptable state of affairs in Northern Ireland. Despite the gains that have been made, none of us can be proud of the conditions that have been allowed to prevail in what is, as the hon. Member for Antrim, North (Rev. Ian Paisley) pointed out, meant to be part of the United Kingdom. Most obviously, that has been apparent in the violence which, sadly, the Secretary of State had to catalogue for us earlier. Yesterday, another victim was murdered in a particularly brutal and horrendous fashion. We extend our sympathy to the family and fiancée of Private Harrison and to the families of all those who have been killed or damaged, either physically or mentally, as a result of the conflict of the past 20 years.

Coupled with the physical tragedy of violence is the moral tragedy of unemployment and the economic wasteland of many parts of the Province. Tens of thousands of people in the Province, especially young people below the age of 25, are condemned to a bleak future while those deep-rooted economic and social problems persist.

Of course, direct rule is not responsible for that state of affairs. But it has one crucial defect that prevents those difficulties from being overcome. Quite simply, for all the good intentions of Ministers of whatever party, direct rule does not reflect the reality of society in Northern Ireland, except in a negative sense. It is the second option of nearly the whole of the population of Northern Ireland. It does not command the consent of a substantial section of the population as a first option and, because of that, it does not allow effective Northern Irish involvement in decision-making. It involves an unsatisfactory relation between this House and Northern Ireland, whereby we have to take decisions which should more properly be made by the elected representatives of Northern Ireland. I am sure that few hon. Members from this island would

welcome the intrusion of Westminster into their constituencies to the degree, detail and level that pertains to Northern Ireland. We would feel that such matters should be satisfied locally.

There is an absence of agreement on institutions that reflect the geographical reality of Northern Ireland, sharing as it does the island of Ireland with the Republic of Ireland. Institutions that are capable of furthering the mutual interests of Northern Ireland and the Republic are vital. Despite some of the difficulties that have become apparent this evening and that demonstrate the scale and difficulty of what has to be overcome, we hope that the talks that are taking place at the moment will put into place institutions that will help to eradicate terrorism, and will be more adapted to the task of economic regeneration.

Any new arrangements must be in harmony with the realities of Northern Ireland and the island of Ireland rather than be imposed with the aim of keeping the lid on the area's problems. We need to unleash the constructive energies of the people of Northern Ireland, with the aim of creating a land in which there are neither executioners nor victims, but people living in reasonable content, one with another.

During the past 18 months, the Labour party has taken as its line on the talks and the discussions about the talks that we would do all that we could to help those talks to be established and to take place. We felt that we could best do that by keeping our mouths shut and by not giving running commentaries on every turn and twist of the negotiations. That self-denial has kept myself and my hon. Friends more off the television than on it which, for politicians approaching a general election, is the supreme sacrifice. However, it is not the same degree of sacrifice that has been expected of the people of Northern Ireland, nor is it the sacrifice that the people of Northern Ireland will have to make if the talks break down. We listened carefully to the entire contents of the Secretary of State's statement on 26 March. That complete statement had the support of the Labour party, and it still has.

7.15 pm

Mr. William Ross (Londonderry, East): I sometimes think that there is nothing in this world as permanent as that which is labelled "temporary" or, in this case, "interim". Like, I am sure, all hon. Members in the Chamber, I have noted the fact that for weeks the newspapers, radio and television have all been saying that this is the first time for 16 years that the leaders of the three constitutional parties have sat down together at the same table to talk. Those same news outlets never add that such a remark could be made only in relation to talks on constitutional issues or to talks that have regard to constitutional issues. The reality is that the three leaders have met on other occasions about issues that are important and of benefit to the people of Ulster. We have never found any real difficulty in doing that.

The three parties have also united on a number of occasions against the Government; the latest occasion being this morning in the Northern Ireland Committee, when we did so successfully. We have done so whenever we have protested against Government legislation—this has happened time after time—yet it seems to have passed the news media by. They never seem to pick up the fact that the people of Northern Ireland agree on many issues affecting Northern Ireland. Indeed, apart from constitutional and security issues, the parties are far more ready to talk about their major concerns than are their counterparts in the parties of Great Britain. I have noted that the parties which form the major political institutions in the House and in this part of the country have never made any real effort to reconcile their views. Where was the reconciliation of view on the poll tax, over the present controversy about the health service, or over the issues of a federal Europe, the exchange rate mechanism or the single European currency? Those are matters of the greatest importance on which there should be consensus and a national view, but that does not happen.

The parties in Great Britain may need a lead on that which they are providing in Northern Ireland—discussions between the parties—and, if so, I have no doubt that some of us would be prepared to suggest the name of a chairman or two, but not, I think, that of an ex-Prime Minister. That would not be conducive to peace and stability in any discussions that might take place.

Surely the fact that 19 years have passed since the Stormont Parliament was closed by street violence and that nothing has been put in its place is a matter of concern to us all. It certainly concerns many minds outside, if not inside, this House. The present effort to end the impasse is the result of the initiative not of the Secretary of State, but of the right hon. Member for Lagan Valley (Mr. Molyneaux) and the hon. Member for Antrim, North (Rev. Ian Paisley), who ensured that a commitment to seek changes was written into the manifestos of the two Unionist parties at the last election, that that manifesto was put to the people, and that the mandate that they sought was given by the Unionist population, the result being the present discussions. That item of political and constitutional business has cost our parties dear in time, trouble and political capital. We have no wish to see the effort wrecked by malignant forces or by foolishness on the part of those in high places.

The whole process very nearly came to grief last July and the momentum was only slowly restored, with some severe hiccups between then and the end of March this year. It appears to me that today the Secretary of State has dealt a further deadly blow to the process. I could hardly credit that anyone in his position would behave with the rank insensitivity that he showed to the House today.

It would be an act of the greatest folly to stop the present momentum, so painfully achieved. It needs rather to be kept going and to have further impetus given to it. As the matter of the 16 July meeting is a United Kingdom decision—for we are talking about United Kingdom territory—I hope and pray that the Secretary of State will make the right decision. For the Government know perfectly well that the long delay in reaching the present stage was not the fault of the Unionist parties. The question of an independent chairman reared its head only at a late stage. As a result of that, the timescale has slipped. There is no good reason why the timing of the next meeting of the Anglo-Irish conference should not slip in concert with the timetable of the talks. Even a few weeks could make a vast difference, especially as I understand that my right hon. and hon. Friends are more than prepared to work overtime.

Why should the process be wrecked by insistence on a meeting on 16 July? There are those in the Unionist community who would say that it is simply another attempt to hammer home to Unionists the real strength of

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the Dublin input into the governance of Northern Ireland. If the process stops, if it is wrecked by insistence on a meeting on 16 July, it will be difficult to restart it. It will probably prove impossible. If that meeting takes place, it will only reinforce the belief in the Unionist community that the Governments bear ill will towards the discussions. It is certain that if the participants go off on a long holiday for the summer before reaching firm conclusions, we shall come back to a vehicle that is totally bogged down and likely never to run again.

Mr. Barry Porter: It seems to me that there is a strong argument for flexibility on the matter. It does not matter very much who caused the slowing down of the process. I understand that the Taoiseach of the Republic will be in London tomorrow. Would that not be an appropriate opportunity for discussions about the flexibility of 16 July? I do not want 16 July to take on similar significance to 12 July. We should start chatting about that.

Let us not look back at whose fault it is that the process has taken all this time. Those are arguments between all the parties involved. It would be disastrous if one date had the effect that the hon. Gentleman suggests. If there is an opportunity to speak to the Taoiseach tomorrow, I am sure that he would understand, if not accept.

Mr. Ross: The Secretary of State and his colleagues will have heard what has been said from their own Benches. When Mr. Haughey is in London to see the Prime Minister there will be a real opportunity for them to discuss the matter and reach firm conclusions. The matter is serious and we all know perfectly well that the process is not open-ended. We have no wish that it should be open-ended. I know that the leader of the Social Democratic and Labour party has said that the talks could go on and on almost for ever, but that is not the way that we see it. We want to see firm conclusions reached fairly soon. There is no benefit in trailing the thing on. We all know each other's positions and we have a fair idea of the perimeters of our freedom of action. There is no reason for long delay.

If there is an attempt to keep the talks going until the next election, some people may say that the SDLP was waiting and hoping for a Labour party victory when it might make further advances towards the ideal of a united Ireland. Personally, I do not believe that that ideal would be advanced whichever of the parties that are most likely to form a Government wins the election, so to wait for that length of time could be a fairly futile operation.

We all know that in the run-up to the elections preceding the Sunningdale fiasco the Unionist electorate was fed a marvellous diet of misrepresentations as to the course of action that some Unionists intended to take. The ballot papers were marked and counted and the boxes were put away for a few years. Not all those who were involved in politics at that time were deceived. Those of us who now sit on these Benches were among the folk who were not deceived. That lesson taught the Unionist population of Northern Ireland, not least those who are in this House, a great deal about deceit and weasel words. Ever since that time we have paid attention not to the frothy expressions that we often hear from political leaders about good will or to other helpful expressions, but to the acts committed by Governments. I must tell the spokesman for the Conservative party who is in the House this evening that the record of his party is not one which I consider honourable. The present position on the government of Ulster is a gross affront to democracy in general and particularly to the House, which is run, as those of us who were here in the late 1970s know, by the most rigid application of majority rule. I have stated before and I make no apology for stating again that democracy is rather wider than a majority of one. In the 1970s I saw a majority of one being more than sufficient to maintain a party in office on several occasions.

I can appreciate, and I am sure that the Secretary of State appreciates, the feelings of the Unionist population of Northern Ireland when they see their will so blatantly ignored so often. In any democratic society there must be recognition of the rights of minorities. The Unionist population of Northern Ireland is a minority within this kingdom. I have to tell the Secretary of State and the Government whom he represents that that minority's rights have been neither recognised nor respected by his predecessors. I consider that a grave affront to the democratic process. I have scant sympathy with those who preach democracy elsewhere and flatly refuse to practise it at home to any normal, reasonable standard.

Having said that, I appreciate that the perimeters of the democratic process cannot be expanded to the point where the decision of the ballot box is completely ignored—within any organisation. A majority cannot be constantly thwarted by a minority because that gives to the minority the right that should always be reserved for the majority.

This House is the first to complain if elected representatives cannot form the government in places such as Burma. Yet for 20 years it has denied any role—perhaps that is not quite right and I should say any meaningful role—to the elected representatives of the people of Northern Ireland. If that were happening anywhere else, the House would be afloat with early-day motions condemning the sort of rule that we have seen in Ulster, and under which we have lived for the past 20 years. We need a system in Ulster which can withstand the shocks of violent men and violent organisations and which can deliver a service of good government to the people of Northern Ireland which is so sadly lacking at present.

The Government have always had it in their power to improve the unity of the kingdom by applying to Northern Ireland the same methods of security, administration and law-making as they use for the rest of the country. The suggestion to have a Select Committee has never been adopted. There is a motion on the Order Paper at present, tabled by the leaders of the two Unionist parties, calling for that. There is no good reason why Bills should not be used to legislate for Northern Ireland.

I found it interesting yesterday, when I was in Committee discussing a Bill on the forfeiture of the profits of drug trading, to discover that there were three measures—one for each of the legal jurisdictions of the United Kingdom. They are all designed to come into operation on 1 July. The Scottish one was available only in draft form, but that did not matter. If such measures were consistently applied to Northern Ireland, even that would be a slight improvement. I hope that the Government will take not only such a small, tottering step, but a major step and include Northern Ireland in United Kingdom legislation whenever it includes Wales and Scotland. That would be well received by everyone in the Province and would certainly make the life of those in the House a lot easier.

The IRA is another factor in the equation which, although mentioned in earlier debates, has not been discussed very much in this one. It has its own agenda and its campaign of genocide and murder will not stop at least until it achieves its agenda—a united Ireland from which the British influence is totally removed. As I said earlier, by "British influence" I do not mean soldiers standing on street corners, but those who vote for the British connection, call themselves British and carry British passports. The IRA believes that all those people are British, and it is perfectly correct to say that. We are British; that is why we are being killed—it is for no other reason, and is a matter of national identity.

That national identity has been weakened by Government action during the past 20 years which has been an encouragement to the IRA. That is well enough known to the Secretary of State, a man quite capable of grasping all the nuances of the position in Northern Ireland. I cannot understand why he and his equally intelligent and able predecessors have failed to act out the logic of their understanding of the situation, rather than continually proceeding in a manner which they knew could never succeed. I hope that the present Secretary of State will go down in history as the person who grasped the nettle and did something positive.

Another problem, which annoys me intensely, and I am sure also annoys the hon. Member for Newry and Armagh (Mr. Mallon), is the impression given by the news media, churchmen and other well-meaning people that the IRA would stop murdering people if only the SDLP would reach political agreement with the Unionist parties. It is an act of great wickedness to try to perpetuate that myth, as it is intended to mislead people about the IRA's agenda. That proposition also seems to suggest that the IRA will be influenced by decisions taken by the SDLP, and so implies that the IRA will do what the SDLP asks. That is a gross affront to nationalist representatives because, in reality, the hon. Member for Foyle (Mr. Hume) has no influence or control over the IRA. That sickening and obnoxious falsehood is constantly trotted out. I know that the hon. Member for Newry and Armagh would be the first to admit that he cannot influence the actions of the IRA or even Sinn Fein, whose members they and we have faced often enough, at polling stations and elsewhere, to know that the SDLP and the IRA are not exactly good friends.

Mr. David Trimble (Upper Bann): The hon. Member is correct to mention the occasions when there is a difference between the SDLP and the IRA-Sinn Fein, but he will recall that the SDLP recently put much effort into trying to arrive at a common platform and an agreed nationalist campaign with the IRA's Sinn Fein, so we cannot say that there is an absolute barrier between the two.

Mr. Ross: One of the regrettable elements in the nationalist politics in Northern Ireland is that, on occasion, tribal pressures force people to behave in a way that they might not wish to.

Mr. Mallon: I had intended to respond to the hon. Gentleman's benign references to me and my party. However, I shall deal with the malign intervention—if I may call it that—of the hon. Member for Upper Bann (Mr. Trimble). At no stage was there ever any suggestion of a common platform between my party and Sinn Fein. It has asked for it on numerous occasions and been told that it will not get it. It did not get it in the past, and will never do so in the future, and it is malicious to suggest otherwise.

I shall expand on the point made by the hon. Member for Londonderry, East (Mr. Ross). We have never suggested for one moment that we have any control over anybody in the north of Ireland who commits violence, and we do not—I readily admit that. But we have said that, if there were agreement between the parties at the negotiations, and that agreement was recognised by some sort of mandate—we would suggest referenda in the north and south—it would have a potent effect on public opinion in the whole of Ireland and would make it more difficult for the men of violence to operate. I readily admit that it would not stop them, but it would make it much more difficult for them to operate and make it much easier for the political process and to do what we must do in the island of Ireland.

Mr. Ross: The hon. Gentleman responded to me in the terms that I had expected. But I do not agree with his conclusions. I do not believe that it would be any easier to deal with Sinn Fein and its violent wing, the IRA, because they would see that there was something to be gained. They often tell us that they have made tremendous sacrifices in the nationalist population which they will not forget. They say that they will not give up, but will continue the struggle until the last vestige of British influence is removed from the island of Ireland. I say to Sinn Fein spokesmen and their IRA gunmen that the unionist population has also paid a high price to remain British. Anyone who thinks that we shall forget those who died in defence of the freedoms and values that sent people such as me to this place had better think again. We are not defeated by, or afraid of, the IRA. As a people we have paid a tremendous price, and we have no intention of surrendering our British heritage.

Rev. William McCrea: Now that we are being offered the hope that some political settlement will take away support for Sinn Fein or the IRA, will the hon. Gentleman think back to the Anglo-Irish Agreement, when we were promised the very same thing? In reality, in recent by-elections, the Sinn Fein vote has increased rather than decreased.

Mr. Ross: The hon. Member should have restrained himself because I was coming to that point. As he has intervened on it, perhaps it is unnecessary for me to take it further. However, the reality is that in Northern Ireland about 100,000 people vote consistently for the IRA. Sometimes that support has fallen to 70,000 or 80,000 and sometimes it has increased to 120,000. On one occasion when the old Nationalist party decided not to contest elections to this place, its vote increased to 155,000. That was in 1955. In round terms, however, the IRA's vote is 100,000, taking into account tactical voting here and there. There are supporters of the IRA in Northern Ireland and, as the hon. Member for Mid-Ulster knows, they have always been there. They will not go away. They happen to believe in the politics, as it were, of the IRA. They happen to believe in violence and they practise it. Anyone who shuts his eyes to the brutal realities does Northern Ireland, himself, this country and above all the people of Northern Ireland no good. The supporters of the IRA have always been present and they always will be.

Mr. Roy Beggs (Antrim, East): Does my hon. Friend agree that the perceived co-operation at district council level between members of the SDLP and Sinn Fein elected councillors causes considerable confusion and makes it difficult for us to understand exactly where the SDLP and its elected representatives stand on many issues?

Mr. Mallon: We elected a member of the hon. Gentleman's party—the Ulster Unionist party—as chairman of the Newry and Mourne council, which the SDLP controls.

Mr. Ross: The hon. Member for Newry and Armagh has made a seated interjection. I have no doubt that he will be able to make a speech later.

I thought that I had covered that to which the hon. Member for Antrim, East (Mr. Beggs) referred in his intervention, when I said that tribal politics are a powerful force in Northern Ireland. I know that the SDLP sometimes has to play footsie with the more violent elements of its own community to gain, perhaps, long-term benefit. I think that it is mistaken to do so. It pays a heavy price when it is seen to be playing around with such folk. Surely it should oppose them ferociously whenever it is presented with the opportunity to do so. The IRA and its Sinn Fein mouthpieces operate in areas where Unionists are pretty few in any event. If the SDLP was prepared to oppose them on every occasion in those areas, it would eventually, slowly but surely, overcome the men of violence, it being a moderate party. If it cannot overcome them in its own camps, it cannot expect the Unionist population to win elections on the Bogside, in the Creggan or in west Belfast. The only party that can defeat Sinn Fein in those areas is the SDLP.

Mr. Mallon: Has it struck the hon. Gentleman that the hon. Members for Fermanagh and South Tyrone (Mr. Maginnis) and for Mid-Ulster (Rev. William McCrea) are sitting in this place by the grace and favour of Provisional Sinn Fein? If it were not for Provisional Sinn Fein, neither hon. Member would be a Member of this place. Has that not struck the hon. Gentleman?

Mr. Ross: The hon. Gentleman may make that allegation—

Rev. William McCrea: On a point of order, Madam Deputy Speaker. Is it correct for an hon. Member to say that another hon. Member is here by the grace of the murder gangs of the constituency, especially when my constituency and my family have suffered more from the murderers than any other Member of this place?

Madam Deputy Speaker (Miss Betty Boothroyd): Every hon. Member is responsible for the comments that he or she makes. I hope to be able to call the hon. Member for Mid-Ulster (Rev. William McCrea) shortly, when he can refute any allegations that have been made.

Rev. Ian Paisley: Further to that point of order, Madam Deputy Speaker. Surely it is out of order for any hon. Member to say that someone is a Member of this place by the grace and favour of those who violate the law and engage in murder. That is what has been said. It has been said that my hon. Friend the Member for Mid-Ulster (Rev. William McCrea) is here by the grace and favour of the IRA. Surely that is not in order.

Madam Deputy Speaker: It is my judgment that that has not been said. I interpreted the intervention of the hon. Member for Newry and Armagh (Mr. Mallon) to mean that a candidate stood and, therefore, divided the vote, and that as a result various things took place. I hope that all those who are in their places will be called to speak in the debate so that they can express their own points of view on the matter.

Mr. Ross: I think that some light can be shed on the tribal politics of Northern Ireland by saying that not all those who belong to a certain religious or nationalist tribe will vote for the same candidate in an election. That is known by those who represent the Democratic Unionist party, and it has been discovered by many others in the past within the Protestant-Unionist-British tribe. There are divisions, however, which have led to my right hon. and hon. Friends and I sitting on the Opposition side of the Chamber while those who represent the DUP, for example, sit on the Government Benches. I think that everyone appreciates that.

I fought and held the old Londonderry seat on several occasions when there was a clear Catholic—which I assume to be a nationalist—majority within it. Among those whom I defeated was the leader of the party of the hon. Member for Newry and Armagh, and that took some people by surprise. That happened only because there were many Roman Catholic Unionists within the constituency. My majority was considerable. I believe that it was about 12,500.

Mr. Mallon: That is a distortion of the facts.

Mr. Ross: It is not. Where did the votes come from? The hon. Gentleman has not answered that question. I hope that he will bear it in mind that those who happen to go to the Roman Catholic church on a Sunday morning do not necessarily vote for the SDLP on the following Thursday. The hon. Member for Antrim, North (Rev. Ian Paisley) enjoys considerable support from that community in his constituency, as we all do. That is why there will never be a united Ireland. The reality is that an overall majority of the population, leaving aside the religious and apparent tribal divisions that we suffer——

Rev. Ian Paisley: Will the hon. Gentleman give way?

Mr. Ross: I should like to finish my speech, but I shall give way to the hon. Gentleman.

Rev. Ian Paisley: Is it not a fact that in Omagh a member of Sinn Fein was put into the chair of the council by the votes of the SDLP? In Magherafelt, however, an SDLP member took an honour from Her Majesty the Queen. I understand that it was an MBE. The other members of the SDLP voted against that person being a member of the party.

Mr. Ross: I thought that those matters were well known in Northern Ireland. I am happy, however, for the hon. Gentleman to broadcast them in the House, perhaps to a wider audience. I hope that they will be taken on board, so that it is understood that things are not quite as simple in Northern Ireland as some folks would have them.

The nonsensical process of renewal that we are going through this evening has been taking place year after year and for longer than I have been a Member of this place, and that is longer than many others. It is a reality that effort after effort has been made to buy off the Republican

population in Ireland—both the constitutional and the violent Republicans—for far too long. I hope that this will be the last time when we go through this bloomin' nonsense, for that is all that it is. I hope that it is the last time that I have to be insulted and frustrated by patronising words from the Secretary of State and his minions. In reality, their words mean that they intend to continue denying me my birthright as a British citizen. The people of Ulster have paid a high enough price. It is about time that they received the goods for which they have been paying in blood and misery. They have asked to be treated fully and permanently as members of this nation and kingdom. That is what they believe they are, and that is why they are British. We believe that we are part of the kingdom. If we are treated as such in all respects, many of the problems with which the Secretary of State and his predecessors have had to contend will vanish.

7.49 pm

Mr. Seamus Mallon (Newry and Armagh): I want to pay a tribute to the Secretary of State and congratulate him on the award that he received last night, I believe. He must have moved quickly after the conference in Belfast to get there on time. I think that he should know that many within the community, from all quarters, appreciate that it is a recognition of the tirelessness with which he has worked in initiating the negotiations and getting them under way.

I also want to put on record the fact that substantial efforts have been successfully made to try to improve the lot of the entire community in Northern Ireland. It is seen in various ways. It is seen in the way in which people within the Northern Ireland Office have striven enormously against all the odds—violence at home and propaganda abroad—to bring inward investment to the north of Ireland, to create jobs and, by doing so, to raise the standard of living for us all. As the Secretary of State said, unless everyone in the north of Ireland feels part of society and receives what one expects from society—a decent job and the ability to look after one's family—we shall have difficulties in the relation to the whole question of unrest.

In particular, it would be wrong not to identify the Under-Secretary of State, the hon. Member for Wiltshire, North (Mr. Needham), who has responsibility for economic development and who seems to spend so much energy and time abroad trying to do just that. It is not just the hon. Gentleman exclusively; it is something that the Northern Ireland Office is doing as a team and is doing as successfully as possible in the circumstances. How much more successful could that be if we did not have the rancour and violence and the obscenity of the disrespect for human life in the north of Ireland? If that could be done successfully, we could start building rather than have this constant destruction. It is only right to make those points, because they are factual and it is fair to say so.

I also want to reply to one of the accusations which was made against our party. I shall not deal with the obvious inaccuracies. Those who know the electoral situation in the north of Ireland will recognise them for exactly what they were, and that was at least an evasion of the facts. I remind again those who believe it because they want to believe it, or simply will not listen no matter how often it is said, that the political life of the Social Democratic and Labour party has no outside influences. It is not beholden to any Church or Church grouping, to any set of businesses or capital, to any trade union or to any quasi-political grouping. It has no monkeys on its back, and that includes Sinn Fein and any other section of the community.

The strength of our party, small though it is, has been the fact that it can make its own decisions without looking over its shoulder at anyone else within the community, be it any religious grouping or those involved in unions or the use of capital, and that is a strong position. It is a position that I would recommend to other political parties in the north of Ireland. Every time one has to consult or nod in the direction of groupings which are not political parties, one weakens one's position. I shall leave the matter there, and I shall not enter into the type of events that we have seen so far.

We are involved in a serious debate. It is serious because—this is again one of the weaknesses in the argument which has been used so far—if political agreement is achieved, no matter how difficult it is or how long it takes, no matter what opposition is put up to it, as there will be, such debate will strengthen the position of the political process on the island of Ireland.

At the end of the day, if we see through our own prejudices, the IRA campaign is not constitutionally aimed. The issue at stake is the issue between the political process delivering peace and stability on the island of Ireland and those who believe in violence succeeding not in obtaining their objectives but in pursuing their violence ad infinitum. That is where the problem lies with our negotiations. I want to see those negotiations succeed for that reason, and that reason is paramount in our thinking.

There is a second point. We in the community in which we live, I as a person, we in our political party, probably know more about the effects of violence and the effects of the type of activities of the IRA and its fellow travellers than anyone else. Those who hurl abuse in the way that they do should perhaps look at the way in which, over the past 20 years, we have had to stand up against that, not in terms of words or theories but by walking into villages to polling stations with weapons trained upon one and upon the electorate, with messages of intimidation going round saying that those who voted for the SDLP would be dealt with. We had to face that and face it down for 20 years, and that was not easy. That still continues, in its own subtle ways. So when we are talking about the understanding of violence in the north of Ireland, do not rule us out, because we probably have a better understanding of it than most.

It is for that reason, among other reasons, that I want to see the type of political agreement which would allow for a system of justice in the north of Ireland which of itself would not solve the problem but which would remove the peripherals from the problem and let it be seen in its starkness. That is the effort by the Provisional IRA and other paramilitary groups to usurp the right of the people to express their views democratically and to resolve their problems through negotiation, understanding and dialogue, and through peaceful political means.

That is why debate is so important, and that is why we are wasting our time with the type of petty abuse that we have seen and heard so far. That is why negotiations are difficult and that is why, unless we start to understand each other's positions and at least listen to them without the type of mischief that we have heard so far, we will not get to grips with the problem.

[Mr. Seamus Mallon]

I wish the negotiations well, and I hope that, as we go further down the road, that understanding will grow. But it will not happen quickly. There is no quick fix for the problem. There is no quick way in which we can deal with it. But it is better to take time to get it right than to have a quick fix and again have the past and present failures of the attempts to obtain a political solution.

Mr. William Ross: The hon. Gentleman will correct me if I am wrong, but I thought from his words a moment ago that he was saying that the IRA was simply practising mindless violence and thuggery for the sake of it, and that it did not have a constitutional objective. Surely he cannot believe that, because it is well known that the constitutional objective of the IRA and Sinn Fein is a united Ireland.

Mr. Mallon: I do not believe that, so I did not say it, and I did not say it because I do not believe it. The aim of the IRA is not guaranteed, and it is not a political or constitutional resolution on the island of Ireland. The IRA itself has said that its intention is to grab power in Ireland by the ballot paper and the Armalite, but it cannot form part of the democratic process by forcing its views on people at the point of a gun. That is where the hon. Gentleman misunderstands my remarks.

Neither of the two points that I want to make about direct rule is complimentary. There is something wrong when, after 20 years of direct rule, two blatant examples of injustice are still to be seen in statistics relating to employment and education. I am not placing blame on the present Secretary of State or his Ministers, because direct rule has existed for 20 years. Nor am I placing the blame only on the present Government, because it must be shared by both the parties that have governed Northern Ireland since direct rule was imposed.

There must be something radically wrong when such an imbalance of employment exists not among Protestant or Catholic firms, but in Government Departments, which are not run by those who have the hang-ups or the prejudices that are indigenous to the north of Ireland. Blame cannot be attached to bigoted Protestants or to bigoted Catholics for the situation that I describe. The figures—which come from the Northern Ireland civil service equal opportunities commission—speak for themselves.

At a senior level, the percentage of Catholics working for the Department of Economic Development is 6·7 per cent. For the Department of Agriculture, the figure is 10·2 per cent; Department of Education, 16·9 per cent.; Department of the Environment, 8·2 per cent.; finance and personnel, 23·1 per cent.; Department of Health and Social Services, 13·9 per cent.; and for the Northern Ireland Office itself, 14·9 per cent. The average figure is 14·4 per cent.

Why has that imbalance not been dealt with after 20 years of direct rule? That is a reasonable question for someone from my perspective to ask, and even for any hon. Member from the Unionist tradition to ask. There must be something wrong with a system that has not allowed such an imbalance to be redressed over 20 years.

Mr. Brooke: I recognise the statistics that the hon. Gentleman gives, and acknowledge his attribution of their source. However, when I think back to the pattern of employment in the Northern Ireland civil service, consider the figures that now prevail—which, for the service as a whole, approximate to the balance within the two sides of the community—and consider the shift that has been occurring over a period, and which has necessarily occasioned recruitment into the service from the bottom, I see that it is necessarily the case that one will not have in the ascending grades a sufficient number of candidates for promotion to produce a percentage in the highest grades that will be comparable to that for the service as a whole. Is the hon. Gentleman recommending drafting in people to those higher grades from outside the service simply in order to accommodate the figures?

Mr. Mallon: I am not suggesting that—nor would I ever do so. That would be absolutely wrong. The Secretary of State makes a valid point that the situation was so bad at the start of direct rule that even today's figures represent an improvement.

Mr. Trimble: Will the hon. Gentleman give way?

Mr. Mallon: I will not give way to somone who grossly misrepresents my party's position in a mischievous way—and that is my last word on that subject.

I acknowledge that it will take time to redress the imbalance that I described, and agree that the solution should not be contrived. However, I say again that something must be wrong for such an imbalance to develop and to remain the same after 20 years.

Mr. William Ross: Will the hon. Gentleman give way?

Mr. Mallon: I will not give way again. That solves the problem for all of us, Madam Deputy Speaker.

The Secretary of State and the hon. Member for Kingston upon Hull, North (Mr. McNamara) referred also to the imbalance in the recurrent spending on education in the north of Ireland. I regret having to present these figures in religious terms, but that is the only way of ensuring proper understanding.

I emphasise that these figures relate to recurring expenditure and not to the capital expenditure differential that arises because of the voluntary option. I refer to the expenditure to which every schoolchild is, by the Government's own definition, entitled as of right. Between 1981 and 1986, there was a differential of £32 million between expenditure on schools attended largely by Protestant children and those attended by Catholic children. Why has that situation been allowed to continue willy-nilly, and without even being known about? Why has it continued, to the detriment of people in the north of Ireland?

At a recent employment equality seminar, the Secretary of State said:

"Our aim must be to reach a situation in which there is full equality of opportunity and a fair distribution of jobs across Northern Ireland."

In terms of Government spending on north of Ireland schools, no such equality pertained between 1981 and 1986.

Mr. Beggs: Will the hon. Gentleman allow a helpful intervention?

Madam Deputy Speaker: Order. I clearly heard the hon. Member for Newry and Armagh (Mr. Mallon) say that he would not give way again. Am I correct?

Mr. Mallon: You are quite correct, Madam Deputy Speaker.

The Secretary of State said also:

"Catholics suffer more severely from unemployment, and the unemployment rate of Catholics is more than twice that of Protestants . . . employment and employability lie at the heart of this debate".

If the education of Catholic children suffers to the extent of £32 million, will that not produce an educational deficit that will result in the unemployability to which the Secretary of State referred?

Those are harsh words, but I do not know how to speak about either of those two factors without sounding harsh and blunt. I do not mean to cast any aspersions or lay the blame on anyone, but something is wrong and it is time that we found out where that wrong lies and put it right.

The Secretary of State said that an attempt will be made almost immediately to monitor the position and I welcomed that. We have been trying to monitor it. In 1988 and 1989, the leader of my party, the hon. Member for Foyle (Mr. Hume), tabled some parliamentary questions asking about such things. He was given some figures for grammar schools but not for primary schools because, in the words of the parliamentary reply, such information would be available only at disproportionate cost. Yet a Government-appointed body, the Standing Advisory Commission on Human Rights, has unearthed the figures, when hon. Members could not be given them because of the "disproportionate cost", to quote parliamentary replies to my colleague the hon. Member for Foyle in 1988 and in 1989. We should study that, because the matter could have been dealt with much more quickly had it not been for that approach.

Mr. William Ross: On a point of order, Madam Deputy Speaker. The hon. Member for Newry and Armagh (Mr. Mallon) has just told the House that he is getting his figures from a Government-sponsored publication. Is it available in the Vote Office, because I feel sure we would all like to be able to study it?

Madam Deputy Speaker: That is hardly a point of order for me. I am sure that, if the hon. Gentleman were to inquire, he would find that the document was available within the precincts.

Mr. Mallon: I can assure the hon. Member for Londonderry, East (Mr. Ross) that it is available, and if he wants me to refer to more recent answers to parliamentary questions—January of this year—I am able to do so, but I shall not delay the House any further.

There is something radically wrong when, after 20 years of direct rule, those glaring faults are staring us in the face to such an extent. In pursuit of the aims that the Secretary of State mentioned—some of which I have quoted—will every effort be made to identify what is wrong and to deal with it immediately so that those faults will cease to be a problem? For as long or as short as direct rule continues in the north of Ireland, we can study the situation and give it the same commendation and praise that I have given the Northern Ireland Office for its efforts.

One of the potential benefits of the period of direct rule was that hon. Members who have not got the ideological hang-ups or prejudices that we may have, or indeed the difficulties that many of us could have, could come here with a fresh and clear mind to deal with the problems. When direct rule ended, it would leave us with a clean slate. If we can get those two problems out of the road, the slate will have been substantially, although not totally, cleaned and that could be an encouragement to the rest of us to reach agreement in the negotiations that would allow us to proceed with a clean slate.

8.13 pm

Rev. William McCrea (Mid-Ulster): I have listened with care to the debate and I realise that the hon. Member for Newry and Armagh (Mr. Mallon) is playing to a wider audience than the few in the House tonight, pretending that he is Mr. Reasonable and acting Mr. Softie. There is an old statement that you can fool some of the people some of the time, but you do not fool all of the people all of the time. People hearing the hon. Gentleman for the first time, through the modern media, may not have heard the old record played before.

If the hon. Member for Newry and Armagh could not cry "discrimination" he would have had little disadvantage to speak about. I come from a constituency with a far higher rate of unemployment than that in Newry and Armagh. I come from an area in the west of the Province that has greater disadvantage than the constituency of the hon. Member for Newry and Armagh. Yet I am not charging any Government with deliberate discrimination against anyone or any section of the community; that was the central theme and essence of what has been said in the past 15 or 20 minutes.

I have listened to a number of things in my political career and I have a broad enough back to take it. I know what it is to experience a threat from terrorists just as much as any hon. Member in this House—perhaps more, as those who know my constituency will agree.

I do not come to this House merely with words of threat. Since we last debated this subject, the Secretary of State knows that my family has once again known what it is not merely to experience the threat of terrorism but the slaughter of an innocent young man in his late 20s, gunned down in front of his two little children of four and six. One of those little boys rang his grandmother to call for help saying, "A bad man has shot my daddy." When granny came down it was to see her two grandchildren putting their fingers into the holes where the IRA bullets had gone in, trying to stop the blood flowing from their father's veins. That is the shadow under which I come to the House; that is the reality of the situation. I need no lectures from anyone about intimidation, threat, violence or the possibility of a gun when people go to the ballot box, much less from the hon. Member for Newry and Armagh.

I remind the House that in this Chamber tonight it was said that I am here because of the grace and favour of Provisional Sinn Fein. I am here in the same way as everyone else is here—through the ballot box and the wish and will of the majority of people in my constituency to send me here to be their elected representative. I have come here in the face of abuse and terrorism without fear or favour.

It is about time that people outside the House, as well as hon. Members, realised what the people in the constituency of Mid-Ulster have to face under direct rule and what we have endured for the past 20 years and much longer. I listened to a gem from the hon. Member for Newry and Armagh. Councillors from his party have consistently voted and elected Sinn Fein into positions of power, including the vice-chair and chair in my constituency. It sounded tremendous to those who were

[Rev. William McCrea]

listening—if it had any vestige of truth—when he said, "Our party is not beholden to any church." That is amazing when one considers that when a certain cardinal from a certain church speaks, certain members of a certain party, who are not beholden to any church, will act accordingly.

Then the hon. Member for Newry and Armagh said, "In our party we have no monkeys on our backs." That was a gem because the Social Democratic and Labour party down the years has been happy to ride, not with a monkey on its back, but on the political achievements of the IRA gunmen, which brought the Anglo-Irish Agreement into reality. The former Prime Minister, the right hon. Member for Finchley (Mrs. Thatcher), said, "I cannot allow the killings to continue: that is why I signed the agreement."

The Anglo-Irish Agreement was the fruit of murder and destruction. The SDLP has been happy to accept it as a hard-won reward for much labour; in another place, I believe that the phrase "hard-won wisdom" was used. In my view, the only hard part of the agreement is the harsh reality that it emerged from the end of a gun—as a result of the placing of a bomb and the slaughter of innocent people in the United Kingdom, both here on the mainland and in Northern Ireland.

The Secretary of State's speech this evening had three main parts. It dealt with security, the economy and constitutional matters, with special reference to the current talks. The House should remember that, on almost every occasion since I came to the House eight years ago when we have debated major legislation to curb the terrorists and destroy the threat to our Province, SDLP Members have voted against that legislation. Without it, meagre though it is, our security forces would not be able to meet the challenge or face the threat.

The hon. Member for Newry and Armagh has sent a good deal of praise across the Chamber to the Conservative Front Bench; there has been a lot of back-slapping. It may fool some people, but the people in the Province know the history and reputation of the hon. Gentleman's party, which certainly do not merit a lecture on how to safeguard the future of Northern Ireland.

As I said, the first part of the Secretary of State's speech dealt with security. On 19 June, the Minister of State gave some figures about terrorist activity in 1990. They were as follows:

Terrorist activity	*Number*
Shooting incidents	396
Explosions	167
Bombs neutralised	120
Weight of explosives in Kgs.	5,392
Explosions neutralised	15,328
Armed robberies	438
Malicious fires	333
Amount stolen	£1,728,685
Deaths	
Civilian	49
Army/UDR (8 Army, 7 UDR)	15
RUC/RUC'R' (7 RUC, 5 RUC'R')	12

A total of 76 people were killed in 1990. The Minister's answer continued with more statistics:

Injuries	*Number*
Civilian	478
Army/UDR (190 Army, 24 UDR)	214
RUC/RUC'R' (165 RUC, 49 RUC'R')	214

—[*Official Report*, 19 June 1991; Vol. 193, c. *209*.].

Those are alarming statistics: they appear again this morning in our local newspapers. We have a long catalogue of terrorist activities and I assure the House that my constituents, and others in the Province, take no comfort from it. Already this year—and we are only in the middle of June—38 people are dead in Ulster. For 20 years, after each major outbreak of terrorism, we have been promised a review that will look afresh at security. Since the Anglo-Irish Agreement, under direct rule, there have been more and more deaths in the Province. The people of Ulster have continued to endure a nightmare under the shadow of terrorism.

In recent months, my constituency has experienced more fear and intimidation than it has known for 20 long years. If the Secretary of State does not accept that, I suggest that he visits the area and speaks to ordinary people there: he will find them gripped by terror. Castlederg has suffered more than any other village in the United Kingdom. In Cookstown a few weeks ago, the IRA tried to wipe out a housing estate, regardless of the deaths and injuries that might result. One hundred houses were affected; many will have to be pulled down, and others have been severely damaged.

Buildings can be rebuilt; that is not the real hurt and heartbreak in the community. In Pomeroy, the IRA tried to slaughter the security forces. They planted a bomb at the police barracks. When a bomb is placed there—a number have been placed there over the years—the police and the Army cordon off the area to ensure that the public do not move into the vicinity. The IRA deliberately planted a second device on that very spot. They care not for person, life or limb: they are murderous scum, and they have no place in any democratic society.

Nevertheless, there is opposition in the House of Commons to the measures that we could take to curb IRA activity. When IRA members are caught in the act and removed, we hear calls for inquiries. We do not hear such calls after the killing of a UDR man or an innocent civilian. The hon. Member for Newry and Armagh is quick to go on television, and take in as much oxygen as he can. He calls for independent inquiries to establish whether minimum force has been used.

Let me give a example of so-called minimum force. Recently, three murderers—one had killed at least 200 people—entered a town in my constituency. Their intention was to murder again—to kill innocent constituents of mine—but they were intercepted by the SAS. Because the terrorists, not the innocent civilians, were defeated and removed, the cry went up, "Was minimum force used?".

My constituents are sick to the teeth of hearing certain people asking whether minimum force was used when we are talking about the hardest core of terrorists in the United Kingdom, and even further afield. In any event, how could we ensure that minimum force was used? If that question continues to be asked, I suggest that the three

gentlemen who usually ask it—named Faul, Daly and a certain hon. Member of this House—should do something to find out. On the next occasion when there is definite information in my constituency of a terrorist attack—as there was in Coagh a week or two ago—the RUC should telephone the three of them and ask them to go to the police station. There, they should put on the police or Army uniform and go in the vehicle that is to intercept the terrorists. Let them step out of that vehicle and try, with the minimum force, to arrest the murderers. None of those getting out of the vehicle would be likely to get back in it, for the terrorists have never cared who they slaughter, kill and destroy.

We are in the midst of a cruel war. For over 20 years people in our Province have been slaughtered. My constituents, as I attend one funeral after another, have a right to ask, "When will the Government take the measures—under direct rule because they have the responsibility for security—that are necessary to defeat the terrorists?"

We will never talk terrorism away. The terrorists will not melt in the way that snow melts from the bank of a ditch. We recently got 500 additional troops and I thank the Secretary of State for them, but they are totally inadequate to meet the challenge in my constituency. I could take the right hon. Gentleman to a village in my area where, in recent days, five Protestant families have had to move, some to other parts of the Province, some across the water and some further afield. In that same village, 15 young constituents of mine were visited by the security forces to be told that definite information had been found that the names of all 15 were on an IRA murder list. The very heart of that area—15 young men from one village—was to be wiped out by the IRA.

That is the reality of terrorism, and the grip of it is tighter tonight than it has ever been. While I accept, and am thankful for, the 500 additional troops, let us remember that the Chief Constable asked for—demanded, even begged for—400 additional police to be put on the roads. I understand that the Army chiefs have also requested additional forces to meet the challenge of terrorism.

Be it in Mid-Ulster or south Belfast—where a policeman aged 26 was murdered a couple of Saturdays ago—or in north Belfast, where the other morning a young man at his work was murdered, or the young soldier who came to east Belfast last night to make his wedding arrangements with his young bride, that is the reality of the situation. The terrorists are not on the run. They have the community on the run.

Under direct rule, the Government have a God-given responsibility to bring back to the whole of the United Kingdom relative peace, stability and prosperity. I do not accept the statement once made in the House that there is an acceptable level of violence. There is no such thing. There is no room in Ulster for terrorists and there is no place for terrorism in the United Kingdom. Any democratic society that allows terrorists to have the run of the community—to tell people when and where to work and live—has been taken over by, and is in the grip of, terrorism.

I am not talking about somewhere far away, such as the Falklands, where we are facing an aggressor. I am speaking about our mainland and our back door, about a part of the United Kingdom for which the Secretary of State is responsible, not only under Government but under God. That responsibility involves protecting and ensuring the security of the people of the area.

I stand here without apology, as I have in the past, begging for the lives of my constituents. We are sick of looking at the coffins going down the road. We are sick and broken-hearted as we follow the coffins of young men and women, watching the flower of Ulster being destroyed by a bunch of murderous thugs. Every hon. Member should know the reality of what is happening in a part of Her Majesty's domain.

Rev. Ian Paisley: Does my hon. Friend agree that the tragedy is highlighted when we recall that when a UDR man was murdered and his relatives gathered in the parish church of the village in which he was brought up the coffin could not proceed out of the church—this happened in Holywood parish church yesterday—and the bishop announced that as there was a threat of bombs on the way to the graveyard, the whole procession had to stop? There was then a second threat—coded by the IRA to the police—of a bomb in the graveyard.

That reflects what is happening in Northern Ireland. No matter how many politicians, with all the dedication they may have, sit round a table and hammer out an agreement, people who stoop to such dastardly and sacrilegious acts will not be stopped by political agreements. Does my hon. Friend agree that such people must be put down by the only weaponry that they understand?

Rev. William McCrea: I wholeheartedly agree with my hon. Friend. It is an absolute tragedy that a funeral procession involving a broken-hearted family, a son and husband having been murdered, could not make its way from the church service to the graveyard without a further threat—not only along the road but in the burial ground as well—to disrupt the proceedings.

That proves beyond a shadow of doubt that there can be no place for terrorists in our society. Unfortunately, there have in the past been apologists for such people. Some have been more concerned for the terrorists than for their victims. It is about time that hon. Members in all parts of the House realised that the broken hearts of the terrorists' victims do not heal in a matter of days or in five years or in the length of the sentence given to the terrorist, if he is caught, who committed the murder. To suggest otherwise is an insult to the broken-hearted people in those families. Not one of 23 murders in Castlederg in my constituency has been solved. There are Ulster Defence Regiment graves throughout the graveyard, but not one of the people responsible has been brought to justice. Unfortunately, in other parts of the Province, where murderers are brought to justice, they are treated with kid gloves. They are sentenced and given 50 per cent. remission and return to society, many of them to carry on where they left off.

There is a great hurt in our society. It does not matter how long politicians sit around the table. Politicians will never defeat the terrorist or destroy his terrorism by an agreement. The agreement must be within the confines of the United Kingdom, because Ulster people are British. They are a part of the United Kingdom and have paid for that Britishness and for their heritage in being a part of this illustrious kingdom.

[Rev. William McCrea]

Terrorism must be defeated. What has been done to try to withdraw support from Sinn Fein has not worked. In two recent by-elections—in my constituency and in Fermanagh and South Tyrone—the Sinn Fein vote increased. I know that that is not good for the Northern Ireland Office. It is not good for the Anglo-Irish Agreement. But, as an elected representative of Ulster, I am more worried about the lives of my people—I have a right to be concerned—than about statements or statistics that try to prove that the agreement is a big thing and that we shall see the fruits of peace, stability and reconciliation.

The second strand of the speech by the Secretary of State was about the economy and the 13·7 per cent. of the work force who are unemployed. Again, my constituency has the second highest unemployment rate in the United Kingdom. I beg the Secretary of State to ensure that the Industrial Development Board and the Local Enterprise Development Unit are more helpful to local firms that want to develop and that they will encourage some of our great young people who are coming up with tremendous ideas. I have proof that, despite all the promises and advertisements on television, young people have been discouraged and have taken their products outside Ulster, some to the south of Ireland and some to the mainland.

If the Secretary of State believes that competition lies at the heart of the challenge for 1992, he will stop his Ministers privatising Northern Ireland Electricity purely for reasons of party political dogma. It will change a nationalised industry into a private monopoly and a large price will be paid by domestic and industrial users of electricity in Ulster. I listened carefully through six hours of the Minister's statement in Committee. He said nothing to convince hon. Members, whether Labour Members or Northern Ireland Members, that privatisation of Northern Ireland Electricity was being done in the best interests of the community in Northern Ireland or that it would improve the competitiveness of our industry, which suffers the highest electricity tariffs in the United Kingdom.

Once again, I listened to the hon. Member for Newry and Armagh—who is not here at the moment—talk about discrimination. I have requested scrutiny of the fair employment practices in the offices of several Departments in my constituency. There seems to be no urgency in dealing with that matter because it involves discrimination against Protestants. The three people who were recently appointed to chief posts in the Department of Health and Social Services area covering Magherafelt, Cookstown Dungannon and Armagh were Roman Catholics—not one Protestant was appointed. Of nine mental health posts, eight went to Roman Catholics—not one went to a Protestant.

If the Secretary of State wants fair employment, he will ensure that the Minister gives us fair employment in the Government Departments in my constituency. I am all for fair employment. Few people in Ulster have a better record than mine in terms of fair employment. During 18 years of local government in Magherafelt, 14 of them under the control of the SDLP, the only years of fair employment were the four years when I was chairman of the authority. That is what the Fair Employment Agency says. I need no lectures from any hon. Member about believing in fair employment.

The hon. Member for Newry and Armagh speaks about discrimination. We in the west of the Province know what discrimination is against the Protestant community.

Rev. Ian Paisley: Over the past 18-odd years, the SDLP has had control of four councils. Roman Catholic employment is 75 per cent. in Londonderry, 88 per cent. in Newry and Armagh, 60 per cent. in Down—the area of the hon. Member for South Down (Mr. McGrady)—and 60 per cent. in Strabane. The population figures are entirely different. The hon. Member for Newry and Armagh lectures us and the Secretary of State about discrimination, but he does not tell us that 12,000 of the 21,000 people recruited into the higher grades of the civil service in Northern Ireland are Roman Catholics—52 per cent. Those are the figures from the FEA, not the figures that the hon. Gentleman used.

Rev. William McCrea: I wholeheartedly agree with my hon. Friend. I remind the Secretary of State of the statistics in a district such as Magherafelt, where 46 per cent. of the population are Protestant and 54 per cent. are Roman Catholics. In the DHSS, 90 per cent. of employees are Roman Catholics. So much for fair employment.

If one plays a record long enough, someone starts to believe it. That is what has happened with the SDLP. In public and private debate—with the Secretary of State, with other Departments and with the world and its cousins—it has played the old record: there is blatant discrimination against the Roman Catholic community.

I do not and will not defend anyone who discriminates against anyone else on grounds of his religious persuasion or party affiliation. We in the Ulster Democratic Unionist party know exactly what that is. As my hon. Friend the Member for Antrim, North (Rev. Ian Paisley) has said before now, it would be most interesting to find out how many of those appointed by Ministers to new boards will come from our party, how many will come from a party that does not even have the power to get one of its members elected to this place—the Alliance—and how many will come from the Conservative party, which at the moment is a fledgling in Ulster. I am sure that the Secretary of State could find other words to describe the position of his party in the Province. It seems that there is patronage—jobs for the boys. That is something to which my party is totally opposed. We stand wholeheartedly for fairness in employment. The person who is best qualified for the job is the person who should occupy the post, whether one likes that person or not.

Rev. Ian Paisley: Does my hon. Friend agree that that applies to every department? Take the honours list, for example. If one belongs to any party other than the Ulster Democratic Unionist party and has served as lord mayor of Belfast, one is honoured. But if one happens to be of my religion or my party, one gets no honour. Is not it strange that all the other people who serve on boards and the rest will be honoured, but that the people who happen to belong to my religion or to my party will get no honours, although names have been put forward under the procedures? Can my hon. Friend tell me now how many DUP members have ever been nominated to a board by a Minister? I am not talking about those who have been appointed through councils or housing departments. I am talking about direct appointments to boards.

Rev. William McCrea: I thank by hon. Friend for his intervention, although that question really should be directed to the Secretary of State and his Ministers. Perhaps his question could be followed up and those names supplied. I would say only that one could probably write them on the back of a postage stamp; one would certainly not need a large piece of paper. That is disgraceful given that we are lectured in the House about discrimination and given that a father who wants to employ his son or cousin in his business can be told that he must employ someone else. To be frank, it is brazen cheek. My constituents and I are taking careful note of the situation. I know people who have served the community well, and who have reached out across the community, but whom the Government have never recognised because they come from a certain party or religious persuasion. We await developments with bated breath because there is always another opportunity for discrimination to be rectified. We shall be interested to see exactly who Ministers will consider for the coming honours list.

Mr. Kilfedder: On the subject of discrimination, does my hon. Friend agree that it is unfair for the Secretary of State to have excluded me from these all-important talks —which I genuinely support—even though my party is represented by me in this Parliament, when another party, which does not have a Member of Parliament, is participating?

Rev. William McCrea: As I said earlier, I believe that it is disgraceful that a party that cannot get a candidate elected to this House should have been chosen to come to the constitutional talks and is to provide 10 representatives —the same number as the Ulster Unionist party, the Ulster Democratic Unionist party and the SDLP—when my hon. Friend the Member for North Down (Mr. Kilfedder) has been discriminated against and when his party is not recognised, even though it has an elected representative in this House—which is regarded as the mother of Parliaments, at the very heart of democracy.

Rev. Ian Paisley: My hon. Friend has referred to the mother of Parliaments. Why is it that Unionist Members are also discriminated against on the Committees of this House? A member of the SDLP has been voted on to the Select Committee on Agriculture while other hon. Members are forbidden to serve on Select Committees.

Rev. William McCrea: I trust that that will illustrate the fact that direct rule is not working. The reason why the Ulster Democratic Unionist party representative and a representative from the Ulster Unionist party were removed from the Agriculture Committee, even though those parties are more representative of the agricultural community than is the SDLP, was that they would not bow to the diktat of the Anglo-Irish Agreement.

With the SDLP, the back-slapping once again went on; once again we had the prayers and speeches and the softly, softly approach was taken. The SDLP Member in question was recommended by Her Majesty's Government and his election to the Committee was supported by Her Majesty's Opposition. My hon. Friend the Member for Antrim, North chaired the Agriculture Committee of the Northern Ireland Assembly with great distinction, as was recognised by every section of the Community in Northern Ireland, yet, because he would not bow to the diktat of the Anglo-Irish Agreement, it was dismissed and regarded as irrelevant, and the authentic voice of the farming community in Northern Ireland was thereby removed.

If one does not toe a certain line, one comes to know what discrimination is really like. We certainly do; we have every evidence and every proof of it. I shall be interested to hear what the Minister of State has to say about the stewardship of direct rule. In the past year, many of these problems could have been rectified, but they were not. I trust that we shall ge a clear statement that the mistakes of the past and the discrimination against the Unionist and Loyalist community, which has paid a great price for its loyalty, will be rectified and that Northern Ireland Ministers will reward that community in some way.

I must mention another inaccuracy. The Secretary of State talked about controlled schools being mainly Protestant. What he said was accurate as far as it went. I wish to make it abundantly clear, as I do not believe that many hon. Members know this, that controlled schools are not Protestant schools; they are state schools. They are not run by Protestants. Every section of the community is welcomed through their doors including—and it is a vital part—the Roman Catholic community.

Unfortunately, the person who has been elevated to the chief post in the Roman Catholic community in Ulster would refuse at the same time and in the same place to baptise children from the Roman Catholic community who happen to go to a state school and not to a Roman Catholic school. Unfortunately, the House does not know that the doors of our controlled schools are open to everyone in the community. Members of my party, those who belong to the party of my hon. Friend the Member for North Down and those from the Ulster Unionist party have encouraged the whole community to be part of the system of state education and not to go in their own direction.

A vital matter that must be dealt with is the bombshell that was placed before the House tonight. We witnessed not only the rug being pulled from under us, but a bombshell being dropped in the House by the Secretary of State. I am sure that if he reflects on what I said earlier —when I hoped that he would see reason—he will realise that my words were carefully chosen, imploring him to turn back from the precipice and beseeching him to think again.

Unfortunately, the Secretary of State cast those words to one side. He mentioned a statement that he made on 26 March about the number of weeks allowed for the constitutional talks. The truth is that there was a delay of seven weeks in the commencement of strand one because one party to those talks would not move to strand one until matters relating to strand two had been decided. A major matter was one that the Unionists did not know about until it was thrust upon them—an independent chairman.

Everyone had come to the table and started the bilateral discussions with the clear understanding that the Secretary of State would be the chairman of the strand two talks. Unfortunately, the Prime Minister of a foreign country decided otherwise. He would not sit under the Secretary of State who permitted him to walk all over him and to have his way. The same Prime Minister and his Government have told the Secretary of State that the 16 July date will go ahead and that there will be no backing down.

The Secretary of State must realise that the elected representatives of Northern Ireland have put their lives on

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the line to participate in the talks. Every participant in those talks is under threat from terrorists. We have put not only our lives, but our reputations with the electorate on the line. Day by day we have to face the propaganda pumped out by the media, much of it against the Unionist population, its elected representatives and the Unionist position. The Secretary of State has decided to cast aside that danger and the fact that our reputations are on the line and he has decided to go ahead with an Anglo-Irish conference for which there is no need.

I am sure that the reason that will be given in due course will be that there are serious matters of security which we need to discuss with the Irish Republic. There have been 20 long years in which to talk about security with the Irish Republic. In my constituency, the Irish Republic is still held to be the haven for the terrorists who murdered people in Castlederg. The Prime Minister of that country has never thrown them out and nor have they, in the sight of Ireland, been brought to justice. If the Secretary of State progresses down that road, he will be regarded—I still appeal to him to change his mind—as having betrayed the long-suffering people whom I represent because trust will have been broken down by such a decision.

The Secretary of State must back down from his decision because if he earnestly believes that the talks are so important to the future of Ulster, he will not allow a conference under the Anglo-Irish Agreement—which has produced nothing in the past to bring real stability to our country—to stand in the way of substantial progress. He knows well that there was to be substantial progress in strand one before we moved to strand two. He is trying to jockey the Unionists into betraying the trust of their people.

I remember when I came into politics 18 years ago and was first an elected representative. It is true that there were those who did not have the courage to stand up in honour for what was a good, right and proper principle. It is true that successive Governments have racked and ruined the reputation of Unionist leaders. However, I must make it abundantly clear that the two leaders of the Unionist community in Ulster will not be broken and their reputations will not be destroyed by anyone. They will act with honour and they will stand by the pledge that they give to the people. There are three strands to that pledge, as the Secretary of State knows full well. I trust that hon. Members who are present will seek to galvanise all other hon. Members to say to the Secretary of State that there is too much to lose by making a foolish mistake which, again, must be based on dogma rather than on bringing peace, stability and reconciliation to our Province.

We are to have direct rule for another year. Especially in terms of security, which is close to my heart, no one can be proud of that stewardship. On the constitutional position of Northern Ireland, I have pride in saying that I was born a British subject. Neither Charles Haughey nor anyone else will rob me or my family of our Britishness. I still believe that if Ulster is part of the United Kingdom, Charles Haughey, the leader of a foreign country, has no right to interfere in the internal affairs of that part of the United Kingdom.

9.7 pm

Mr. James Kilfedder (North Down): I fully understand the fervour with which my hon. Friend the Member for Mid-Ulster (Rev. William McCrea) spoke. He represents a constituency that has suffered terribly at the hands of terrorists. We should ensure that he and the people whom he represents have our sympathy and support.

I was saddened by the remarks about religious schools in the latter part of the speech by the hon. Member for Newry and Armagh (Mr. Mallon). For the past 20 years, I have argued against religious apartheid in education. I argued not only for seeing an end to the taxpayer supporting religious schools, but for the abolition of the three teacher training colleges and for teachers to be educated under the aegis of a university.

One of the great curses of Northern Ireland is the religious divide which exists because children are educated separately. There is the state system, to which reference has been made, and there are the religious schools. I cannot see the possibility of any real reconciliation unless and until all children from the earliest age attend the same schools. At the moment, even in my constituency children are bussed past state schools to attend religious schools. That is wrong, and I recognise the Minister of State's efforts in trying to bring people together and to remove that divide in education.

I participate in this debate at a time when I have been saddened by events of the past few days. We in Northern Ireland have experienced grievous times. Last Monday morning another of my constituents, Brian Lawrence, a member of the Ulster Defence Regiment, was callously murdered by the IRA. He gave his life for the people of Northern Ireland, both Protestant and Roman Catholic, who have been subjected to more than 22 years of evil terrorism at the hands of sadistic killers. My heartfelt sympathy and the sympathy of this House go out to his grieving wife and family.

Yesterday Brian Lawrence's funeral was deliberately disrupted by IRA bomb hoaxes intended to create havoc and further distress for the mourners. That is utterly contemptible, but of course the IRA will stoop to any depravity, as we have learnt over the years.

Yesterday evening—more than likely just when the Secretary of State was receiving his award for reconciliation and harmony in Northern Ireland—a member of the regular Army, who came over especially from England to make arrangements for his wedding to a Belfast girl, was murdered in cold blood by the IRA in front of his girl friend. Our deepest sympathy goes out to her and to his family. Over the past two decades the House has heard countless expressions of sympathy in the wake of never-ending misery and atrocities. But sympathy is not enough.

I was particularly angered by the statement from the Northern Ireland Office that the upsurge in violence and deaths was due to the present inter-party talks. That is blatant nonsense, as were the earlier statements that the IRA atrocities continued over the past decade because no talks were taking place between the political parties. That is an insult to those who have died at the hands of the IRA and to the intelligence of the Ulster people.

The plain fact is that the IRA kill because they relish killing innocent and usually defenceless people. The IRA has calculated that if it commits enough atrocities, it will

be able to rule by terror. The IRA believes that it can frighten the British Government into taking steps that will eventually lead to capitulation.

One need look no further than the Anglo-Irish Agreement, which has been referred to more than once today, to see an example of abject capitulation which—let there be no doubt about it—gave encouragement to the IRA. At the time, the explanation was that the agreement would lead to peace, stability and reconciliation in Northern Ireland. We know that that has not been the case and we can point to all the funerals that have taken place since that agreement was signed.

Despite all that has happened in the past decade, the majority of the Ulster people hope that the inter-party talks will end in success. I have commended the Secretary of State in the past for his patient efforts and I do so again now, even though, as you have already heard, Madam Deputy Speaker, he has excluded me from the talks for reasons that I have not yet heard. As I have said to my hon. Friend the Member for Mid-Ulster (Rev. William McCrea), that is surprising because I genuinely support the talks and have taken every opportunity to promote their success. The extraordinary thing is that 17 months ago, when the Secretary of State launched the talks, he did so in a speech that he made in my constituency at a lunch with the chamber of trade. Its members thought that he was coming along to talk about the problems of Bangor and were disappointed that he did not. I was invited to attend by the Northern Ireland Office. I did and heard for the first time from the Secretary of State's lips about his intention to hold the talks. That was both the first and last time that I ever heard directly from the Secretary of State about the talks. I do not know why, and I would love an explanation. I intend to be brief, but I will sit down now if the Secretary of State wishes to give an explanation as to why I have been excluded. I regard it as a form of discrimination. The Secretary of State declines to take the opportunity to give an explanation, but I should like to know why because I regard it as a strange way of encouraging the talks. The Alliance party and all its entourage has been invited to attend the talks when it does not even have a Member of Parliament here; I ought to have been allowed to make my input at the talks.

As I have said, however, I am committed to the success of those talks. That is why I repeat my earlier plea to the Secretary of State about the meeting of the joint ministerial conference which is to be held under the Anglo-Irish Agreement on 16 July. The Secretary of State knows that the agreement is regarded by the Ulster majority as a detestable betrayal of the Unionist people in Northern Ireland. If the meeting on 16 July is not postponed, that will be seen as evidence of the Dublin Government's intention to humiliate the Unionist people.

This is a time for statesmanship. We need evidence of good will from Dublin. Therefore, when the Secretary of State meets the Prime Minister of the Irish Republic in the next day or two, I trust that he will urge the Irish Prime Minister to extend the period of suspension of the Anglo-Irish conference until after the end of July. I ask that because it seems to me that Dublin has a say in these matters. The Secretary of State has said that there is urgent business to attend to, but what business is so urgent that it cannot wait for two weeks? I should like to know. If the meeting is to go ahead on 16 July, the Secretary of State should tell us the reasons why. I do not think that it is asking too much to ask for a two-week postponement when so much is at stake. It would certainly demonstrate the commitment of the London and Dublin Governments to fairness and justice. Stage 1 of the talks could be completed by the end of the month. I urge the Secretary of State to stand firm on this matter. There should be no meeting on 16 July or until the conclusion of stage 1 of the talks.

I remember—I was Speaker of the Northern Ireland Assembly at the time—how Dublin forced the British Government to bring the Assembly to an abrupt and ignominious end. As I was leaving Stormont for the last time, I saw the building ringed with police and police vans to make sure that the Members of the Assembly, who had been democratically elected, were ejected. It was a sad day for democracy that the people who had contributed so much to making the Assembly a success should have been treated in such a disgraceful way. It was done because Dublin demanded that the Northern Ireland Assembly should not provide a platform for those who were opposed to the Anglo-Irish Agreement. Surely in a democracy we are entitled to talk about matters which affect us. The British Government should not have closed Stormont prematurely, as they did. It is a blot on the British Government.

I close my remarks by referring to my hon. Friend the Member for Orpington (Mr. Stanbrook). I am sorry that he is not here. I should like to pay tribute to him. He has announced that he will not stand at the general election. He has served his constituency well for more than 20 years and he has certainly been conscientious and loyal to his constituents. I have addressesd his Conservative association. As the Secretary of State has not invited me to the talks, I wonder whether perhaps I should not have done that. Perhaps that was why I was not invited. I spoke to the Orpington Conservative association dinner in this House. My hon. Friend is regarded with great warmth in his constituency. I pay tribute especially to his dedication to the people of Northern Ireland. His commitment is recognised by the people of Ulster and we regret that he will no longer be in the House after the next general election.

9.22 pm

Mr. David Trimble (Upper Bann): This debate is on the Northern Ireland Act 1974 (Interim Period Extension) Order 1991. I refer to that to remind myself—not necessarily to remind others—of the precise subject of the debate. It is an extension for another year of the system known as direct rule. As the time is available, I understand the desire of my colleagues to range over other subjects. But I wonder whether it would be better—perhaps the Ministers from the Northern Ireland Office would like to bear this in mind—to have properly structured debates on various aspects of Northern Ireland business as and when appropriate, or to create the opportunity for such debates. To allow debates such as this to range over a series of issues does not allow us to have focused debates.

The issues over which my hon. Friends ranged are important—I intended no criticism of them in what I have just said. Security and other matters are of vital importance. I am well aware of that from the events in my constituency. However, I hope that my constituents will forgive me if I do not concentrate on those matters but turn to the particular issue of direct rule. I wish to focus attention on the direct rule system itself. It is important

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that we should consider the nature of it and its effects as well as the position in which it might place the United Kingdom.

It is accepted that direct rule is an extraordinary system of government. It should not be regarded or accepted as normal, although it may have lasted for 19 years, with one short break of five months. I believe that I am right in saying that the Secretary of State for Northern Ireland once said, in respect of direct rule, that there was a "democratic deficit" in the government of Northern Ireland, which is undoubtedly true. If we compare the system of government in Northern Ireland with that in the rest of the United Kingdom, it immediately becomes apparent that there is a complete absence of any form of effective local government in Northern Ireland.

Changes to the local government system in Great Britain are presently being mooted, but there is an effective system of local government, controlling a range of matters related to the environment, roads, housing, significant planning functions and even, in some areas, policing. None of those functions exists within local government in Northern Ireland. There are district councils, but they are equivalent to parish councils in rural England. A recognisable system of local government does not exist in Northern Ireland.

There is also a democratic deficit in central Government functions in Northern Ireland. Northern Ireland matters are not treated properly in the House. We have the iniquitous system of legislation by Order in Council. Such orders are not treated properly in the House, and there is no opportunity to amend or discuss them in detail. In the past couple of weeks, we have been fortunate in that electricity privatisation has been discussed in the Northern Ireland Committee, but even that is less than satisfactory because, during those discussions, there is no opportunity for detailed consideration on a clause by clause basis such as we would have for proper legislation.

I refer hon. Members to a most eloquent denunciation of the procedures in the Northern Ireland Committee by a Labour Member in that Committee this morning. I think that it was an hon. Member representing a Derbyshire constituency, but I shall have to leave hon. Members to look at the *Hansard* report of that Committee to explore further that clear denunciation of the Committee's operation, which shows that we cannot make up the democratic deficit that results from an absence of a proper system of legislation.

Accountability is also non-existent. We do not have the same measures to provide for the accountability of Ministers to the House on Northern Ireland matters as on other issues. Once again, there is a clear democratic deficit.

The system of direct rule, the interim period extension, was referred to in the Northern Ireland (Temporary Provisions) Act 1972 as "temporary provisions". However, the measure has lasted in one form or another for 19 years, and cannot be described as temporary or interim. It exists because it is the will of the Government and the House that such an unsatisfactory system should exist. It is their responsibility that it exists, because there are other things they could do.

I wish to consider whether, by having such an unsatisfactory system—which even the Government acknowledge as unsatisfactory—the United Kingdom Government have placed themselves in breach of their international obligations. That idea came to my mind when I was perusing the United Nations' covenant on civil and political rights, article 25 of which states:

> "Every citizen shall have the right and the opportunity without any of the distinctions mentioned in article 2 and without unreasonable restrictions:
>
> (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;"

The article goes on to refer to elections and to access to public service.

The phrase

"take part in the conduct of public affairs, directly or through freely chosen representatives,"

is largely based on article 21 of the universal declaration of human rights, which states:

> "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives."

Article 25 states that that is without any of the distinctions that are mentioned in article 2, which sets out clearly what might be called the equality principle that is present in the United Nations covenant, as it is in almost all human rights and civil liberty provisions that are internationally recognised. The equality articles in the international covenant on civil and political rights state that each state party undertakes to respect and ensure to all individuals within its territory, and subject to its jurisdiction, the rights recognised in the present covenant without distinction of any kind,

"such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

That obliges each state to ensure to all individuals within its territory basic equality.

Sometimes people talk of the United Kingdom as if it were a single nation. Sometimes it is spoken of as a multinational state consisting of the separate Welsh, Scottish and English nations and the people of Northern Ireland. Whatever term we use, and whether or not we focus on the phrase "national or other status" within article 2, there is no doubt that the covenant requires the United Kingdom to treat all its citizens within the United Kingdom on an equal basis. In the terms of article 25, that means the opportunity to take part

"in the conduct of public affairs, directly or through freely chosen representatives."

There should be equality in the opportunities afforded to all the citizens of the United Kingdom to take part in public affairs, but it is demonstrably clear that that equality does not exist and has not existed during direct rule. There can be no doubt about that. It will be interesting to hear any observations that are made about this state of affairs later in the debate. The inequality was recognised by the Secretary of State when he used the term "democratic deficit", and there is such a deficit. The people of Northern Ireland suffer from a system which gives them less opportunity to participate in public affairs than the peoples of England, Scotland and Wales.

We in Northern Ireland are deprived of an effective system of local government. We who represent Northern Ireland constituencies are deprived in the House of an equal opportunity to participate in public affairs when it comes to considering legislation and holding Ministers accountable for their actions. There are first and

second-class citizens and there are first and second-class Members in this place. We are conscious of the restrictions that have existed for 19 years.

I am sure that the covenants and obligations to which I have referred are not to be read too closely and too precisely. If a judicial body were called upon to interpret and apply the principles that are set out in them, I am sure that it would allow what in continental jurisprudence is referred to as a margin of appreciation to the relevant Government. It would allow some attention to be paid to circumstances, and I am sure that it would allow a degree of variation. There is a degree of variation within Great Britain in the local government systems in Scotland and England.

The principle of equality does not require an absolute, precise and completely unvarying standard throughout the kingdom. Instead, it requires a broad approximation. If crises required changes to be made, I am sure that a court that was called upon to apply the principles that are set out in the covenants and obligations would allow time for adjustments to be made if adjustments were necessary.

When a system of inequality has operated for 19 years there must come an end to the excuses that can be made for operating it and to the reasons that can be advanced for not applying equality. Her Majesty's Government should consider carefully the United Nations universal declaration of human rights and the international covenant on civil and political rights. They will know that there are other international obligations and agreements into which they have entered in which the same principle of equality is set out. I suggest that they should consider carefully whether they are in breach of their other obligations as well.

The United Nations covenant and declaration are not immediately and easily enforceable. They are not the same as the European convention on human rights, under which applications can be made to the European Court of Human Rights and the issue made justiciable.

There are procedures, but not terribly effective procedures, whereby breaches of the United Nations covenant can be taken up. They usually involve going to other countries to raise the issue. I am sure that it would be a matter of great shame for Her Majesty's Government if her loyal citizens in part of the United Kingdom who have been discriminated against were forced to go to other countries to try to get them to raise their case before international tribunals in order to achieve redress. We have endured the system too long, and we cannot be expected to endure it for ever.

The principle of equality does not just condemn direct rule. I use the word "condemn" advisedly. If hon. Members were to reflect on it, they would see that it also condemns the Anglo-Irish Agreement, which is also in breach of it because it establishes a different regime in some respects for Northern Ireland.

With regard to certain matters—not all the issues of government but certain matters—as we know, the Anglo-Irish process, especially the intergovernmental conference, which has been referred to by hon. Members tonight, is the most significant organ of government for decision taking. We know that decisions are taken within it. We do not know the precise details, because, as was pointed out to the Secretary of State tonight, that conference and the Anglo-Irish process is underhand, secret and deceitful. It really should be a matter of shame for an hon. Member to have taken part in it. I hope that eventually they will come to their senses on that matter.

There are implications not just for the Anglo-Irish Agreement but for other organs as well. If we talk about opportunites to take part in the conduct of public affairs, we have to consider not just Government organs and legislatures but the other things which operate within them which are the vehicle for taking part in public affairs, and that must inevitably bring one to consider the position of political parties.

Those political parties that discriminate against certain persons in the United Kingdom, that discriminate against certain regions of the United Kingdom by denying people the opportunity to join them, should reconsider their approach. The representatives of the Labour party who do discriminate in that way should consider their position, because the equality principle should apply to them too.

It is not good enough to say that political parties are private organisations that can draw up whatever rules they like for the conduct of their affairs. One did not say that about trade unions. Because of the way they operate within the body politic, it was said that they should be regulated. If one discusses or touches on the matter of some form of state or public regulation of political parties, one is entering into a dangerous area

One could understand the reluctance of public bodies to move in that way, but when one political party clearly discriminates, as the Labour party does, against the people of Northern Ireland, that should be a matter of general public concern. We have the ridiculous situation that the only people in all the world who cannot join or publicly affiliate themselves to the British Labour party are the 1·5 million British citizens living in part of the United Kingdom. That ought to be a matter of shame to the Labour party. I wish that it was. I regret that many of its members are shameless in that respect.

There may be a defence for different treatment of some areas, but the only effective defence is where that different treatment is done with the consent of those who are treated differently. In that respect, one has to say that with regard to direct rule there is not that consent. It was possible for some time—I believe that an hon. Member touched on this earlier—to suggest that direct rule was everybody's second option and there was some opinion poll evidence for that. At the end of the 1970s and in the early 1980s, a number of opinion polls suggested that there was a growing acceptance of direct rule, but it is interesting to note that, since 1985, general surveys and public opinion polls show that there is now no significant popular support for direct rule. People realise that the iniquitous system of direct rule allowed the act of folly and misjudgment known as the Anglo-Irish Agreement, and that it must be changed and replaced by something else.

The conference on security and co-operation in Europe, from the time of the original Helsinki agreement to as recently as two years ago, was primarily concerned with European security—particularly in respect of the two main power blocs—and human rights. However, its purpose subsequently broadened and deepened—notably at the charter of Paris conference last November—to include also the protection of the democratic process.

The CSCE is seen as the means by which the newly-independent states of eastern Europe could have their democracy confirmed, and by which the growth of genuine democracy in central and eastern Europe could be

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assured. Her Majesty's Government are playing a part in that process, and are no doubt helping to advise others —so it is ironic that such an appalling state of affairs should exist in their own backyard. Instead of preaching to others, the Government would be well advised to put their own house in order and to remedy the direct rule system.

Let no one argue that the remedy for direct rule is for the people of Northern Ireland to agree, under the present talks, to some strange system of government. That is an inadequate answer. The difficulties of 18 or 20 years ago may have led the then Government to remove local institutions of democracy and to abolish the Stormont Parliament, but they did not compel the British Government to adopt direct rule. If they had wanted to divert power to this House, they could have done so in a proper way, using correct procedures, and by introducing other measures. That could still be done.

The Government should not hide behind the present talks. The remedy for the democratic deficit lies here. The people who can remedy that democratic deficit are seated on the Government Benches. It is their responsibility—and if they fail, as they have in the past, let them not put the blame on anyone else.

9.42 pm

Mr. Peter Bottomley (Eltham): I intend to speak more briefly than the hon. Member for Mid-Ulster (Rev. William McCrea), and I do not want to identify all the areas of disagreement between those hon. Members who have already contributed. I recollect that I spoke first after the maiden speech of the hon. Member for Upper Bann (Mr. Trimble). I paid tribute to his remarks then, but cannot remember whether I alluded to the possibility of the hon. Gentleman being a future leader of his party. Given the rate at which Northern Ireland parties change their leaders, the hon. Gentleman may have to wait a long time.

People change things—institutions do not. Institutions change—people do not. There are obvious exceptions to those generalisations, and if Northern Ireland is to have a happier future, those who appear to be unchanging must find a way of accommodating their ambitions with the aspirations of others.

I pay tribute to the hon. Member for Kingston upon Hull, North (Mr. McNamara), who spoke with commendable brevity. He referred charmingly to the way in which he has avoided the television cameras for some time. I sometimes wish that members of my own party would do the same, on different issues.

I pay tribute also to the hon. Member for Newry and Armagh (Mr. Mallon), who put up with a fair amount of chiding. I understand the strength of feeling that exists, but it is important that people, while not totally hiding their feelings, should exercise the restraint that we saw more from the hon. Member for Newry and Armagh than from some other hon. Members tonight. As I have mixed Yorkshire and Northern Ireland blood in me, I shall—if provoked—be not nearly so restrained as the hon. Gentleman.

It would help to deal with one of the associated factors that lead to direct rule if there were certainty about the future of Northern Ireland and acceptance of the process of government in Northern Ireland. Those two may appear to clash. It is quite clear to me that both the disloyalist killers and the IRA—as fellow killing criminals —are trying to exploit the possibility of change. I have no problem about envisaging a change in government within Northern Ireland, or for that matter within the United Kingdom. I am willing to contemplate change in the government of the European Community and even an enlarged European Community. Forms of government ought to serve the peoples within their jurisdiction rather than the other way round.

The IRA is one part of a series of issues in Northern Ireland; indeed, it is more than a part—it is one of the problems. Northern Ireland is not a problem by itself, although the IRA may be, but there is a series of other issues involved.

The IRA is limited by three factors—its physical capacity to create mayhem and to commit crimes, its supporters' tolerance for what it does, and the likelihood of progress towards its intended or desired results. It is plain that the House will stand completely firm against violence and crime achieving what should only be obtainable, even in theory, by political involvement.

The United Kingdom is not the sort of country where people can claim that the failure of democracy needs to be filled by violent crime. Whatever the democratic deficit that may have been identified by my right hon. Friend the Secretary of State or by any other person, that is not true.

It is also worth recognising that the tolerance of the IRA's supporters' exists. During my brief period of service in support of my right hon. Friend, the IRA had on occasion to explain why it had done certain things. The only time that it makes public explanations is when it has done something that tries the patience, understanding or support of those relatively close to it.

Part of what this House ought to be doing is creating the sort of climate and understanding among the outer fringes of peple who are willing at least to accept that there may be some reason behind part of what the IRA does, so that that circle of people gets smaller.

To put it differently, if one person is planting a bomb there are problably four people who know who is doing it, and for each of them there are four more people who are willing to accept that the process is "worthwhile" in their terms, even if it ends up with the killing of people on their own side whom they are against and many others who have no connection with the issues at all. Therefore, 16 people may be called proper supporters, and for each of those there may be four others willing to say that those actions are part of the process.

If we can turn the white propaganda—I am not talking about anything false, but about the genuine—and if we can get at those 64 people and make growing numbers of them understand what the IRA and for that matter the disloyalist killers are doing is counterproductive and has no prospect of success, the 64 may turn to 32. Thus we and the local community can squeeze the people who are killing.

I do not want to diminish the importance of strong physical security measures or say that is a substitute for the actions of the Army and the police. I am not saying that it diminishes the necessary bravery of those taking part in legitimate politics. However, that hard security is not sufficient by itself.

When dealing with other parts of the world I have come to the conclusion that we often find weakness where our enemies think that they are most strong. Sometimes we

find the greatest strength in the areas where people appear to be weakest. Nothing is apparently weaker than someone going to a polling booth, placing a cross on a ballot paper and shoving it in a box and then having their vote counted. Yet in a growing number of countries that system has managed to out-manoeuvre and outlast and may achieve more than those people who turn to the use of bombs and bullets.

We must have faith in an open political process. One of the tragedies of much of the period of direct rule is that no Member of Parliament from Northern Ireland has been a Minister in the United Kingdom Government and there appears to be no prospect of that happening. Each political party in Northern Ireland should be trying to change that. The solution may come from what has been described as the fledgling of the Conservative party in Northern Ireland; it could perhaps come from the SDLP in the event of a Labour Government, because of the close association between the SDLP and the Labour party in Great Britain. Again, it might result from the Unionists returning to the kind of arrangement with a political party that they had until about 18 years ago.

Mr. William Ross: It could easily come about if the Conservative party became a Unionist party again.

Mr. Bottomley: That is one answer; there are various others. The solution might be found if the current talks—an achievement on which all the legitimate parties should be congratulated—led to what the hon. Member for Upper Bann has described as "consent to different arrangements". The present arrangements are not satisfactory; no one pretends that they are. I believe that my right hon. Friend the Secretary of State said as much in his speech at the Methodist college in December 1989.

The United Kingdom is more likely to provide the equal opportunities described by the hon. Member for Upper Bann if we can secure basic consent to a process whereby people can reach agreement themselves in Northern Ireland—or the north of Ireland; I use the terms interchangeably. The talks will not succeed unless the legitimate parties reach agreement, and such an agreement is at least as likely to result from what is said outside the Chamber as it is to be informed by our debates.

Mr. Trimble: I understand what the hon. Gentleman has been saying, and I know that he intends to be helpful, but he is putting the cart before the horse. The principle of equality that I mentioned ought to be applied irrespective of whether we approve of the way in which local politicians are behaving. If it were applied, it might in itself be conducive to the developments that the hon. Gentleman has described.

Mr. Bottomley: I am sure that that is true. I have never been accused of having any difficulty in overcoming intellectual pretensions. I have none—I am not rigorous, or a successful lawyer like the hon. Gentleman. I am simply trying to give my views on some of the issues about which I felt strongly before I became a Northern Ireland Minister, and about which I have continued to feel strongly since I stopped being one. I have listened to what the hon. Gentleman has to say and I hope that he will now allow me—briefly—to say what I want to say.

There has been some argument about whether the date of the intergovernmental conference should be changed. Some of the exchanges have not been very helpful. My right hon. Friend the Secretary of State should have been allowed to continue after he had repeated what was known—that a date had been announced. He also said that he intended to discuss the matter with others because of the delay in embarking on the first strand of the talks. I suspect that he was alluding to the possibility of an alteration in the date.

One party that is not represented here—apart from the Alliance party—is the party which governs the Republic. I think that the Irish Government would have found some of the demands for a change in the date pretty offensive. I ask them to react in the same spirit as the hon. Member for Newry and Armagh and not to respond to all that has been said here.

I hope that the inter-party talks will lead to some way of accommodating the different interests. I do not believe that an extra two weeks, bridging 12 July, will make that much difference; I am not sure that people in Northern Ireland want to be involved in detailed, serious talks, with an unpublicised content, throughout July. I do not think that that is in the Northern Ireland tradition. It is not likely to be the best time to be continuing the talks. There are other problems, too, that are best aired without the benefit of the microphones in this Chamber.

I enter a plea for the Government in the south to understand the implications of what had been the 10 weeks leading up to the middle of July. There has been a change in the circumstances that people were expecting before the hiccups in starting the talks process.

The tribute to my hon. Friend the Member for Orpington (Mr. Stanbrook) was well made and I thank the hon. Member for North Down (Mr. Kilfedder) for his remarks. There has been a good tradition in the Conservative party of having people with a keen interest in the constitution, and the well-being of the people, of Northern Ireland within the United Kingdom. We have had Airey Neave and Ian Gow and the present Secretary of State, and I hope that the tradition will continue—whether there are vacancies by way of bombs or retirement, I trust that four more will step forward on each occasion, for that must be the way to proceed.

The tribute to the Secretary of State is well deserved and I am glad that there has been all-party support for early-day motion 975, which recognises the efforts of the Secretary of State, with his good humour and self-restraint, together with his persistence in trying to get people to find ways of pushing forward their own views of the right interest for Northern Ireland in a way that is compatible with sitting down at the same table with people who approach the issues in a different way.

The all-party talks represent a major opportunity for progress and reconciliation. Perhaps they are not likely to succeed in all possible ambitions straight away, but the fact that they started is a reflection of the detailed preparatory work that took place. That is a tribute to all those taking party, including—I say this in the open—the Opposition in this House and the constructive assistance that they have given along the way. If all those participating in the talks do their utmost to deliver a successful outcome, it will, as the early-day motion says, "be universally recognised as a quite outstanding achievement."

I sum up a whole series of issues by saying that I do not have, and never have had, a solution. About 300 years should have been sufficient to find the easy solutions. There remain a series of issues with which we must deal. If

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we are to get justice, it must be the type of justice that cannot be delivered out of an illegal gun or bomb. Such methods cannot deliver justice in any part of these islands.

If we are to have equality, it must come because people have a true choice of employment, and issues that arise over people being unable to swap between one council area and another must become issues of the past. Once each person has a job, we can argue over what sort of jobs people have rather than having to ask whether they have jobs at all.

Justice goes with peace, and justice and peace go with jobs and prosperity. The politicians will not have succeeded until we have managed to outfight, in terms of security, and outwork the people of violence and ill will, those who want to be stuck in the politics of the past, pandering mainly to the prejudices of their most extreme supporters. Northern Ireland deserves better than that, and we may be part of the way towards seeing a glimpse of a better future.

9.58 pm

Mr. Peter Robinson (Belfast, East): This has not been a good day for me. I had intended, when looking at my diary in the early part of the week, to use today to listen to others making contributions. But, including in Committee upstairs and the two debates in the Chamber, this is the third speech that I have made today. That has occurred because of circumstances outside the House and comments made inside it.

No matter from which part of the United Kingdom we come, and no matter to which party we give our allegiance, each of us enters the doors of the Chamber having gained access through the ballot box. We all have something else in common—when we go before the people, we put to them a programme of what we intend to do when we are elected. In 1987, when I last stood for election to the House, I stood on a manifesto which, in common with my colleagues in the Ulster Democratic Unionist party, we fought with the Ulster Unionist party. That manifesto committed us to take a certain course of action on the Anglo-Irish Agreement and, therefore, the impact that it had on direct rule—the subject of our debate.

Because of the Anglo-Irish Agreement, in effect the Unionists had been marginalised in political life in Northern Ireland. An outside Government had been given a greater say in our internal affairs than we had. Because of that agreement, we pledged ourselves to work with anyone in the House who was prepared to find an alternative to and replacement for that agreement and to find new structures for Northern Ireland which could bring about the peace, stability and reconciliation about which the then Prime Minister had spoken in terms of the Anglo-Irish Agreement but which could not have been and have not been achieved through it.

In some ways, I suppose that I could be described as a child of the troubles. Having grown up during those years, I was earnest in my efforts to work towards that alternative and replacement. I have three young children, the eldest of whom is approaching 19. None of them has lived a day in Northern Ireland when Ulster has not been at war. By the time I reached my eldest son's age, I had at least enjoyed knowing Ulster when it was free. None of my children has had that joy. I have a responsibility to them, which I will not shirk, in working towards the structures that will bring about a stable and better future for our Province and its people. It was with that sincerity and genuine desire to see progress that I was happy to encourage the Secretary of State, to congratulate him on having brought the process about and to urge him on. Undoubtedly, there will be many difficulties. There have been many difficulties, but all of us hope that the process will succeed.

Although we face what is clearly another obstacle, it is perhaps beneficial if for a moment we take our eye off it and look over our shoulder to see how many obstacles we have already overcome. Many would have felt that it was unlikely that we would reach this stage, given the difficulties and obstacles in front of us. Perhaps, even at this late stage, we are not without hope and perhaps even this obstacle can be overcome. My colleagues and I will be at Stormont on Monday, willing to work to overcome that obstacle.

Part of the reason that we gave in our manifesto for seeking an alternative to and replacement of the Anglo-Irish Agreement was the fact that that agreement had effectively put us outside the political arrangements. It had put in place structures with which we did not identify. We made no secret of the fact that we had a precondition, which might be described as a tripartite precondition, for entering into talks. Other parties were less open about their preconditions. We spoke plainly in our election manifesto about ours.

We required a suspension of the working of the Anglo-Irish Agreement, which has two parts—conference level and secretariat level. The reason for that was perhaps best described by my hon. Friend the Member for Antrim, North (Rev. Ian Paisley)—he is often the best person to describe such things—who said that, if we simply sat down and talked within the framework of the Anglo-Irish Agreement, we should be negotiating within a cage. That is why we sought the suspension of the working of the agreement through the suspension of its conference and the secretariat.

Effectively, we had established that there would be book-ends at the beginning and at the end of the talks, in the form of conference meetings. The end of a conference meeting would herald the beginning of the talks and as soon as a conference meeting took place thereafter, that would be the end of the talks. That was pressed home not only to this Secretary of State but to previous Secretaries of State. We told them exactly what we meant by a suspension of the working of the Anglo-Irish Agreement. No one could have been in any doubt about it.

It was important for us that there should be a break in the conference meetings specifically for the purpose of the talks. In his speech, the Secretary of State referred to a statement of 26 March, implying—I put it no more strongly than that—that he had specified in that statement the dates within which the talks would take place in Northern Ireland. The text of the statement did not, in fact, give dates; it simply said that there would be a specified period within which the talks would take place and that it would be between conference meetings.

The dates of the conference meetings were set by the two Governments. We never agreed to those dates; indeed, we had no power to suggest what those dates might be. Nevertheless, the scene was clearly set: in the discussions between the two Unionist party leaders and the Secretary

of State, it was clearly specified that there would be a period of about 10 weeks in which we could talk about the three strands that made up the overall talks process.

Unfortunately, when the bilateral sessions that were to lead on to the first strand began, we were informed of matters that had to be resolved before strand one plenary sessions could begin. Those matters related not to strand one, but to a later stage of the process. I am sure that the Secretary of State will confirm that, in recent weeks, our advice to him has been that we should have proceeded with strand one and dealt with these matters in the margin of the conference. They were matters that took us quite by surprise. They also took the press by surprise. I recall a press conference given by the Secretary of State in which the right hon. Gentleman attempted to suggest that there was a need for an independent chairman for strand two. The press immediately said, "But we thought you, Secretary of State, were the independent chairman." That is what we thought, too.

There was a delay in the start of the talks process not because we sought or wanted a delay—on the contrary, we wanted to get on with the strand one negotiations. We therefore assumed that the time lost would be added on and that we would still be able to work within the same time period. As I said in an intervention, we have shown our willingness to intensify the process—to put more hours into the day and more days into the week—and we are still willing to do that, as an indicator of our good faith in the process. I rather suspect, however—and perhaps it is better to say it out than to allow others to think it and not say it—that the SDLP and the Government of the Irish Republic fear that the moving of a conference date is in some way an achievement for the Unionists and that there is some bonus to the Unionists in having a conference meeting moved just for the sake of it.

For the record, I make it clear that our only objective is to complete the talks process within the conference meetings and if we could do that in the two or three remaining weeks, we should be delighted. However, practically, I do not believe that it can be done in such a short time. It could just have been done if we added on the time that we would have had if we had the full 10 weeks in which to work.

The Secretary of State will know that some of us believed that the best argument which could have been advanced for the moving of the conference dates would have been that progress had been made. I should have been most happy if there had been no reference, either today or earlier, to the date of conference meetings and to the fact that there was a time limitation. I am convinced that if progress is made in the next few weeks, only a very foolish Government—whether of the United Kingdom or of the Irish Republic—would consider prejudicing the progress that had been made for the sake of what is, to all intents and purposes, an artificial deadline.

During the past seven weeks, the two Government representatives have met each other more than in any other period since the signing of the Anglo-Irish Agreement. They cannot be missing each other because during the past seven weeks they have had every opportunity to be in regular contact. The Unionists recognised before the process began that there could be just cause for the Secretary of State to meet the Foreign Affairs Minister of the Irish Republic. The right hon. Member for Lagan Valley (Mr. Molyneaux) and my hon. Friend the Member for Antrim, North even said that it could be about security issues. Therefore, the Unionists did not believe that there could be no contact between the two Governments. They recognised that it was possible that the two Governments would need to be in contact, but the key issue was that if such contact occurred, it should not be under the auspices of the Anglo-Irish Agreement.

If the Secretary of State believes that there is a pressing issue which burdens him so much that he is prepared to jeopardise the talks process, surely it can be dealt with outside the Anglo-Irish Agreement with the Foreign Affairs Minister of the Irish Republic. The two Unionist leaders have already shown that they are prepared—and I use an Ulster expression—to thole such a meeting in those circumstances, but it should not be held under the auspices of the Anglo-Irish Agreement.

I do not believe that a meeting on 16 July is an essential element of political life. The two Governments could do without it. During a week, or even two, three or four weeks, away nothing would have changed so much that the Governments could not then discuss whatever is burdening them so much at the moment.

The Secretary of State and the Minister of State must take on board the concern of the Unionists' representatives. When the Secretary of State and the Prime Minister are in contact with the Prime Minister of the Irish Republic—as I understand that they will be within the next day or so—we urge them to establish whether he was genuine when he said publicly in Dail Eireann that he was prepared to be flexible on the timing of the meeting. His flexibility was recorded in the report of Dail Eireann. We are waiting to see whether that was a genuine statement. The Prime Minister and Secretary of State can also discover whether he was being honest when he said on Radio Telefis Eireann—that is the only Gaelic that he will get out of me this evening—

"The Unionists will be surprised at how generous we are going to be."

There is an opportunity for Mr. Haughey to demonstrate his generosity and we will certainly urge and encourage the two Governments to give the full time necessary for the process to continue.

The hon. Member for Newry and Armagh (Mr. Mallon) spoke of his desire to see the negotiations succeed. I honestly do not believe that any of the Northern Ireland political parties would have gone through the many difficulties if they did not want the process to succeed. It is incumbent on the Secretary of State to make sufficient space to ensure that they have the opportunity to work towards that success.

The issue of security burdens me significantly today. Yesterday evening in my constituency, a young soldier who was a member of the Parachute Regiment, having taken leave to do so, was visiting his fiancée in Nevis avenue off the Holywood road in east Belfast. I am sure that many people in Northern Ireland will be concerned that someone who had been in the Province for a short time should have become the object of attention by the terrorists in the Provisional IRA. It shows a worrying aspect of the intelligence of the terrorist organisations that someone who is in the Province for such a short time can come to their attention.

I know that everyone in the House condemns the action of the gunmen who carried out that attack and who forced their way into the house, held the fiancée at gun point and fired four or five shots into the back of that young man's head in front of his fiancée. There have been many wicked

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murders in Northern Ireland over the past decades, but few have been carried out in such an evil manner as was that one. I know that the House will support me when I offer my condolences to all in the family circle and especially to the young girl who witnessed such a horrifying act against someone she loved.

Similar incidents to the one that occurred in my constituency last night have occurred in the constituencies of hon. Members in every part of Northern Ireland over the past years. Death and destruction are no new features to the people of Northern Ireland. It is a sad reality which was perhaps underlined in the figures that were given yesterday in *Hansard* by the Minister of State. Behind each cold statistic is a human story of suffering and anguish.

It is very easy for hon. Members in other parts of the United Kingdom to look at the scenes on television and to recognise and, I know, sympathise with the events in Northern Ireland which are brought home to many of them because some of those who have died have been soldiers from their constituencies who were serving in Northern Ireland. But in Northern Ireland at the moment there is considerable concern because there is a recognisable increase in IRA operations. When the IRA increases its operations, the Government must ensure that the security forces increase their operations as well.

While I have said that I support and will do everything in my power to ensure the success of the talks process, that process will not provide the solution to the death and destruction in Northern Ireland. The people who shot that young soldier in my constituency will not be won over because we agree on political structures or new relationships. They will not be impressed if they see four Northern Ireland political leaders signing a document. They will not throw their guns away if they see that a new relationship has been worked out between Northern Ireland and the Irish Republic. They will not melt away if we all sign a new British-Irish agreement. They will still be there and they will have to be dealt with. As likely as not, they will increase their violence because there is to be political stability.

That does not mean that stable political structures cannot make a long-term contribution. They can, if those structures contain the means to deal with law and order. With the greatest of respect to those who are responsible for law and order at the moment, local Ulster people who know the situation best and have a vested interest in obtaining peace for their Province will be the best people to deal with law and order issues affecting Northern Ireland.

I urge the Secretary of State to employ a strong and resolute military initiative against terrorism. By all means he should devote his energies to a successful talks process, but he should not do that at the expense of pressing the terrorist. He should not do that at the expense of holding back the security forces in the battle against terrorism. That means that we must hunt and harry the IRA. We must corner and catch the terrorists. When we catch them, we must ensure that the terrorists are given appropriate sentences that fit the crimes that have been committed.

In conclusion, I draw to the attention of the Secretary of State one of the outstanding matters of direct rule that it is within his power to resolve. I am referring to an injustice which must be corrected. As the Secretary of State said last week, he has before him a report from the Chief Constable of the RUC which arises from an investigation into the procedures adopted leading up to the prosecution of four men who, in 1983, were found guilty in the courts of the murder of Adrian Carroll.

Since those men were arrested in Armagh and brought into the Castlereagh station, they have protested their innocence. They were serving in the UDR—a branch of our security forces—on the night in question. We have presented evidence to the Secretary of State which shows that they could not have been at the scene of the murder. The Secretary of State has a responsibility—one that I know he will not dodge—to ensure that that matter is put before the Court of Appeal so that those men can have the right to put their case for a retrial. Given the evidence that is now before him, the right hon. Gentleman should take that step. In considering what he should do and when, I remind him that those men have been in prison for more than seven years for a crime that they did not commit. Surely, therefore, he should act urgently and immediately.

Northern Ireland (Interim Period)

10.24 pm

Rev. Ian Paisley (Antrim, North): As you have now taken the Chair, Mr. Speaker, I wish to raise a point of order with you before making my speech. The hon. Member for Newry and Armagh (Mr. Mallon), who has now been absent from his place for some time, has accused my hon. Friend the Member for Mid-Ulster (Rev. William McCrea) of being elected to this House
"by the grace and favour of the IRA".
Having brought that fact to your attention, Mr. Speaker, I trust that you will read what the hon. Gentleman actually said in *Hansard* tomorrow and that you will rule whether it is in order for one hon. Member to say to another, that "You are here by the grace and favour of Republican murderous thugs." I do not know whether you want to say anything about that matter, Mr. Speaker——

Mr. Peter Bottomley: Further to that point of order, Mr. Speaker. I think that what was said, and was interpreted as such by most hon. Members who were present, was that the same conditions prevailed in the constituency in question as in my constituency—in that I was elected because enough people voted for the third party to allow me to beat the second party. I do not think that anything more was said or suggested——

Rev. Ian Paisley: There was no mention of that.

Mr. Speaker: I was not in the Chamber to hear those remarks, but I shall study them in *Hansard* tomorrow. As the House knows, in the Chamber we treat each other as men and women of honour. I am certain that the hon. Member who is alleged to have made that remark did not mean it in the sense that the hon. Member for Antrim, North (Rev. Ian Paisley) has suggested.

Rev. Ian Paisley: I think that you will find, Mr. Speaker, that what has been said by the hon. Gentleman's apologist, the hon. Member for Eltham (Mr. Bottomley), is not so. You will know that that is the case when you read *Hansard*. I would resent it if anybody said to me that I had been elected to this House by the grace and favour of murderers. I know that if that was said of any English, Welsh and Scottish Member, he or she would react in the same way.

Mr. Speaker: Was this issue raised at the time?

Mr. Ian Paisley: Yes, immediately.

Mr. Speaker: I am certain that if it was, the Deputy Speaker in the Chair would have dealt with it then.

Rev. Ian Paisley: Madam Deputy Speaker, who was in the Chair, did not accept what I said—that is why I am asking you to read *Hansard*, Mr. Speaker. As you know, I am not entitled to go upstairs and to bring that *Hansard* report down to the Chamber, so I am asking you to read *Hansard* and to give us your view. I advise those who want to apologise for such behaviour in the House that I have been a Member of the House for 21 years, and I know some of its ways. I also know a lot about Ulster politics and that accusations are made, but we highly resent such accusations.

To begin my speech, I now understand why we are in a mess in Northern Ireland. Tonight, the hon. Member for Eltham has demonstrated in the House the sort of thinking that has brought us to this mess in Northern Ireland. I should love to take the hon. Gentleman to a graveyard in Castlederg which contains row upon row of graves of Ulster Defence Regiment men. Then I should like to take him to the widows and orphans so that he can explain to them the abominable policy that he has outlined to the House as a way of ridding ourselves of the Irish Republican scum who are killing our people. That philosophy is completely isolated from reality and from the sorrows and agony of Northern Ireland that has brought us down into the mess that we are in. When the hon. Gentleman was in Northern Ireland, he lectured us about our bigotry. On radio, he lectured us about the bigotry of the people of Northern Ireland.

The hon. Member for Eltham expounded his philosophy of how we are to rid our Province of what is happening there and of men who are not content to kill their victims but will not even allow them to be buried. I was in that church because I represent the whole of Northern Ireland in another place. While the victim was a constituent of my hon. Friend the Member for North Down (Mr. Kilfedder), he was also my constituent in my European parliamentary constituency. I know the family and I know where the victim lived. He lived adjacent to the place where I preach.

The funeral had to be held up because the IRA said that it had laid a bomb on the very route that the funeral would take to the graveyard and another bomb in the graveyard. The terrorists gave the proper IRA code to the police, so we know that it was not a prank. When we have to face such behaviour, we know that it will never be got rid of by some sort of philosophy in this House. It is impossible to wean those people away from violence. People maintain that there are so many in a small group and that one by one they can be weaned away. These people cannot be weaned away from their evil

I have read deeply in Irish history. I have read everything that I could lay my hands on about what happened in the Irish Republic. It had similar circumstances to what we have in Northern Ireland today when the irregulars were killing, maiming and destroying in the south of Ireland. Kevin O'Higgins, a Republican whose understanding of Ireland would be entirely different from mine, said that there was only one way to put the violence down. It was by weapons that the people themselves used.

Of course, Kevin O'Higgins lost his life because he carried out the only policy that led to success. But he brought about peace in the southern part of our island. It will take resolution, strength, courage and determination to put down the violent men that are abroad in our Province, not an empty philosophy.

I have studied the figures carefully. If one studies the last council by-election, it is clear that there is a rising tide of political support for Sinn Fein. I know what I am talking about in my area and in other areas. I do not speak as an individual. I speak from an advantage point that no one else in the House can speak from. In numbers, I have had more votes cast for me than any politician living or dead in the United Kingdom. I do not speak for half a dozen people. I am not talking about getting in on split votes. I am talking about massive majorities in my European campaign. I am talking for people. I want to tell the House tonight that it needs to listen to the people.

I shall not take much time to speak about the talks. The Secretary of State knows my mind. I have already seen

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him. I have talked to him personally with my colleague, the right hon. Member for Lagan Valley (Mr. Molyneaux). The Secretary of State knows our minds on what is happening, and I shall not repeat anything in the House. Tonight we can see just who is sincere about the talks. In the statement that was made on 26 March, there was no mention of dates; 16 July was not sacrosanct. It was not even in *Hansard*. Hon. Members can read it for themselves.

All I am saying is that we understood that there were two conditions. The first one was that the Secretary of State would tell us when strand two would commence after he had consulted the rest of the parties on that matter. We then discovered, through a newspaper report, that the independent chairman for strand two was to come to our Province in the first week of July for the first meeting of strand two, then go away and not return until September. The Secretary of State was to consult the other parties when strand two began, but the independent chairman was to come in the first week of July for the start of that process. I wonder why the other delegates were not told that.

Secondly, we were to have 10 to 11 weeks to complete the process. The Secretary of State can stand up now and tell the House whether my colleague, the right hon. Member for Lagan Valley and I thought that we had enough time.

Mr. Brooke: The hon. Member has referred to the fact that he explained to me in private his views on this matter. Since he has chosen to allude to the matter, he will also recall that he raised with me the subject of that newspaper report, and I gave him what I think was a rational explanation of how that report arose. I think that it would be unfortunate if the House were to rise tonight thinking that something conspiratorial had occurred in that context. It was necessary to give Sir Ninian Stephen some idea of when, conceivably, he might be needed to do his job.

Rev. Ian Paisley: The Australian newspapers have quite a number of reports about what is happening and I shall not enter into a long debate tonight, although I could. I could marshal my facts—I know the person who spoke on behalf of the Secretary of State to Sir Ninian, and I could outline the position. But tonight we are asking, "What is the use?"

My honourable colleague, the right hon. Member for Lagan Valley, and I started talking to the Government immediately after this Parliament was elected. We have continued to do so for a long time, and no one can doubt our dedication to the matter. Even the Secretary of State has referred to that fact over and over again.

The Secretary of State had better realise that the people of Northern Ireland cannot be fooled or deceived; the wool cannot be pulled over their eyes. They believe that if there are 10 weeks in which to do a job that seems impossible to complete in that time, extra weeks must be given to do that job. If circumstances arise that cut into those 10 weeks, the ways and means must be found to make available the lost weeks.

We have been prepared to work every day of the week except the Sabbath if that is what is required. We have made that clear from the very beginning. We are not trying to hold up the process. The same red herring is drawn in every time, that the Unionists will not meet the Dublin authorities, but we will do so. We look forward to confronting them with their claim over our territory.

I find it very offensive that the hon. Member for Eltham should say that the remarks made in the House tonight by the Unionist Members were offensive to the Dublin Government. My hon. Friend the Member for North Down said that the process was putting the nose of the Ulster people into the dust. He was right; it is offensive to pull the plug on them in the middle of these important meetings, because the 10-week obligation cannot be met.

I make no apology for saying again that Northern Ireland is not an annexed colony of the Irish Republic. It is part and parcel of the United Kingdom. The hon. Gentleman had better remember that it is not one-way-street loyalty and that the Ulster people have never sought to make it that. They have stood by the United Kingdom in days of peril.

The hon. Member for Eltham was in Northern Ireland, and he should return to look again at the various cenotaphs to learn how many Ulstermen gave their lives for his liberty as well as for those in the rest of the United Kingdom. Some of us will be on the Somme soon to mark the 75th anniversary of the occasion when an entire generation of Ulstermen was wiped out. I resent anyone telling me that I am offensive when I stand for Northern Ireland as an integral part of the United Kingdom and not as an annexed colony of the Irish Republic.

There are three propositions that I am asked as a Unionist to accept, and they are repugnant to me. First, I have to accept the inalienable right of the Dublin Government to be involved in the internal affairs of Northern Ireland. That I will never accept, and nor will the majority of the people of Northern Ireland. Let the House be crystal clear about that. When talking to an hon. Member earlier today, he said, "I am amazed that such a thing should even be suggested." That, however, is the ultimatum that is put to me by nationalists.

Secondly, I am asked to accept that the aspiration of nationalists has never, from the time of partition to this day, been allowed to be expressed. Not even when nationalists were in the power-sharing Executive was the aspiration of true nationalism expressed, because they did not have the Council of Ireland. I am being asked as a Unionist and a member of the United Kingdom to accept that nationalists were never able to express themselves.

Thirdly, I am asked to accept that the police of Northern Ireland are now as great a part of the problem as the IRA. That I totally and utterly repudiate.

These are the propositions that are being pushed upon the Unionist people. The hon. Member for Newry and Armagh—I am sorry that he is not in his place—gave us a list of figures when he talked about discrimination. He need not read homilies on discrimination. The SDLP has controlled four area councils for a long time—Londonderry, Newry and Mourne, Down and Strabane. I have some figures as well—they are Fair Employment Agency figures, not mine. I have little time for the FEA, but its figures have "infallibility" when it comes to discrimination, and they provide the standard which others have to meet.

The figures show that 65 per cent. of the population who are represented in Londonderry council are Roman Catholic and that 75 per cent. of jobs go to Roman Catholics. It appears that 75 per cent. of the population

who come within the area for which the Newry and Mourne council is responsible are Roman Catholics, and that 88 per cent. of the jobs go to those people. It appears also that 53 per cent. of the population for which Down council is responsible are Roman Catholic and that 60 per cent. of the jobs go to those people. That is an area which is represented in part by the hon. Member for South Down (Mr. McGrady). Lastly, 52 per cent. of the population for which Strabane council is responsible are Roman Catholic, and 60 per cent. of the jobs go to Roman Catholics. There we have discrimination over 18 years.

I listened to the hon. Member for Newry and Armagh talking about the civil service. I do not know anything about civil service figures, but according to the FEA, the largest grade in the Northern Ireland civil service has 12,000 members out of the 21,000 civil servants in Northern Ireland, and 52 per cent. of all recruits in the past five years have been Roman Catholics in that section, although only 40 per cent. of the population are Roman Catholics. Yet the hon. Gentleman says that we are always discriminating.

We have a controversy about schools. I do not think that the Secretary of State has been fair to the House. He has referred to Protestant schools. There is no large Protestant school movement in Northern Ireland today. There are state schools; there are no Protestant schools. To those state schools go Roman Catholics, Protestant, Jews, coloured people; everybody goes. They are all entitled to go there. Those schools grew out of Protestant Church schools.

The Stormont Government, a Unionist Government, said to the Churches, "Give us your schools and we will make a state system." Very foolishly, in my view, they handed over their schools. They should not have done so; they should have asked the Government to give them money to run their schools. But the Protestant churches handed over their schools. The Roman Catholic Church was wiser. It said it would not, and it went on agitating for money. Now it gets 85 per cent. of the cost of maintaining its schools and 100 per cent. for its teachers' salaries and 100 per cent. for its teachers' pensions. So the Roman Catholic schools are treated better in Northern Ireland than in any country I know. I went to America recently and asked how much it gave to its Roman Catholic schools. They told me, not a dollar.

What alarms the Protestant people of Northern Ireland is that we have a body in Northern Ireland, the Standing Advisory Commission on Human Rights, which I do not know much about——

Mr. Brooke: I am sure that the hon. Gentleman was not seeking to mislead the House, but the settlement which was conducted under the Education Act 1944 for voluntary schools in England and Wales, necessarily in large numbers of Church origin, established exactly that 85 per cent. capital funding and that 100 per cent. for current funding which I thought he might be describing as unique to Northern Ireland.

Rev. Ian Paisley: I do not know, but perhaps the Secretary of State could tell me whether a Christian brother who takes a vow of chastity, obedience and poverty in England is paid the full salary and the full pension.

Mr. Brooke: Yes.

Rev. Ian Paisley: I accept that. But the Unionist Government were liberal to the Roman Catholic schools and recently the Cardinal Archbishop acknowledged that. I do not know what the Minister with responsibility for education will say, but for 45 minutes we see on our screens a prominent Roman Catholic, the chairman, and a nun giving a press conference, telling the people about the way in which they have been discriminated against. Yet the person who drew up the report was on the radio saying that he had never said that it was discrimination, that he had never mentioned the word in the report.

Mr. Beggs: Does the hon. Member agree that all those people who have faithfully served on education and library boards throughout the Province since 1974 would bitterly resent any suggestion of discrimination by those boards against maintained schools? We would like what appears to be a leaked report to be made public and to be subjected to the most intensive investigation, to establish how that shortfall arose—and whether the maintained schools within the Protestant sector also have been underfunded as a result of some erroneous calculation.

Rev. Ian Paisley: We need to find out what is at the heart of that allegation. No member of my party is ever allowed to serve on any of the quangos and other bodies that are established in Northern Ireland. I could give the House a list of the people who do sit on them. They include failed political candidates—people who could not get elected and who forfeited their deposits, but who have been stuck on those boards because they will not say or do anything.

The hon. Member for Antrim, East (Mr. Beggs) who was the chairman of the board in my own locality, knows that representatives of the maintained schools are on all those boards and can influence voting in respect of the state schools—yet when it comes to their own, they say, "We're different. You can't interfere with us."

I have always believed that people—be they Roman Catholic or Protestant—should have a fair slice of the cake. I have always held that belief, and I practise it in my political life. I defy any right hon. or hon. Member to bring me a Roman Catholic from Northern Ireland who will say, "I went to Ian Paisley with a problem and he did not help." Ministers know that to be true, because they continually receive letters from me on problems affecting all sections of the community.

I am in this House to see fair play, and the Protestant sector of the Northern Ireland community is not getting fair play today. The Protestant community cannot take the beating that it is getting without breaking. This is a hard thing for me to say, but, one day, the Protestant population will break. I say, in God's name, do not drive them to breaking point. I may not be here to speak for them. My colleagues in this House may not be here to speak for them. The people with whom the Government then have to deal may not be reasonable people—the people with whom they would want to deal. But if the Protestant population are pushed, something will happen.

I go to funerals because I feel that it is my duty to try to succour families. I am a pastor—I have worked at being one for 45 years. I can sit at someone's home, and I can nurse the orphans and put my arm around the widows and comfort them. I have received scores and scores of letters thanking me. That is why I go. I do not go for publicity. I do not go to have my photograph taken. I detest

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photographers at funerals. I wish that they would take their cameras off funerals and allow people to bury their dead in peace and dignity.

At the funerals that I have attended recently, there is an ugly silence. People do not speak. I have never seen such alarm, and people in such a state, as I did at a funeral the other day in the constituency of the hon. Member for Antrim, East. There is a solemn, sad shadow being cast, and people are asking, "Is there any hope for us?"

Everything must be done to ensure that nothing hinders the present political dialogue—nothing. If the Republican Government says this or that must be done, it must be told that it cannot be done, and that the people of Northern Ireland must be allowed the 10 weeks they want. In the name of the dead, of the widows, and of the blood that has been shed, give them 10 weeks. Do not drive the people of Northern Ireland to desperation.

I know what I am talking about, because I have had people in my home and have attended meetings around the country. Elected representatives of Northern Ireland are distracted. Without support, I can do nothing for Northern Ireland.

If I cannot deliver the goods, if I cannot deliver my people to an agreement, we will not have an agreement. The two Unionist leaders can deliver the Unionist people, in support of a fair righteous agreement, but it may be a long time before two Unionist leaders will be in a position to do that again, so, please, in God's name, for the sake of the Province, do not push us. Try to help us and let us hear no more rubbish about it being "an insult to Dublin" to say that they should not interfere. Let us look at Northern Ireland and say that they will try to help them. That is the last plea that I want to make.

10.57 pm

The Minister of State, Northern Ireland Office (Dr. Brian Mawhinney): Some hours ago I made clear my views at this Dispatch Box on the murder which took place yesterday in the constituency of the hon. Member for Belfast, East (Mr. Robinson) and I presume to speak again for the House when I respond to his comments and say that he would be entirely right to convey the sympathy of the whole House to his constituent, who suffered so grievously yesterday.

We have already spent about six and a half hours considering Northern Ireland business. We spent some time dealing with important security measures and we have spent some hours discussing direct rule. In its variety of forms, it has been, as always, a wide-ranging debate. At times, it has been robust—as robust as I can recall, and I believe that this is my 12th direct rule debate. At other times the debate has been highly emotionally charged. In a sense those emotions, coupled with the range of substance, are a reflection of life in Northern Ireland. Therefore it is entirely appropriate that our debate should be in that form.

I am grateful to the hon. Member for Kingston upon Hull, North (Mr. McNamara) for the way in which he opened the debate the Oppostion side and for his kind words to my right hon. Friend the Secretary of State—words which were reflected by a number of other speakers. While I realise that I am no impartial observer, I thank hon. Members for their words, which I entirely endorse. It would be appropriate to tell the hon. Gentleman that we recognise the sacrifice that he has made in terms of the television cameras and I hope that he will take some encouragement from the fact that it has been helpful.

The hon. Member for Kingston upon Hull, North was kind enough to mention the changing face of the urban and industrial landscape of Northern Ireland. I was pleased that he also pointed out that the strength of a society is drawn, at least in part, from its diversity, and that it is government's responsibility to try to advance that process.

The one exception to the generous comments about my right hon. Friend came from the hon. Member for Londonderry, East (Mr. Ross) and I regret his personal attack on the Secretary of State. He opened up the debate from the Floor on the question of the intergovernmental conference scheduled for 16 July. That has been the subject of comment by most hon. Members who have taken part in the debate.

The hon. Member for Belfast, East did us a service when he reminded us that in the past seven weeks we have come face to face with a number of difficult circumstances —circumstances which, on the face of it, created the impression that they might take a lot of solution. However, we made our way through all of those.

Like my right hon. Friend, I have heard everything that has been said in today's debate. Let me remind hon. Members what my right hon. Friend said. He said that the Government believed that a basis for the resumption of the talks should be found, and he intended to initiate discussions with all the participants—including the Irish Government—to bring that about. In the light of all that has been said, and the power with which it has been said, I do not wish to add to my right hon. Friend's comments; they will have been heard, as will the other speeches.

The hon. Member for Newry and Armagh (Mr. Mallon) made an important point: he said that everyone in Northern Ireland should have a sense of identification with the Province—to feel part of it, and to believe that they had a stake in the community there. If we cannot allow people to generate the circumstances in which they can feel that, they will behave irresponsibly, and that is not in anyone's interests.

I shall not enter into the inter-party discussion about discrimination. Hon. Members have proved this evening that they are very capable of making their own cases and defending their own corners. The hon. Member for Newry and Armagh, however, levelled two charges not against other political parties but against the Government. The first related to the pattern of employment in the Northern Ireland civil service. I think that my right hon. Friend dealt with that adequately, so I shall not repeat the arguments. Secondly, the hon. Gentleman referred to what he described as a report by the Standing Advisory Commission on Human Rights.

I have not even seen the report, let alone read it. I understand that it is not actually a SACHR report; SACHR invited two academics to produce a paper for it. As far as I know, SACHR has not adopted that paper as its report, still less published it as such.

Mr. William Ross: Will the Minister give way?

Dr. Mawhinney: It is very late, and I think that everyone has spoken at some length.

The hon. Member for Newry and Armagh said that, according to the report—as I have not seen it, I cannot verify either the statistics that he gave or the assumptions on which they were based—there was a £32 million difference between the amount given to the controlled sector and that given to the maintained sector between 1981 and 1986. The historic patterns of funding for schools in Northern Ireland suggest that at least some of the schools in the maintained sector received less per capita than those in the controlled sector. I emphasise that that is a historic funding pattern; it has nothing to do with discrimination.

Before the end of the 1981-86 period, the Northern Ireland Education Department had already recognised the historic funding difference. As the hon. Member for Antrim, East (Mr. Beggs) will recall—I think that we had discussions with his local education and library board on the subject—the Government sought over a period of years to skew the distribution of funds in a way that took account of the historic funding inadequacy, and to put the position right. It is beyond peradventure that the introduction of formula funding under the education reform proposals will be the most effective way to ensure that there is no inbuilt disadvantage in the distribution of resources for school funding, because the funding will simply go with the children.

The hon. Member for Antrim, North (Rev. Ian Paisley) is absolutely right to point out that there is no de jure discrimination over education in Northern Ireland. Everyone is entitled to go to a state school, just as everyone is entitled to go to a maintained or integrated school.

That final point reminds me to express again my appreciation to the hon. Member for North Down (Mr. Kilfedder) for the consistent support that he has given to the importance of finding ways to get our young people to inter-relate and understand each other better during the growing up and education process.

The hon. Member for Mid-Ulster (Rev. William McCrea) spoke at length and with passion, as we have become accustomed, and I profoundly agreed with him when he said that there was no acceptable level of violence in Northern Ireland. Despite the difficulties that he and his constituents in particular have experienced, I hope that he will accept that I speak for the Government when I say that we will not be satisfied with any level of violence, in his constituency or anywhere else in the Province.

The hon. Gentleman and other hon. Members—including the hon. Members for Londonderry, East and for Upper Bann (Mr. Trimble)—said that, in their view, direct rule was not working. I answer in no sense defensively that if direct rule is to be replaced, it can be done only on the basis of agreement. It cannot be forced or imposed. It can be done only by agreement, in which requires people to be willing not only to listen but, as my hon. Friend the Member for Eltham (Mr. Bottomley) said, to make accommodation. That issue is at the heart of the current discussions.

The hon. Member for Upper Bann introduced a new concept, at least new to me, in his reference to the United Nations international covenant on civil and political rights. I am not familiar with that covenant, and I have no doubt that the hon. Gentleman will return to it. I am not sure that I accepted the premise of his argument because all citizens of Northern Ireland enjoy the right to elect representatives at local and parliamentary levels and themselves to stand for election.

I believe that the hon. Gentleman was seeking to develop the idea that because the circumstances of direct rule were not ideal, it in some way called into question the more fundamental issue. Although I agree that the circumstances of direct rule are not ideal, I cannot go with him in terms of the broader and deeper concept that he was trying to develop.

The hon. Member for Belfast, East referred to the report that my right hon. Friend received recently about the case which is known colloquially as the UDR Four or the Armagh Four case. My right hon. Friend has already said that he will deal with the report expeditiously. It involves a lot of material and the House would want that material to be carefully considered and not have my right hon. Friend rush to judgment in a way that might lead to some important factor being overlooked.

No matter how effective and efficient direct rule is perceived to be, it fails to address the central issue of providing locally elected political representatives with a proper say in the administration of the Province's affairs. As has already been pointed out by the hon. Member for Upper Bann, local government in Northern Ireland has very limited powers. Other matters that would otherwise be the responsibility of regional political institutions are under the direction and control of central Government, and that means that local politicians are denied the full range of responsibilities that would otherwise be available to them.

The prospect of stable government in Northern Ireland, founded on cross-community support, must in itself provide the best possible lead for others in the community, in terms of bringing about reconciliation between the different traditions—reconciliation which can only be good for all the people of Northern Ireland. It would also bring home in a way that cannot be achieved under the present arrangements the total redundancy of the terrorist and his activities in the Province and repugnance at the terrorist. I reiterate what other hon. Members said in the debate—no one associated with the political process in Northern Ireland would claim that a political accommodation between the political parties in the Province and between the people of the island of Ireland would, in itself, extinguish the problems of terrorism. But I believe that they might agree that a settlement would deal the terrorist a serious blow. Many people in Northern Ireland and beyond recognise this, and I am sure that it accounts for much of the support from all walks of life which has been given to the current political talks.

To sum up, the Government remain fully committed to the objective of finding a means of transferring substantial power and responsibility to local elected representatives in Northern Ireland, on a widely acceptable basis, within a framework of stable relationships among the people of Ireland and between the two Governments. With that end in mind, we will continue to pursue and develop the current initiative through to its furthest conclusion.

I again pay tribute to all those who are involved in the process. I have no doubt that all of them are serious and wish to make progress and that all of them are working purposefully to that end. Progress can only be good for the people of Northern Ireland as a whole, and therefore for the rest of the United Kingdom.

The talks have a long way to go and it is clearly essential that the current arrangements for the government of the Province are continued for a further period. The order

[Dr. Mawhinney]

therefore remains essential. Like others, I hope that this is the last time it has to be moved. I commend it to the House.

Question put and agreed to.

Resolved,

That the draft Northern Ireland Act 1974 (Interim Period Extension) Order 1991, which was laid before this House on 3rd June, be approved.

Charities

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Chapman.]*

11.13 pm

Sir George Gardiner (Reigate): I should like to use the Adjournment debate to raise an important aspect of the regulation of charities. Britain is a charitable nation. At least one in four adults regularly engages in some form of voluntary activity. In England and Wales, 171,000 charities are registered with the charity commissioners. The total turnover of charities is no less than £13 billion. Charities are thus big business.

The advantages of being a registered charity are considerable. Charities are exempt from income and corporation taxes, capital gains tax and capital transfer tax, and attract 80 per cent. relief on the uniform business rate. Moreover, charitable status inspires public confidence and stimulates donations.

Individuals contribute through their taxes too. The Government's annual contribution to charity stands at £2·5 billion, of which £500 million is granted indirectly through tax benefits.

To maintain public confidence in the charitable sector, certain safeguards are vital. They include the protection of charitable funds from fraud and the prevention of their use for non-charitable purposes, such as political campaigning. It is that latter abuse on which I shall dwell tonight.

The most flagrant case so far has been Oxfam. As providers and organisers of famine relief, the charity has received strong support from the public. Yet I wonder how many of those donating or collecting or giving up free time to serve in Oxfam shops over the years knew that Oxfam was pouring funds into projects funded by the——

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Deputy Speaker. Will you point out to the hon. Gentleman that there is a requirement placed upon him to declare an interest arising from a visit that he made to Namibia, which was sponsored by the International Freedom Foundation, the organisation which provided him with the brief that he is using tonight?

Mr. Deputy Speaker (Sir Paul Dean): If the hon. Member for Reigate (Sir G. Gardiner) has an interest to declare, I am sure that he will do so.

Sir George Gardiner: Yes, Mr. Deputy Speaker. My visit to Namibia, which was hosted by the International Freedom Foundation, is declared in the Register of Members' Interests. I repeat that, in case the hon. Member for Workington (Mr. Campbell-Savours) missed that point.

As I was saying, I wonder how many of those donating or collecting or giving up free time to serve in Oxfam shops over the years knew that Oxfam was pouring funds into projects run by the Marxist Government of Nicaragua, including the building of a shower block for a prison, the provision of first aid kits for Sandinista paramilitaries and a training school for Sandinista party activists.

In 1989, Oxfam, with another controversial development charity—Christian Aid—was instrumental in setting up the Southern Africa Coalition, a non-charitable pressure group to campaign for sanctions against South Africa. Anyone who has experience of training and self-help schemes for blacks in the townships and squatter

camps, as I have, knows the contempt in which Oxfam is held there for the blockages that it has erected to black enterprise, although that is not the point that I am pursuing tonight.

There has also been deep Oxfam involvement in political campaigning regarding Cambodia, and only this month, *The Daily Telegraph* unearthed Oxfam donations to a left-wing movement in Bihar in India dedicated to the class struggle—in at least one documented case, by recourse to arms.

Mr. Peter Bottomley (Eltham): I was a trustee of Christian Aid in 1979. I seem to recall that we sorted out where the charity had gone wrong in its work in southern Africa, and that the remaining work was non-controversial. I am not arguing that my hon. Friend did not make that point—I merely say that, for the sake of balance, it is worth putting that on record, and I have a vested interest in making the point.

Sir George Gardiner: My hon. Friend makes his own point. The fact remains, however, that that was a non-charitable campaign.

Mr. Bottomley: It was a mistake.

Sir George Gardiner: My hon. Friend admits that it was a mistake; on that, we are clearly agreed.

Complaints reached such a pitch that the Charity Commissioners set up an inquiry, which reported last month. It concluded that Oxfam's trustees had

"exceeded the charity's objects and the law which restricts charities from undertaking political activities."

The report said that the trustees

"do not appear to differentiate between stating a possible solution to a problem in a reasoned fashion and campaigning to have that solution adopted."

The commission concluded that Oxfam's unacceptable political activities must cease. Yet it took the view that Oxfam's trustees had acted in good faith and therefore decided to take no action to seek reimbursement of the misapplied funds or to refer the matter to the Attorney-General. This is the fourth occasion since 1981 on which Oxfam has been found guilty of conducting political campaigns and it appears undeterred by reprimands from the commission. Even after the latest inquiry, Oxfam remains defiant. Its chairman, Mary Cherry, responded to the commission report by saying:

"We have come to see that our primary object of relieving poverty, distress and suffering cannot be achieved without advocacy on behalf of the people we are trying to help"—

in other words, "We will go on as before."

Oxfam has undoubtedly been encouraged in that attitude by a very cosy relationship with the commission in the past. In July 1987, an internal briefing to the trustees of Oxfam by Bruce Coles, the charity's legal adviser, commented on how the private guidance from the then chief commissioner—Mr. Dennis Peach—departed considerably from the commission's public statments. It is significant that he added:

"we are fortunate in having a liberal-minded Chief Charity Commissioner"—

in other words, one who would always give Oxfam the benefit of any doubt.

Notwithstanding the good work that Oxfam does in famine relief, that is a highly unsatisfactory state of affairs. A fraud is being committed if money donated for charitable purposes by the public—either directly or through taxation—is siphoned off to pay for political campaigns. Oxfam has been found guilty of such fraud, yet it is in that area that the commission is proving incapable of taking the necessary steps.

The commission's ethos is undoubtedly to smooth over any problems or disputes with the charity in question, especially in matters of alleged political abuse of status. The commission appears to become pro-active only in cases of fraud and mismanagement of trusts and charities, but does not appear to regard the abuse of taxpayers' money for political campaigns as worthy of serious redress.

Mrs. Ann Clwyd (Cynon Valley): What is the hon. Gentleman's view of three other institutes which have charitable status—the Adam Smith Institute, the Institute of Economic Affairs and the Social Affairs Unit? I remind him that the Adam Smith Institute promoted the abolition of the Greater London council and advocated student loans and water privatisation, to mention but a few of its campaigns. What does he think about the charitable status of those institutes?

Sir George Gardiner: I can hardly comment on them. I do not know whether any complaint has been made about them to the Charity Commissioners. If complaints have been made, I am sure that they will be investigated in the same way as those against Oxfam.

As I was saying, the commission's ethos is undoubtedly to smooth over any problems. The fact that once a formal inquiry is launched the commissioners will not make the results public unless the charity being investigated gives them explicit permission to do so is also an unacceptable state of affairs. That paradoxical situation results in the very people to whom the commission is ultimately answerable—the general public—having no access to the commission's most important workings and findings. That situation is clearly compounded by the average length of a formal inquiry, which is about two years.

In 1987 the Woodfield report was commissioned by the Home Office to examine the efficiency of the Charity Commission. However, the report focused almost exclusively on cases of fraud and financial mismanagement, paying little or no attention to the growing political abuse of taxpayers' money. The law covering the political activities of charities is explicit and unambiguous. The commission states:

"Political activity—like the elephant—is difficult to describe but easy to recognise. In relation to charities politics does not only mean 'party politics' but political activity as defined by the High Courts in many cases over the years—that is: seeking to influence government policy (local or central, at home or abroad); or advocating changes in the law or the retention of the existing law."

Mr. Jim Lester (Broxtowe): Surely that has been superseded by the White Paper "Charities: A Framework for the Future". Paragraph 2.43 states:

"Ministers welcome the advice and the guidance which charities can offer to Members of Parliament, to central and local government, and to other public authorities on a wide range of social problems. Charities should feel free to take the initiative in offering advice and opinions and in proposing changes in the law and should not need to wait to be invited to do so. The Government firmly believe, however, that such activities must remain ancillary to a charity's primary purposes, which must be clearly charitable and nonpolitical."

Is my hon. Friend really suggesting that the massive work that Oxfam and Christian Aid do—I declare an interest as an unpaid board member of Christian Aid—is ancillary to

[Mr. Jim Lester]

their political campaigning? The money is spent on all the charitable activities for which those organisations are renowned.

Sir George Gardiner: I reply simply that advice is one thing and campaigning is quite different. I draw my hon. Friend's attention to the fact that in 1991 the High Court ruling which rejected the application for charitable status of the human rights organisation Amnesty International clearly asserted that any body campaigning for the changing of laws of either the domestic or a foreign Government cannot operate as a charity.

Despite such clear guidance, the commission's record and view towards infringements are unacceptable. Oxfam, the subject of the latest inquiry, is far from being the only development charity breaking the legal guidelines, but its activities are especially significant. Not only is it the United Kingdom's largest charity, with an income of £62 million, but it has been the object of a stream of complaints from the general public, resulting in four previous official commission inquiries, which at best can be described as whitewashes. The complaints involved Oxfam's support for the World Disarmament Campaign in 1981, and for the Nicaraguan Government in 1985, the pamphlet "The Arms Race Kills" in 1985 and its pro-Palestinian position in 1989. Indeed, in response to the 1985 "The Arms Race Kills" pamphlet, the commission concluded that

> "Oxfam may have strayed into an area of political controversy unrelated to their activities",

but went on to say that

> "We do not propose to take this matter any further".

The trustees of Oxfam clearly hold the commission's regulatory ambitions in contempt. Despite Oxfam receiving some £12·5 million per annum from the taxpayer and the evidence of abuse of status over the past 10 years, the commission seems satisfied with public smacks on the knuckles, accompanied by private reassurances of support and cover to the charity's legal advisers.

Clearly, the Charity Commissioners perform a necessary role in providing a supportive service for those running existing charities or contemplating new ones. That should also involve advice on where the bounds of charitable status lie, as clearly defined in law. However, it is equally clear that the commission cannot, and should not, be expected to continue to act as defence counsel, judge and jury in cases of political abuse of charitable status. To expect it to advise Oxfam on how to stay within the commission's interpretation of the law and simultaneously to uphold the public and taxpayers' interest is a contradiction which cannot be resolved within existing structures.

We do not expect the national health service or local government to police themselves. Instead, we have set up a range of ombudsmen who together offer the prospect of independent and just redress after investigating complaints. The ombudsman system has won almost universal praise. I submit that we need a charities ombudsman as well.

There are two separate, easily definable areas of administering and scrutinising charities: the day-to-day administration and assistance, which should be carried out by the charities' trustees with assistance from the Charity Commission, and the investigation of complaints. It is neither practicable nor reasonable to expect the Charity Commission to carry out both functions—a task riddled with conflicts of interest.

That issue lies at the heart of charity and charities. Charities are predominantly funded—directly through donations and indirectly through taxation—by the general public. The fact that under the present system the decision whether complaints from ordinary citizens should be taken up lies in the hands of the same body which renders advice to charities makes a mockery of public accountability. In the event that a formal inquiry is launched, the Charity Commission has no responsibility to report its full findings either to the complainant or to the public as a whole. In the case of Oxfam, indications are that this conflict of interest has resolved itself in favour of the charity concerned and against the public interest. Only with the creation of an independent body, such as an ombudsman, directly responsible to the public and accountable to Parliament, can the uncertainty of the present system be resolved.

I recommend to the Government the suggestions for reform made recently by the International Freedom Foundation, to which the hon. Member for Workington (Mr. Campbell-Savours) referred, and with which I am quite happy to admit that I have some association, but in which I have no direct interest and from which I receive no direct payment. That group's complaints against Oxfam were vindicated by the commission's recent inquiry.

The suggestion is that responsibility for the investigation of complaints against English and Welsh charities should be removed from the Charity Commission. The remainder of its work should remain with it, and it would remain responsible to the Home Office and to Parliament for the fulfilment of those duties.

Secondly, it is suggested that we should create an ombudsman for charities with supporting staff and central Government funding, modelled on the successful example of existing ombudsmen. Complaints of political and other abuse of charitable status would be sent to the ombudsman who would be responsible to the public for examining and adjudicating on complaints within the existing clear definition of abuse.

The mainstream of public confidence in the charitable sector is essential if the unique contribution that it makes to society is to be enhanced, but that public confidence is now at risk. The small minority of charities that are ineptly run, fraudulent or wish to play politics with taxpayers' money bring disgrace to the whole community. New structures are needed to bring them back into line with the law.

Mr. Campbell-Savours *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. Does the hon. Gentleman have the leave of the hon. Member for Reigate (Sir G. Gardiner) and of the Minister of State?

Sir George Gardiner: I have finished my speech. It is a matter for my right hon. Friend the Minister of State, Home Office.

The Minister of State, Home Office (Mrs. Angela Rumbold) *indicated assent.*

11.31 pm

Mr. D. N. Campbell-Savours (Workington): In 1991 the hon. Member for Reigate (Sir G. Gardiner) was the leader of an investigative team for the International Freedom Foundation to Namibia. He was also a guest of the South African foreign affairs department in Cape Town. His speech was no more than the rantings of the ultra-right in British and American politics. His objective tonight is to do immeasurable damage to the activities of Oxfam, which helps millions of people in very difficult circumstances across the world.

The hon. Member for Reigate refused to comment about the Adam Smith Institute because he knows that it organised a conference on privatisation in London in June 1988. It is also a registered charity. He is also aware that he makes the position of the Institute of Economic Affairs extremely vulnerable, in so far as his activities and those of his friends in the IFF invite complaints to be made about that organisation, whose activities are patently political. He also invites complaints about the Social Affairs Unit, whose authors once argued that the root cause of apartheid was not racism, but socialism and trade unions. One of its authors argued that one man one vote was undemocratic in relation to South Africa. That organisation is a registered charity.

The hon. Member for Reigate is getting into a very difficult area in which many organisations may be vulnerable. He should use his words with great care in future.

11.32 pm

The Minister of State, Home Office (Mrs. Angela Rumbold): It is clear from the intervention by the hon. Member for Workington (Mr. Campbell-Savours) that my hon. Friend the Member for Reigate (Sir G. Gardiner) has raised a very important subject which is likely to be of considerable interest to hon. Members.

The system of charities that has grown up in this country is unique and much prized. It is quite easy for us to forget that many of the major services that we take for granted today in health, education and social welfare, were built on foundations laid down over generations first by the Church and later by concerned individuals who gave of their time and resources not because they were asked to do so, but voluntarily and for the good of their communities.

As we have heard, charities now engage in an immense range of activities from running the village hall to caring for the disadvantaged and protecting the environment. They operate at all levels, from the small local village through to the international arena. Some survive with virtually no resources, other than people's goodwill. Others are well endowed. Some are very small and some are, in effect, multi-million-pound international corporations.

My hon. Friend is right to say that charitable status carries with it many advantages. The tax reliefs provided by the Government are considerable, as is the contribution made by both central and local government towards funding particular charities or charitable projects. He is right, too, to say that, if public confidence in our charities is to be maintained, proper safeguards must exist to ensure that the money donated for charitable purposes is used for those purposes and is not misapplied—in any way or at any time.

Over the years, a complex legal framework has been built up to ensure that charitable endowments are preserved for the benefit of the community, that trustees apply the highest standards of stewardship and that abuse is prevented. The Charity Commissioners play a key role in this, for it is they who are charged with the task of supervising and monitoring charitable activities and with investigating abuses of charitable funds.

Since the last major piece of charities legislation in 1960, the charity world has changed dramatically. As we have heard, the number and variety of charities has grown enormously, as has the amount of money donated to them. The Government believe that the system for supervising charities needs updating in the light of those developments.

The Government's proposals for legislation were published in the 1989 White Paper "Charities: A Framework for the Future". The proposals are designed specifically to enhance the Charity Commissioners' investigative and remedial powers, so that they may identify abuse or potential abuse at an early stage, and deal with it effectively. We think that these powers, together with the new duties and responsibilities to be laid on charity trustees regarding the preparation and submission of their accounts and their accountability to the public, will result in a far stronger framework for oversight and control of the charitable sector in the future. Work is well advanced on preparing the Bill, and we hope that there will be an early opportunity to introduce the legislation.

My hon. Friend has raised the question of political activities and charities. There is, of course, a crucial difference here between what is permissible for charitable and non-charitable organisations. A non-charitable body can support any causes that it wishes, provided that it keeps within the general law. A registered charity, however, cannot have political objects; it is constrained by law to the reasonable advocacy of causes which directly further its objectives. Although it can, perfectly properly, draw attention to the problems that it encounters which affect its work, it may not go on to seek improperly to influence Governments either at home or abroad.

I am aware of concern that a few charities are overstepping the line between acceptable comment and unacceptable political campaigning and my hon. Friend has mentioned one tonight. As he is no doubt aware, in the case of Oxfam, the commissioners took action. Indeed, as he pointed out, they investigated the charity's activities, and although they recognised the value and importance of the work of the charity, and its experience in the field, they nevertheless censured its trustees for exceeding the limitations on charities and political activities. The law allows the commissioners to publish reports of their inquiries where they propose to take action on them. The commissioners' report on Oxfam was published in May. We intend to legislate to enable the commissioners to publish their reports much more freely which I believe would meet my hon. Friend's argument on this issue.

We know of nothing to suggest that charities in general experience difficulties in complying with the restrictions on political activities, but I understand that the commissioners are revising the guidelines, which they issue so that they are clearer. We think, however, that the law as it stands strikes the right balance between allowing charities to undertake reasonable activities and restraining them from acting in overtly political ways.

[Mrs. Angela Rumbold]

There is bound to be room for dispute over the application of the general guidance to particular cases, but to alter the guidance by legislation might well have the disadvantage of laying down inflexible rules instead of allowing the law to develop in the light of particular cases which may present features which cannot now be foreseen.

Mr. Campbell-Savours *rose*——

Mrs. Rumbold: No, I shall not give way, because I have only a little time and I want to finish my reply to my hon. Friend.

Where charity trustees overstep the mark, the commission, particularly with its new post-legislative powers, will be able to check them. We have, therefore, no plans to change the law in this respect.

My hon. Friend also suggested that the commissioners' activities in providing advice, guidance and a variety of legal services to charities are incompatible with their investigative role. The Government, however, see no conflict between the commission's different roles. The commissioners' function is to promote the most effective use of charitable resources. Advising charities on the best use of their resources does not prevent them from taking action; nor does it make them less likely to act to remedy malpractice where this is found.

My hon. Friend suggested that an ombudsman for charities could be created along the lines of other ombudsmen, to take over the commissioners' investigative role. The Government do not recommend this solution. The various ombudsmen, including those for the national health service and local government which my hon. Friend mentioned, exist in general terms to investigate and expose injustice or loss to individuals arising from maladministration, poor service or unfair treatment. Those who complain about charity activities rarely fall within that category. Their complaints and concerns, nevertheless, merit consideration and have to be dealt with. But whether an ombudsman is the way forward is more doubtful.

For example, in deciding complaints, the ombudsman would have to assess whether the action by a charity was acceptable in relation to charity law generally and to the charity's trusts in particular. This is a judicial function quite unlike that exercised by other ombudsmen. They are, in general, precluded from dealing with any complaint that has been, is being, or can reasonably be taken to court; they exist to deal with cases where no judicial remedy is available. That is not the case in the charitable sector.

The Charity Commissioners exercise quasi-judicial functions; they are equipped to consider the broad range of complaints put before them and to take action where appropriate. Appeals can be brought in the High Court against their decisions on charitable status, on the appointment of trustees or their removal on grounds of maladministration and misconduct either by the Attorney-General—who in law is the protector of charity—or the charity's trustees or, in certain circumstances, by other persons affected by the commissioners' decision. The commissioners' administrative decisions are also open to challenge through the judicial review procedure. There seems to us to be no conflict between the commissioners' investigative and advisory roles, so the Government doubt whether there is a need to create such an animal as a charity ombudsman.

The Government are confident that the legislation proposed in the White Paper and the continued vigilance of the public will result in a better service for charities and greater public confidence in the charitable sector, which I believe was the ultimate aim of my hon. Friend in initiating this Adjournment debate.

Question put and agreed to.

Adjourned accordingly at eighteen minutes to Twelve o'clock.

House of Commons

Friday 21 June 1991

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Local Government Services

9.35 am

Mr. Roger Knapman (Stroud): I beg to move,

That this House notes the widespread discontent with the inadequacies of local government services in parts of Britain, particularly in many inner city areas, as demonstrated by piles of rubbish in the streets of Liverpool and the promotion of eccentric minority interests such as 'gay' advice centres and nuclear-free zones; notes that a number of councils have not collected outstanding domestic rates and have barely started their community charge collection; further notes that this civic disarray is confined to councils controlled by Labour and their allies; and calls on Her Majesty's Government to save the residents of these boroughs by insisting on value-for-money, appropriate competitive tendering and rigorous controls on overspending.

I hope that my hon. Friends will feel that on this occasion I have at least been able to introduce a timely subject, having regard to recent press reports on certain local councils. It was originally my intention to talk especially about rate support grants, local government finance Acts, rating and valuation Acts, and so on. We could have had a detailed debate on those issues. We could almost have taken them clause by clause and in such a way as to suggest that the Mace ought to be under rather than on the Table.

As we have not examined the role of local government for so many years, I hope that my hon. Friends will not be too tempted to detail the activities of individual councils, although that must be very tempting when we see who is here this morning. My hon. Friend the Member for Derbyshire, South (Mrs. Currie) may feel tempted during the debate to mention Derbyshire council's record. My hon. Friend the Member for Wirral, South (Mr. Porter) is very close to the scene in Liverpool. If he is fortunate enough to catch your eye, Madam Deputy Speaker, it is possible that the word "Liverpool" will cross his lips. My hon. Friend the Member for Harrow, West (Mr. Hughes), who has such detailed knowledge of the loonier London councils, may find that the word "Hackney" just drops from his lips between now and some time later this morning.

Mr. Robert G. Hughes (Harrow, West): My hon. Friend is being grossly unfair to many Labour London councils. If I were to mention only Hackney, a whole bunch of lunatics would feel grossly insulted that they had been left out of the list.

Mr. Knapman: My hon. Friend is probably right. I merely say, however, that I want this to be as productive a debate as possible, in which we examine the full role of local councils—principally as enablers rather than as providers. If, however, my hon. Friend feels that in London there are other examples besides Hackney where they have not got things entirely right, I hope that he will feel free, subject to catching your eye, Madam Deputy Speaker, to mention them—and even, perhaps, to mention them by name.

I can hardly say that the Opposition Benches are packed this morning, but unless some Opposition Member wants to admit to it now, I do not believe that the Militant Tendency wing of the Labour party is represented here this morning. There is one potential candidate, but he is busy reading the Orders of the Day, so I do not think that he is claiming to be a member of Militant Tendency.

Mr. Harry Barnes (Derbyshire, North-East): I could send the hon. Gentleman a copy of a pamphlet that I wrote a few years ago called "The Public Face of Militant", which was an analysis and critique of its politics. It criticised them strongly and suggested a socialist alternative. The hon. Gentleman should be clear about the politics of Opposition Members. Despite the fact that there are some things of value in the Militant analysis, there are mistakes in the way that its ideas are presented. We could have a full debate on those issues, but that would reduce the time available for the motion before us today.

Mr. Knapman: I am grateful to the hon. Gentleman for making his position clear and for confirming that there are only some things of value undertaken by the Militant Tendency. I am sure that the hon. Gentleman's socialist purity is shown by the vivid red colour of his tie. I hope that, while criticising his hon. Friends who are members of the Militant Tendency, he is also criticising them for not being here today. I understand that the hon. Member for Liverpool, Broadgreen (Mr. Fields) is unable to take part in the forthcoming by-election in Liverpool, Walton.

Mr. Patrick Nicholls (Teignbridge): Why is that?

Mr. Knapman: My hon. Friend the Member for Teignbridge (Mr. Nicholls) asks why. A Back Bencher is a very busy person. The by-election will last for only about three weeks, and I am sure that the hon. Member for Broadgreen has many demands on his time. I thought—and perhaps my hon. Friend also thought—that Liverpool, Broadgreen and Liverpool, Walton were some distance apart. I looked at a map of Liverpool and found that they are adjoining constituencies, so the hon. Member for Broadgreen must be a very busy man indeed.

Suffice it to say that the subject of "corpy land" will come to the fore in this debate. "Corpy" rhymes with "Gorby" and both try to look after people from womb to tomb. I read with interest an article by Mr. Ronald Faux in *The Times* this morning. He said that "Liverpool had a red letter day yesterday—it had a visit from the shadow Environment spokesman, our friend, the hon. Member for Dagenham (Mr. Gould), whose view of Liverpool is rather different from most. The article reports the hon. Member for Dagenham as saying

"that Liverpool had been ill-served by the Tory government as the city struggled with a legacy of a Militant-dominated council that had allowed problems in the city to fester."

So it is not the moderate or the real Labour party, but the Tory Government, who are to blame. That is one point of view but I shall draw attention to a few comments made by Mr. Keva Coombes and others who were formerly in power for the Militant Tendency in Liverpool. Unlike the hon. Member for Dagenham, even they no longer suggest that Liverpool's ills stem from a Tory Government.

Mr. Anthony Steen (South Hams): I rise in sorrow rather than in anger, having represented the constituency of Liverpool, Wavertree from 1974 to 1983. I was the only Conservative Member of Parliament for Liverpool at that time. I am a tremendous admirer of the Liverpudlian. He has a wonderful sense of humour; he is generous, loyal, supportive, innovatory and enterprising. However, despite this Government having pumped more public money into Liverpool than any previous Government have done, the Liverpudlian has been misled by his leaders.

They have followed extremism, Militant Tendency and militant trade unionism in the belief that that would provide salvation, instead of pursuing capitalism and private enterprise, and instead of giving the Government, who have given them so much money, an opportunity to make progress. Does not my hon. Friend deeply regret that the decent, working-class Liverpudlian has been so badly misled by the left wing and by Militant Tendency, when he could make progress along the lines suggested by the Government?

Mr. Knapman: I am grateful to my hon. Friend, whose record as the Member of Parliament for Liverpool, Wavertree—as I believe the constituency was called before reorganisation—was remarkable. I am sure that he looked after his constituents well in what was at that time already a fairly difficult area, thanks to the local council's activities. That is proof of what we have always suspected. We believe that, if we are to attract people's votes, people must feel well off and prosperous, but in a Labour-controlled area the reality is different.

I have not been to Liverpool, Walton, but I believe that the theory must be to weld together all the various factions and self-interest groups so that, in the end, everyone relies on the corporation for a job or a house. Unless one is proved to be a committed supporter of Militant or of the Labour party—they are the same thing—one will not get very far. Everyone is sucked into the system, and I am grateful to my hon. Friend the Member for South Hams (Mr. Steen) for confirmation that that is so.

That leads me to my next point. The Roman Catholic archbishop and our own Bishop of Liverpool were tempted to say yesterday:

"We are convinced the present confrontational tactics can achieve only civic chaos and widespread hardship."

In fact, the matter could be cleared up relatively easily.

One of the most pressing problems at the moment is that of uncollected rubbish.

Mr. William O'Brien (Normanton): We get it here.

Mr. Knapman: The Labour party's Front-Bench spokesman says that we get it here, and I acknowledge that Labour are experts on rubbish. I understand that, three weeks ago, the few Conservatives on Liverpool city council moved a motion to allow private companies to be brought in to take away the rubbish. That motion received no support from the Labour party, from Militant or from the moderates.

Mr. Ronnie Fearn (Southport): It did.

Mr. Knapman: The hon. Gentleman says that it did. All right, we shall leave out any more suggested parties, but I do not see the same nodding from Labour's Front-Bench spokesman. Why did the council not call in a private firm to clear the rubbish three weeks ago? I am sure that we shall find out when the the hon. Member for Normanton (Mr. O'Brien) speaks later.

At the moment, the 450 council dustmen are, if not on strike, not doing too much. In fact, I suggest that, to judge from the size of the piles of rubbish, one would have a job to tell whether they were on strike or not. However, help is at hand.

The article in *The Times* stated:

"UK Waste Control was prepared to interview anyone looking for a job and"—

this is a novel suggestion for the area

"would employ them on their merits."

However, it would not take on all 450 council dustmen even though they do not work very much, because it would need only 250 dustmen to provide the city with a good weekly collection service.

UK Waste Control realises that in the 1990s it is not necessary to recognise trade unions, but said that it would not discriminate against workers who were union members. Perhaps it has the old-fashioned notion that workers are interested in the wages that they will receive, and the 250 workers will be able to share between them the same wages—or similar—as those of the 450 workers.

Mr. Tony Banks (Newham, North-West): I had not intended to interrupt the hon. Gentleman's speech because, as he knows, I have only just entered the Chamber, and I apologise for interrupting. However, from what I have heard, the hon. Gentleman's facts are wrong so I can only assume that the earlier part of his speech was equally incorrect. The fact is that half the work force will be employed, and I understand that it will receive a reduction, not an increase, in wages.

Mr. Knapman: I am grateful to the hon. Member for Newham, North-West (Mr. Banks) for just walking in. The hon. Gentleman will be flattered when I tell him that I wish to quote him at some length because he makes his point as a result of his considerable experience in London and especially through his proposals for a greater London authority. We note his view that dustmen, and presumably everyone else, should be paid according to his social dimension, rather than according to the price that they can readily command. We note especially that he has no fear that having 450 dustmen to do the jobs that 250 could readily do poses any great problem for the modern-day socialist party led by the great economist, the right hon. Member for Islwyn (Mr. Kinnock), who says that Labour must learn to run capitalism better than the Conservatives do. Labour could make a start by not employing 450 dustmen when only 250 are required.

Mr. Robert G. Hughes: The hon. Member for Newham, North-West (Mr. Banks) plainly supports the system that was in place in Liverpool until the council meeting on Wednesday. Let us be clear what that system is, which the Labour party supports. It was a system in which, quite corruptly, job nominations were given to the unions in the full knowledge that those unions were completely dominated by Militant. People were given jobs by the trade unions—not on merit and not on job application, but through direct placement by unions. Four years ago, the so-called "moderate" Labour party took over Liverpool, but that system is still in place. Labour left it there and knows that it is corrupt, but did not do anything about it.

Mr. Knapman: My hon. Friend is absolutely and characteristically right. This may be the time to draw the attention of the House to an excellent article in *The Sunday Express* of 16 June. It is headed: "Focus on a Sick City", and says:

"Rotting Borough. Liverpool's Labour-run council is the worst in history".

My hon. Friend the Member for Derbyshire, South may have something to say about that. Certainly Liverpool is among the worst councils. In the article, Mr. Bruce Anderson says:

"During most of the past two decades, the Labour party has run Liverpool."

That is the point made by my hon. Friend the Member for Harrow, West.

The article continues:

"For a time, the Militant Tendency effectively controlled the city's Labour Party and therefore the city's government, but in recent years the so-called moderates have reasserted themselves. That has made no difference to Liverpool."

That is absolutely right. Is the situation in Liverpool now any different from that of 1979?

Mr. Richard Holt (Langbaurgh): It is worse.

Mr. Knapman: My hon. Friend says that it is worse, but it must be a close thing. I agree with all the excellent article by Mr. Anderson—except one point. He says:

"If Militant had their way Liverpool would quickly resemble Albania."

That is not fair to Albania, because in the past week or two, the ruling Albanian Labour party has had a three-day congress. The subject of the congress was to debate whether to change the name from the Labour party to the Socialist party. That is making rapid progress and will leave that lot on the Opposition Benches as by far the most left-wing party in Europe.

The hon. Member for Broadgreen is not here to advise us on Militant Tendency. I regret that the hon. Member for Coventry, South-East (Mr. Nellist) is also not here. They were here yesterday during Business Questions, when I asked my right hon. Friend the Leader of the House—this is no criticism—to use his endeavours to see that one of them was here. The hon. Member for Coventry, South-East would have been so helpful this morning. We could have heard a few emollient words from him, drawing on his experience as industrial relations officer with the Alvis car company. That makes me grateful that I never bought an Alvis car, and I am not in the least surprised that Alvis went bust.

Mr. Holt: Does my hon. Friend think that the absence of the two illustrious Members is accounted for by the fact that they have taken their place at the front of the massing crowds for the victory parade today after the gallantry of our soldiers, sailors, airmen and civilians in the Gulf war?

Mr. Knapman: I am grateful to my hon. Friend. In view of his comment, I am tempted to suggest that someone goes out to see whether that is true. Having regard for the number of hon. Members on the Benches this morning, I think that we had better rely on press reports in due course. There were enough who dissented in the voting Lobbies to show us that neither the hon. Members for Broadgreen and for Coventry, South-East, nor 52 or 53 of their colleagues are likely to be interested in military victory in the Gulf area.

Mr. Jacques Arnold (Gravesham): Does my hon. Friend consider that there is any significance in the fact that today, not a single Labour Member for the city of Liverpool is present for a debate on Liverpool? May not it reflect their sheer embarrassment that Labour government in action is being paraded? They would rather keep a low profile and keep the Liverpool Labour government unexposed.

Mr. Knapman: I am grateful to my hon. Friend for that suggestion. I do not entirely agree with him that it is a disgrace that none of the Liverpool Members is here this morning. I have every confidence that, when we read the Monday morning papers, we shall find that they suddenly realised the enormity of the problems of Liverpool and will be pictured with shovels in their hands helping to clear the rubbish away from the streets of Liverpool. I am grateful to my hon. Friend for his suggestion, but I believe that the reason that I have given is the only reason why Liverpool Members could not be present for our debate.

I should hate the debate to be conducted along what might be termed party political lines, and I want especially to mention the rating and valuation Acts. I leave it to my hon. Friends to make political points about individual Labour councils.

One of the most important aims at present is to control inflation. Some £1 in every £4 is now spent by local authorities. Neither this Government nor any other would have the slightest chance of controlling inflation unless they had some control over expenditure by local councils. For 40 or 50 years, we have not looked at the real role of local authorities—what they should provide in goods and services and what they should not provide. In 1946 and 1947, with hundreds of thousands of troops coming back from the war, it was necessary to have a crash building exercise. The laws of supply and demand were so separate then that even a certain amount of Government planning was necessary to meet the demand. Large council estates were built.

For the next 30 years, no one questioned whether councils should be not only the enablers of Government legislation, but the providers of such houses. There were Parker Morris standards, under which a family of two was entitled to 802 sq ft of accommodation. If there were three people, it might be 846 sq ft. It was incumbent on the local council to tell people precisely what colour the front door should be. There was no question of trusting the people to make the really big decisions that affected their lives. None of that has been questioned.

We have had debate after debate about finding some popular form of tax. The reality is that people pay taxes in sorrow and rates in anger. Whatever, form of rates, council tax or community charge that we come up with, there will be people who are not happy because they have been losers. It is time that we addressed not only the way in which councils are financed, but the role that we expect them to play.

Mr. Holt: Was my hon. Friend here in the past few days? If so, he would have heard the hon. Member for Dagenham (Mr. Gould) say that a Labour Government would not cap any local authority unless fraud was involved. Does not that mean that the Government's announcement yesterday about the potential £35 billion overspill in spending was a gross underestimate because they did not include the environmental increases that would result from a return to the rating system?

Mr. Knapman: I am grateful to my hon. Friend for that intervention. The sayings of the hon. Member for Dagenham never cease to mystify me, although I would not wish the hon. Gentleman to know what an interest I take in them in case he should consider it a form of flattery. Having consulted the hon. Gentleman's collected works, I can only come up with one suggestion, although I should first point out that I have relatives in New Zealand and Australia. It can only be the fact that the hon. Gentleman was born down under that enables him to turn the truth on its head with such ease.

I was saying that local councils need to be enablers and not providers. We have debated the various methods of funding local authorities but not what we expect them to do. I look forward to hearing the Minister's speech in due course. I know that he and my right hon. Friend the Secretary of State will be considering not only the financing of local authorities but the paper recently published on the structure of local authorities. I ask them please not to lose sight of what we expect authorities to do. When local authorities are providers rather than enablers, they are always monopoly providers. That means socialism, and socialism means queues, as exemplified in the case of Liverpool—but I leave it to my hon. Friends to talk about Liverpool.

I am fortunate to represent a most attractive part of the country. There is some lovely countryside around Stroud. I have considerable respect for the vast majority of councillors and council officers at Stroud and it saddens me when they come in for criticism. When they do, it is always for the same reason: it is when they decide to be providers as well as enablers. It is because of that that they are permanently short of money. There is always a reason why they need more money. I examined the council's spending record this morning, and I have to say, that, even in Stroud—which is no Liverpool, thank heavens—the district council has trebled its spending in nine years, while Gloucestershire county council has doubled its expenditure in five years. That is a substantial increase. I repeat that, now that £1 in every £4 throughout the country is spent by local authorities, we must consider the matter very carefully if we are to control inflation.

Criticism of the council saddens me because I believe that the vast majority of councillors and council officers at Stroud and in the shire hall at Gloucester do their very best —although one or two Green councillors occasionally do silly things such as debating until 2 am whether a local park should be called Chico Mendes park. I wonder why no one asks what is the cost to the charge payer of the full council, with all its officers present, meeting until 2 am. That is something that local newspapers could well take up and question.

Mr. Tony Banks: Will the hon. Gentleman give way?

Mr. Knapman: Now that the hon. Gentleman has been in the Chamber for several minutes, I shall give way to him again.

Mr. Banks: The hon. Gentleman is making a critical point about Stroud council and the cost of holding council meetings. Has he considered what is the cost of our all being here today to hear the debate that he has initiated? I suggest that it would keep Stroud in council meetings from now until the end of the decade.

Mr. Knapman: The hon. Gentleman was on his feet within a few seconds of walking into the Chamber and there is no doubt that any shortlist of those who detain the House most often would include him. I remember only one brief speech from the hon. Gentleman, which was when he walked in one day and said, "We need a revolution"—a statement that appeared in the day's headlines. I do not know whether he meant that we needed a revolution in the whole country or just in Liverpool. We may be a little wiser if the hon. Gentleman catches your eye, Madam Deputy Speaker, although personally I doubt it.

Mr. Holt: As the only hon. Member present who represents a constituency in the north-east of England, may I ask the House to note the dedication of the man who was shot and killed yesterday while carrying out his work for his local authority—albeit a Labour-controlled authority? It would be nice if the House took note of that, and I should be grateful if the Minister took it on board.

Mr. Knapman: I am grateful to my hon. Friend for making that point. Those of us who watched the news simply could not believe that that was happening in this country, and our thoughts are very much with that man's family.

Before I was so rudely interrupted by the hon. Member for Newham, North-West, I was criticising not my council, as the council officers and the majority of councillors have the best needs of the area at heart, but two or three Green councillors who thought it necessary to debate the subject of Chico Mendes. I am sure that the hon. Member for Newham, North-West will remember well who Chico Mendes was, although, happily, many of us do not.

Mr. Tony Banks: Another man who gave his life for a good cause.

Mr. Knapman: The hon. Gentleman says that he was another man who gave his life for a good cause.

Problems with councils arise time after time. In the past day or two, I have read extensively in the Library and have consulted the debates in 1979, when the last Labour Government were going under. At that time, my right hon. Friend the Member for Chingford (Mr. Tebbit) initiated an Adjournment debate on why it was necessary to have direct labour organisations. If councils seek to be both providers and enablers, their enabling function must involve putting services out to tender, and that process is not very convincing if one of the groups of people who are tendering has a direct interest with the local authority.

On the shortlist of services that should not be permitted to be run by any council are leisure centres, which seem to soak up money at a rate of knots. For the life of me, I cannot see why local councils need to run car parks and shopping malls. If my hon. Friends or I decide that we want to invest in a shopping mall, it should be our decision, subject to negotiations with our bank managers. If we make a wrong decision, it is our fault. But when local councils go into property development and make a bish of things, they merely send the bill to the community charge payer, which is just not good enough.

Mr. O'Brien: What about members of Lloyd's?

Mr. Knapman: Having taken the Killingholme Generating Stations (Ancillary Powers) Bill through the House the other night, I am used to references to the council of Lloyd's. You, Madam Deputy Speaker, have

been generous in allowing a wide-ranging debate and I realise that wide-ranging speeches can be taken in a number of ways, but the debate would need to be very wide ranging for the hon. Gentleman to bring in the council of Lloyd's. Perhaps he thinks that rather than being self regulating, that, too, should be brought within the ambit of a council, in which case the hon. Member for Newham, North-West will make the case for him, albeit not very well.

Mr. O'Brien: The hon. Gentleman said that people who make business deals should stand by their decisions. I was merely asking whether that should not also apply to Lloyd's.

Mr. Knapman: As I have a direct interest, I have not formed a particular view on the subject.

Mr. Jacques Arnold (Gravesham): Boateng has.

Mr. Knapman: As my hon. Friend says, the hon. Member for Brent, South (Mr. Boateng) made an eloquent speech on the subject in the Finance Bill Committee. If the hon. Member for Normanton has strong feelings about it, I suggest that he reads that speech, because everyone tells me that it was excellent. As I said, I have a direct interest in the matter, so I do not especially wish to know what the hon. Gentleman said. I see that the hon. Member for Normanton is nodding. I suspect that he has already read that speech, in which case I do not understand his intervention.

Mr. Arnold: My hon. Friend will be interested to know that the hon. Member for Brent, South (Mr. Boateng) made yet another pledge on behalf of the Labour party. He proposed to spend more than £50 million on bailing out rich people who had put their money into Lloyd's and accepted the risk. It was very interesting——

Madam Deputy Speaker (Miss Betty Boothroyd): The motion is wide-ranging, but the hon. Member for Gravesham (Mr. Arnold) has just made it even wider. We must now return to the matter before us.

Mr. Knapman: I am grateful to you, Madam Deputy Speaker, although I would not put it past the Labour party to think of the corporation of Lloyd's as an essential feature of local government provision. I accept your ruling, Madam Deputy Speaker, and I am grateful to the hon. Member for Normanton for his intervention. I am fortunate that, in Stroud, we have committed councillors and council officers. Many people want to come to live in the Cotswolds. I wish that I could say the same about other areas.

The right hon. Member for Islwyn is trying hard to get people to believe that Militant now suddenly is one party, and that the Labour party is another. In particular, he want us to believe that about Liverpool. In past months, when the headlines were different, he would have had us believe it about London—that all bad councils were under the separate Militant influence. The right hon. Gentleman may wish to ponder a few facts.

I wonder whether hon. Members remember Linda Bellos, the former leader of Lambeth council. I was surprised to find that, in a speech at Brunel university, she admitted that the people in Lambeth had been

"failed by the education system, failed by the anachronistic rating system, and, yes, failed by municipal housing."

I expect that that will come as news to Labour Members. Ms. Bellos also commented on education:

"The dozen education authorities with the worst GCSE results in maths and English are all Labour-controlled."

On housing, she said:

"The twenty authorities with the worst rent arrears are all Labour-controlled."

All that was best summarised by the hon. Member for Brent, East (Mr. Livingstone), who said:

"If you have a council that is as monumentally incompetent as Brent's been in the last few years, it rightly gets a major vote of censure from the public."

Referring to Camden and Haringey, he said:

"I think that people running things now are just like the Vichy regime in France under the Nazis."

That is a nice statement from the Labour party.

Just in case anyone thinks that the hon. Gentleman was not correct, the Queen's counsel report on Islington council stated:

"Having the cash office staffed by the innumerate, the filing done by the dyslexic and disorganised, and reception by the surly or charmless seems to us a recipe for administrative chaos."

That has been the position in London for some years.

Mr. David Wilshire (Spelthorne): Do not the examples quoted by my hon. Friend prove the truth of his earlier point about monopoly service provision? When Labour councillors become obsessed with playing politics and chasing their loony left ideas, they take their eye off the real reason why they are there—which is to deliver services. They can get away with that because of the monopoly provision that they enjoy. They play at their politics and could not care less about local people.

Mr. Knapman: My hon. Friend makes his point exceptionally well. Any sensible person will realise that monopolies are bad, yet there has never been a speech from Labour Members admitting that—at least, not while they have been in office. That is why I chose the comments of the hon. Member for Brent, East. Once he had left office as leader of the former Greater London council, he proved that he had always known precisely what had been happening.

I hope that someone will follow up the criticism currently levelled at Lambeth, where head teachers are to make an unprecedented appeal to the Government to intervene in the running of the education system in that borough.

I know that many of my hon. Friends wish to contribute to the debate, but I want briefly to make a few points about Labour reform. I shall deal first with London. The *Evening Standard* said about Londoners:

"They have suffered too long under loony-Left councils that charge record poll tax bills and then leave the streets unswept and the schools unstaffed while wasting millions on corruption, excessive expenses, inefficiency, waste, equal-opportunities, thought-police and lesbian and gay raffia-work co-operatives."

Is it any wonder that I am confused between London and Liverpool? That quotation is apposite to both.

It was not until I saw the ranking of authorities by percentage of vacant dwellings that I realised that I had to say something about Liverpool. At 8·1 per cent., its percentage of vacant dwellings is well ahead of anywhere else in the country. The council is a complete shambles. The right hon. Member for Islwyn says that it is not the fault of the Labour party—it is the fault of Militant. Of course, he did not always say that. *The Sunday Times* may

[Mr. Knapman]

have quoted him saying that last Sunday, but it has not always been the case. Back in 1981, the right hon. Gentleman said:

"The Labour Party needs to be more left wing than it's ever been before."

By 1983, he was saying that:

"people over emphasise the Militant danger."

By 1985, it was:

"I am deeply antagonistic towards Militant. I want nothing to do with it. I want them out of the Labour party . . . we shall act very toughly."

Avid followers of the right hon. Gentleman's quotations will appreciate why I have found it necessary to precis some of his remarks.

By 1990, the right hon. Gentleman made one very direct remark—that

"there is no room for them"—

that is, Militant—

"in this Party."

He did not think then that Militant was a separate organisation. Is the lady who is standing under the title of the "Real Labour Party" really separate from the Labour party?

Mr. Robert G. Hughes: She was not six weeks ago.

Mr. Knapman: Indeed, she was not even five weeks ago.

We have plenty of information about Militant. I am grateful to the 103 colleagues who signed early-day motion 992, which condemns the so-called moderate Labour party for its record in Liverpool. My only criticism is that the early-day motion states that:

"the two Labour parties bicker about who is to blame."

There are not two Labour parties—Militant is part and parcel of the Labour party. Labour and its Militant wing are responsible for the terrible records on housing, education, ethnic groups and so on.

Councillor Keva Coombes—it it Mr. or Mrs?—[HON. MEMBERS: "Mr."] It is Mr. Keva Coombes. Apparently, he was a prominent Labour man. He has admitted that the council fiddled the figures to ensure that its work force, rather than a private sector company, won a contract put out to compulsory tender. The present leader of the council said:

"We know we are over-staffed. We know we are inefficient."

According to Mr. Coombes, Liverpool's last major management report was made in 1965:

"It took us twenty-one years to implement and even then we didn't do it all."

The council bought a very fancy computer, but nobody knows how to work it. I therefore do agree that for them actually to privatise a certain part of their business—and I say business instead of local government—is excellent news.

The council is now to arrange for its rubbish to be cleared by a private firm, at a fraction of the usual cost, yet only three weeks ago not a single Labour councillor would support such a motion. That is a great step forward, although I imagine that it sticks in the craw of Labour Members.

Mrs. Edwina Currie (Derbyshire, South): Has it occurred to my hon. Friend that it is rather sad that the private company that will do that work is French? The implication canvassed in the Liverpool newspapers is that no local company would dare to take the contract for fear of intimidation by the trade unionists in the city.

Mr. Knapman: My hon. Friend makes a pertinent point.

As I said earlier, I do not believe that councils should any longer be providers rather than enablers. Part of the business of enablers is to put contracts out to tender, but who would go to the bother of tendering—which can be both expensive and time-consuming—when they suspect that the contract is already sewn up by people who live in some annex of the city council offices? That has happened for far too long. I read out the admission by Councillor Coombes that the council fiddled the figures to ensure that its work force won the contract. My hon. Friend the Member for Derbyshire, South was right to point out that people may tolerate that one, two or even three times, but they will not be fooled for ever. I am grateful to my hon. Friend for making that point.

Liverpool is a ghastly socialist mess. The aim of politics is to produce not problems but solutions. That is why I was in the Library for so long this week—reading the fascinating debates in 1979 about strike after strike throughout the country. Along came Lord Callaghan, who said, "Crisis? What crisis?" People did not appreciate his remark, or his sun tan.

People under 35 do not remember socialism. They do not remember when the unions were constantly on strike or 1979, when hospital porters decided whether a person was really ill and would have an operation. They do not remember when dock committees decided whether commodities were perishable and therefore whether they would be given permission to be unloaded.

Mr. Jacques Arnold: That finished Liverpool off.

Mr. Knapman: Yes. People under 35 do not remember grave diggers going on strike.

Mr. Barry Porter (Wirral, South): I have listened courteously and carefully to my hon. Friend's comments about Liverpool. Much of what he said about the Liverpool branch of the Labour party is entirely correct, but Liverpool has never been finished off and will not be finished off while I have anything to do with it.

Mr. Knapman: My hon. Friend is right. There is nothing wrong. There is nothing different about Liverpool, except that it is in the stranglehold of socialism and monopoly public provision.

Mr. Fearn: I agree that Liverpool is definitely not finished. The hon. Gentleman referred to the port. Does he know the figures? Liverpool port, which is in my area of Sefton, trebled its profits over the past three years. I agree that the dock labour scheme was probably one of the solutions. Should not the hon. Gentleman be saying what a good job the Liverpool docks are doing?

Mr. Knapman: Indeed. The Government have introduced many excellent financial and legislative initiatives to ensure that one day Liverpool will overcome the Militant Labour menace. I think that the hon. Gentleman could agree with that.

Just in case people re-elect Militant, I suggest that there is a way forward. I have one solution: we could make Liverpool into a holiday area. People under 35 and, for that matter, those who are older who need to be reminded

what it is like in a socialist area may be interested in visiting it as a living museum to socialism. At one stage, I had hopes for Albania, but the Albanians are changing their ways.

I wonder whether Trusthouse Forte could be prevailed upon to offer hotel accommodation—two days of dinner, bed and breakfast and a tour of "corpy land", carefully landscaped with mountains of rubbish and teeming with wildlife. Of course, the package would have to be provided at a preferential rate because when one goes to Liverpool, Walton in "corpy land", one is subject to "out-of-pocket" expenses. When a contract says, "Subject to availability", it means, "In the unlikely event that no one is on strike."

The reality is, as my right hon. Friend the Member for Chingford says, that socialism is brain dead and only the odd limb still twitches. The odd limb is still twitching in Liverpool, and it is time it was cut off.

10.24 am

Mr. Ronnie Fearn (Southport): We have heard quite a lot about Liverpool, about which I may speak as well, but we are talking about local government services. I have much sympathy with the motion, although not all of it appeals to me. Some people believe that local government is simply a system of services. Some believe that local government services should be those involving no significant national interest. I reject that view. We believe that local government's role is and must remain deep seated.

It is essential in the negotiations to have liaison and communication between local government and national Government. Since 1986, there does not appear to have been much negotiation or co-operation between the two, probably because of the intervention of the notorious poll tax. The rift became clear when the poll tax came on the scene. I am pleased that lately there has been a truce. The Prime Minister met members of organisations and associations representing local government, and I sincerely hope that from now on there will be the co-operation to which I have looked forward.

It is a pity that the poll tax came on the scene. It was a crippling blow to local government, and will remain so for at least the next 18 months to two years. It means that local authorities have to withstand the effect of £800 million in total on their budgets—that is according to Audit Commission figures, not figures that anyone has cooked up. There is a widening gulf between local government and national Government because of the poll tax. The sooner the poll tax is out of the way, the sooner local government budgets can operate effectively.

Mr. Nicholls: If the hon. Gentleman is concerned about the burdens imposed on local government, why is his party resolutely opposed to any form of capping?

Mr. Fearn: We should not at this stage speak about capping. When we think of it, we think of extra burdens on the poll tax payer, or on the ratepayer of the distant past. Figures cited in a debate the other day showed that Liverpool people were having to pay £79 more because of non-payment of the poll tax. In Bootle, because of non-payers, £31 has been added to the bills of people who pay regularly. The authority should get rid of that imposition as soon as possible.

I used to be a banker——

Mrs. Currie: The hon. Gentleman was not a banker—he was an assistant bank manager.

Mr. Fearn: I am sure that the hon. Lady reads "Who's Who". There should never be such an imposition on those who pay their debts.

Mr. Nicholls: Will the hon. Gentleman give way?

Mr. Fearn: Yes, I shall give way—for the second time.

Mr. Nicholls: The hon. Gentleman is missing the point—for the second time. Recently, the hon. Member for Eastbourne (Mr. Bellotti) conceded to me in a debate that in no circumstances would a Liberal Democrat Government impose capping on local authorities. For the second time, I ask the hon. Member for Southport (Mr. Fearn) how he can complain about impositions on local taxpayers when his party has pledged to have no capping structure?

Mr. Fearn: I do not believe that we would ever cap an authority. Capping is an imposition on people. It depends whom the people elect. They have great choice about whom to elect, and capping is no doubt a factor when they make that choice.

Mr. Barry Porter: Will the hon. Gentleman explain the Liberals' position on central Government control of local finance, or is there to be no such control? And if so, how would he control the rate of inflation, the money supply and all the rest?

Mr. Fearn: I like to think that local government can get on with the job that it has been asked to do and that central Government will not continually pull the strings and restrict its resources.

It is a pity that the Government have commissioned a three-month study into the wholesale privatisation of white collar services in local government. The study, which has been well reported, is to be carried out by the PA Consulting Group. It is looking at the extension of compulsory competitive tendering to libraries, finance departments, engineering services, environmental health departments, trading standards departments, building-related services and personnel departments. Services in those areas, and especially health and safety standards, would be bound to suffer as spending cuts would put at risk more than a million local authority jobs. Those are services and jobs for which local authorities are definitely responsible. As has been recorded, there has already been a 19 per cent. cut in the number of health and safety staff in some authorities.

The public are not helped when museums struggle to survive. We need Government clarification on the status of local authority art collections to prevent the sales of works of art that are of benefit to the public. I believe that Derbyshire county council found a loophole which enabled it to make such sales. That loophole should now be closed.

Mr. Tony Favell (Stockport): The hon. Gentleman would help my hon. Friends and me if he could tell us whether the Liberal party is opposed to the contracting-out of services. Having said that the port of Liverpool has been saved by the abolition of the dock labour scheme, why on earth can he not recognise that Liverpool might be saved by the Conservative policies that are advocated by this Government instead of continuing to suffer the

[Mr. Tony Favell]

socialist degradation that has been going on in Liverpool not only under the control of the Labour party, but previously under the control of the Liberal party?

Mr. Fearn: I cannot agree with the hon. Gentleman's last point. As he is aware, I served on what was at times the notorious Merseyside county council under the pleasure or otherwise of the leadership of Keva Coombs. Naturally, I did not agree with a terrific amount of what went on, but one thing with which I did agree was that the council recognised the degradation in Liverpool's housing stock and did something about it. However, with the exception of some minor measures, I cannot say that I was ever in wholehearted agreement with anything that happened in Liverpool under socialist rule.

As has been well reported in the Chamber, about 700,000 houses are now standing empty in the country, but it is rarely stated that 600,000 of those houses are in the private sector. Central and local government must tackle private housing deterioration by an efficient and fully resourced improvement grant programme. I sincerely hope that the Minister will comment on that in his reply. Council tenants should receive an improved repair service as that would help to achieve the consumer satisfaction that has so far not been achieved in Liverpool, where estate residents have been badly let down by the council. Liverpool city council admits that 5,733 local authority properties are vacant and that some have been empty for four years. About £4·5 million in rental income has been lost in the past 12 months. That is bad management and of little service to the public.

In my authority of Sefton, which covers Southport, services to the holiday and shopping industries have been affected by a north-south war. In 1974 Bootle was lumped with Southport, Crosby and Formby as part of an unnatural local government reorganisation which we described at the time as gerrymandering and which has been referred to in similar terms since. Communities as different as chalk and cheese were unsatisfactorily lumped together. Since then, for 17 years, the people of Southport have been making their views known to the Boundary Commission. Polls have consistently shown that between 92 and 97 per cent. of local people want to be part of Lancashire. Recently 11,000 of them wrote individual letters to the Boundary Commission which had initially acted favourably, reflecting the wishes of the people in the first provision of the Local Government Act 1974. However, the commission now appears to have turned a double somersault and stated that the borough of Southport should remain part of Sefton. It appears to the people of Southport that the Boundary Commission has become political. I hope that that is not the case. Many say that the boot has been put in as a result of interventions from a higher authority. Again, I hope that that is not the case and that the Boundary Commission, which has worked well in the past, will continue to do so in the future. The wishes of the people must always be adhered to in the provision of local government services.

Liberal Democrats perform well when they get into local government. Having gained 520 seats at the last local elections—more than was gained by any other party—many more councils are now controlled by Liberal Democrats. Councils are big spenders of public money and are often the largest employer in an area. They have statutory duties and powers relating to a large number of services, many of which have a direct environmental impact. Councils can also be opinion formers and pace-setters for the area's community and businesses—not least as a result of their purchasing policies and publicity facilities. Liberal Democrats believe that the protection of the world environment must be a major priority at every level of government. That priority must be reflected in political and economic action at every level in society. It follows that, where feasible, we want local authorities, through the provision of their own services, to take action to protect the environment. Councils can bring direct influence to bear on those who might otherwise damage the environment and can raise the consciousness of the population that they serve.

Local government can provide recycling services. About 80 per cent. of household rubbish could be used again. Throwing it away is a total waste of all the energy and raw materials that went into producing it, yet only 1 per cent. of Britain's annual 43 million tonnes of household waste is recycled. Liberal Democrat councillors have long argued for recycling schemes. Where we hold power, that lobbying turns into action. Adur district council has introduced a door-to-door kerbside collection service for recyclable materials.

Local authorities should also provide nature conservancy services. Our minority administration on Colchester borough council has taken several initiatives to conserve the environment and has purchased a large landholding, Lemton lodge farm, to protect it from development threats and to open it up to the public. Adur and Somerset district councils have full programmes to ensure the protection and conservation of the environment.

Mr. Nicholls: Perhaps the hon. Gentleman would like to remind the House that when the Liberals were briefly in control of Devon county council, they planned to recycle the county's remaining grammar schools by abolishing them because that was the price that the Labour party demanded for keeping the Liberals in power. Had the hon. Gentleman intended to mention that bit of recycling?

Mr. Fearn: I do not believe that that enters into recycling.

Concern about the side effects of pesticides has already galvanised Liberal Democrats on South Somerset district council, who have adopted comprehensive nature conservancy strategies, banned the use of many pesticides and substituted safer management methods. Purchasing policies should be geared to the service of consumers. There again, Liberal Democrat groups have successfully proposed environmentally sensitive purchasing policies.

Adur has banned the purchase of aerosols with CFCs and has called on manufacturers to label their products so that consumers can make informed purchases. Swale borough council is implementing lead-free petrol policies.

Britain lags behind its European neighbours when it comes to greening and protecting residential areas in towns and cities from fast rat-running traffic.

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert Key): That is a bit rich. It is bunkum to think that it is only tightly knit groups of politically motivated Liberal Democrats who are interested in recycling, conservation, environmental good practice and the protection of the environment. It would be just as reasonable for the Labour party to suggest that

it is doing the same or for me to suggest that Conservative groups are. I hope that the hon. Gentleman will acknowledge that none of those Liberal cliques would be able to make such claims if it were not for the introduction of legislation by the Conservative Government on vital matters, notably the Environmental Protection Act 1990.

Mr. Fearn: I would like to agree with the Minister. Perhaps as the debate continues many instances will be given of Conservative councils that are doing that. I have been a member of a council for 25 years and I still am. We had a tough time in the earlier years as there were only three of us, but during that time we suggested using recycling methods and policies that would not harm the environment. The Conservatives suggested nothing.

I used to go round the country 25 years ago, and I never found Conservative groups suggesting anything of the sort, apart from in rural areas where people spoke about hedgerows, even in those days. I never heard anything until seven or eight years ago, when the Greens made us start thinking about the environment and it became fashionable.

Mr. Holt: On the subject of the environment and the Liberal Democrats, I have been a member of the Select Committee on the Environment for six years. There is no Liberal Democrat on that Committee because of the way that this place works, but neither has a Liberal Democrat ever sat in on a meeting or submitted a paper. No Liberal Democrat has ever expressed agreement or disagreement with our reports. In the House, the Liberal Democrats take no interest in the environment unless it is for cheap popular political reasons.

Mr. Fearn: I cannot believe that. A document called "Shared Earth" was submitted to the Committee and I am surprised that the hon. Gentleman has not read it.

I am not saying that Conservative councils will not jump on the band wagon and introduce such measures——

Mr. Jacques Arnold: Will the hon. Gentleman give way?

Mr. Fearn: I have given way eight times, which is a lot for such a debate. There are not many of us on this side of the House today—*[Interruption.]* I am a great percentage of our party here today.

I am talking about customer services. I am not haranguing or criticising too much, although certainly some criticism must be levelled at Liverpool. We have always been a party of action rather than words. We stand for value for money and for service. The best thing that could happen to the proud city of Liverpool is for the sensible and friendly people of Walton to give both Labour parties a boot up the arse and elect a Liberal Democrat Member of Parliament.

10.44 am

Mr. Barry Porter (Wirral, South): I do not think that I am capable of following the witty rhetoric and the vulgarity of the hon. Member for Southport (Mr. Fearn), and I have no intention of so doing.

Mr. Fearn: The hon. Gentleman speaks of vulgarity, but I looked in the dictionary to find that that was a good old English word.

Mr. Porter: The fact that it is old fashioned does not make it any the less vulgar.

I am not here to take part in the Walton by-election and I am definitely not here to indulge in a Liverpool-bashing expedition. I listened to my hon. Friend the Member for Stroud (Mr. Knapman) with some interest. One of our troubles is that the people of Liverpool—as shown in the leader in the Liverpool *Daily Post*—rightly or wrongly take exception to people from Dagenham, Stroud and other places, who have probably never been to Liverpool, thinking that Liverpool is a sort of Albania of the north. It is not.

I am not criticising, as they obviously have other things to do, but I am sorry that some of the Liverpool Members of Parliament are not here today. I was born on Merseyside, I have a family there, and have worked there as a solicitor and am not unknown in the courts of Liverpool—as an advocate, I hasten to add. I have had a ringside seat of what has been happening in the past decade. I have watched the fight for the soul of Liverpool and I do not like what I have seen any more than anyone else. As a Merseysider, and as someone with relations who earn their living in the city of Liverpool, I have a right to try to set the record straight, as far as I can and as a friend of Liverpool.

Every city has its difficulties. Liverpool has geographical problems—it is on the wrong side of the country because patterns of trade have changed. Corn and cotton have gone and the port has had to be reduced in size. The population has reduced. I wonder why Liverpool has gained its reputation when Glasgow, which has suffered equal geographical historical difficulties and has suffered the decline of its basic industries, does not have the same reputation and is called the "city of culture". Glasgow pulled itself up by its own bootstraps, largely under a Labout administration, and the man who led that renaissance was Provost Kelly. If Glasgow and other cities that have faced decline could do it, why not Liverpool? That is why I have to make this attack, because the blame for what has happened to Liverpool in the past decade lies with the politicians who are purported to lead that city.

The first political statement that I made was at school when Mrs. Eilzabeth Braddock, the then Labour Member of Parliament for the Exchange Division of Liverpool, came to lecture the sixth form. I offered the vote of thanks and I remember saying that I trusted that she would remain as a Member of Parliament and a member of the Opposition for many years to come—I was right about that. I wish that Elizabeth Braddock and her like were in Liverpool now, but they are not.

One only had to look at the leader of the Liverpool council on television the other night—he was in tears. He is the alleged moderate. I felt sorry for him. However, it is fair to say that he and those who follow him have connived in doing little to stop the hard left, the broad left or the narrow left, or whatever one wants to call it. Such labels mean nothing to me and are part of a parlour game played by people of socialist inclination. The people out there do not care what faction one belongs to or even what they are or what they do. They are interested in a clean city, a city with decent schools and a city which is prudently run. Sadly, in the past 10 years, none of those aims has been achieved.

My hon. Friend the Member for Stroud referred to the breast-beating of councillor Keva Coombes. I do not propose to repeat that, but, to encapsulate what Coombes said, it was simply, "We failed."

[Mr. Porter]

I do not mind people failing if they have tried to the best of their ability and worked hard with great honesty, but, no, it was not like that. They did not try. They did not want to succeed. They wanted confrontation, not just within the city, but with the Government of whom they disapproved. The way to achieve that was to make the city ungovernable.

People thought like that and, sadly, still think like that. If any Labour Member thinks that Militant will fold up its tent and steal away into the night, think again because it will not. I know, because we have heard some windy rhetoric about it, that the Labour leadership wishes to see such people out of the Labour party. Think again. It will not be so easy. Besides, I am not entirely certain that every Labour Member wishes that to be the case.

Mr. Favell: My hon. Friend is making a most interesting speech. As so many Members wish to speak, I do not expect to catch your eye, Madam Deputy Speaker, so I intervene briefly. I, too, represent a seat which is on the Mersey and is about 30 miles from Liverpool. When the people of Stockport look at Liverpool, they wonder whether those living there realise what an appalling advertisement for Liverpool the council is. Industrialists are deterred from investing in it by what they read in the newspapers and watch on television. I know the Liverpool people. Recently I visited Halewood and was impressed at what was going on there, but many people do not know. The people of Liverpool should realise that their councillors are the worst possible advertisement for that city which was once great.

Every year I used to go to the Isle of Man for my family holidays and I used to see the port of Liverpool full of great ships. At that time it vied with Manchester. It was a great thrill for me and part of the holiday to go there. Now Liverpool is notorious purely as a result of the activities of its appalling left-wing council.

Mr. Porter: If that was a question, I think that the answer is yes. Clearly, there is a problem with inward investment in Liverpool, but we should not overstate it. The politicians there have the effect that my hon. Friend described, but it is not something which cannot be overcome. It will be overcome. There are still major industries in Liverpool. There is Littlewoods. Royal Insurance has its head office there and will not move. General Motors is investing a further £200 million. There is the Tate gallery of the north and the Albert dock. If hon. Members have a moment, they should pause at the Albert dock, which is absolutely marvellous. Why is it there? Because my right hon. Friend the Secretary of State for the Environment, in a previous incarnation, went there and started the Merseyside development corporation. What is the advantage of the MDC? It does not have to bother with the council which has let Liverpool down.

Liverpool is there for all to see. It is not a once great city; it is a great city. It is a city of humour. I assure the hon. Member for Southport that Liverpool is environmentally aware. It has more lead-free churches than anywhere else in the kingdom. That is the sort of self-deprecating joke which people on Merseyside make about themselves. What is a scouser with a collar and tie called? Answer: the defendant. What is a scouser in a four-bedroomed, detached house called? Answer: a burglar. The people of Liverpool make jokes like that about themselves. I like that. They are not pompous people. They are willing to work. When I hear attacks on the city close to which I was born, I do not like it because the vast majority of its people do not bear out the view that some people in the rest of the country have of them.

Over the past years the people of Liverpool have chosen to elect the sort of representatives that I have described. They are now beginning to realise that that was an error. Obviously, I think and hope that the Conservative party's fortunes will revive there. We have put money into that city; we have not abandoned it. Conservative principles will work in a place like Liverpool.

I represent part of the Wirral, two miles over the river. This year, slightly to my surprise, there was a swing on the Wirral in favour of the Conservative party. We gained seats and defeated the local leader of the Labour party. Why? Because our campaign was based on the question, "Do you want Liverpool over here?" We did not mean the city, but the politicians. The answer was and is a resounding, no, we do not want such people running our local authority.

It is for the people of Liverpool now to determine what sort of city they want. Do they want a city where the streets are swept and the schools are good, and of which they can be proud? If they do, it is available for the taking, but never while the men that I have described still run the local Labour party. Mistake me not, they think that they are the Labour party, they will remain in the Labour party, whether Walworth road or the national executive council says so, their spirit is in the Labour party, they have to an extent taken it over and they will not go away. It would be the leaving of Liverpool if those men were allowed to continue.

10.55 am

Mr. Harry Barnes (Derbyshire, North-East): The introductory speech of the hon. Member for Stroud (Mr. Knapman) was astonishing. It was supposed to deal with the problems of local government, yet he deliberately avoided the whole problem of local government finance. He mentioned it only in passing to claim that the financial position facing local authorities was in some way irrelevant. Liverpool has been hit as much as any authority by the financial game that the Government have been playing since 1979.

It was my privilege to address a meeting together with the former hon. Member for Liverpool, Walton, Eric Heffer, whom we wish was here today to take part in the debate and share with us his vast experience and understanding of Liverpool. The meeting was to consider what was to be done in the light of the assault on local government. The tactics of that assault were being set out as early as 1979 and were followed by continuing cuts in grants, fiddles in standard spending assessments and the poll tax, which the hon. Member for Stroud managed not to mention. He can claim that he did not vote for the legislation on Second Reading because he happened to get himself into the wrong Lobby. He was locked in, and there were points of order about the fact that he was stuck in the No Lobby when he wanted to be in the Aye Lobby. His speech today revealed that his confusion on that occasion is continuing.

Mr. Knapman: Will the hon. Gentleman re-examine the matter? The confusion must be with him, because that incident certainly did not involve me.

Mr. Barnes: If it was not the hon. Gentleman, I certainly apologise, but my understanding is that my hon. Friend the Member for Bolsover (Mr. Skinner) raised a point of order and said that the hon. Member for Stroud was locked in the No Lobby, hiding behind the curtains and could not be persuaded to come out. He added that it would be a long time before his release. It may have been one of the hon. Gentleman's colleagues.

Mr. Knapman: It was one of my colleagues, but modesty forbids me to say which one; it was not me. The hon. Gentleman's research is not what it might be. If he cannot get that right, what on earth can he get right? I look forward to his apology.

Incidentally, will the hon. Gentleman ask his Front-Bench spokesman to cover the point about Lloyd's because Labour's resident expert is here to speak for himself? If the hon. Gentleman wants a copy of that excellent speech, I am sure that the author will be happy to oblige.

Mr. Barnes: I apologise if I referred wrongly to the hon. Member for Stroud. My confusion was caused by the presence on the Government Benches of a host of Thatcherite clones. I confused the hon. Gentleman with whichever clone happened to get locked in the No Lobby. Clearly, the whole issue of the poll tax must be considered as part of this debate, and the hon. Member for Stroud avoided referring to it as having caused difficulties for the operation of local government services.

It being Eleven o'clock, MR. SPEAKER *interrupted the proceedings, pursuant to Standing Order No. 11 (Friday sittings).*

Chieftain Tank Replacement

11 am

The Minister of State for Defence Procurement (Mr. Alan Clark): With permission, Mr. Speaker, I will make a statement about the replacement of the Chieftain tank.

In his statement to this House on 20 December 1988, the former Secretary of State, my right hon. Friend the Member for Ayr (Mr. Younger), announced the Government's intention to replace the Chieftain with a new tank. The Challenger 2 tank being developed by Vickers was to be given the opportunity over the next two years to demonstrate that it could meet three demanding milestones.

At the same time, my Department has conducted an extremely thorough assessment of three other contenders —an improved version of the United States Abrams tank, manufactured by General Dynamics; an improved version of the German Leopard 2, manufactured by Krauss Maffei; and the French Leclerc tank manufactured by GIAT. That work has been greatly helped by the full assistance we have had from the companies concerned and their Governments.

In reaching our decision, we have had to take into account a wide range of factors, many of which did not apply two and a half years ago. Chief among those is the major political and military transformation within Europe which will mean that, by the mid-1990s, over 30,000 fewer tanks will be ranged against NATO in Europe. That has led to our study of "Options for Change" and allows us to make significant reductions in the size of our tank fleet.

But the main battle tank remains at the cutting edge of a modern army and, without it, high intensity conflict would be impossible. Indeed, the Gulf war demonstrated the continuing importance of the tank in the land battle.

A decision of this magnitude requires a wide range of factors to be carefully weighed and taken into account. Our appraisal has now been completed. We have reviewed the progress of the Challenger 2 programme, in which Vickers Defence Systems has achieved all the performance criteria, known as milestones. We have also assessed the competing claims of the Leopard, Abrams and Leclerc tanks.

I can inform the House that, subject to the negotiation of satisfactory contract terms, we have decided to go ahead with the Chieftain replacement programme and to place the order for the new battle tank to replace Chieftain with Vickers for Challenger 2.

In making the choice of the new tank, an important consideration has been the advantage of maintaining a single ammunition type without the smaller fleet. In addition to this order for Challenger 2, and taking into account the lessons of the Gulf war, we intend to proceed with a substantial upgrade programme for the Challenger 1 fleet. In particular, this programme will significantly increase the firepower of the Challenger 1 fleet by the fitting of a new and more powerful gun.

As a result of the acquisition of Challenger 2 and the enhancement of Challenger 1, the British Army's tank fleet will be well placed to meet its new commitments, both within NATO's Rapid Reaction Corps and elsewhere.

The choice of Challenger 2 testifies to the skills and capabilities of British industry and will deservedly ensure jobs at VDS and its sub-contractors. It is an excellent tank and likely to command close attention among our friends

[Mr. Alan Clark]

and allies. I am confident that it is exceptionally well placed to compete in the important overseas markets where there are genuine defence needs.

This announcement carries forward the process announced by my right hon. Friend in July last year. As he then made clear, our aim is to achieve smaller but better forces. The Government are determined to ensure that our armed services receive the equipment that they need to do the job. This decision is an important step in that direction. I commend it to the House.

Mr. Martin O'Neill (Clackmannan): I thank the Minister for that long-awaited but somewhat thin statement. The whole House will welcome this vindication of British technology and skill. While we understand why the right hon. Gentleman has not mentioned the price of the new tank or the cost of retrofitting the existing tanks, will he reveal the size of the order, at what rate the tanks will be purchased and over how long the contract is expected to run? Will he confirm the number of Challenger 1 tanks that are likely to be retrofitted?

While I do not wish to carp unduly this morning, I should tell the House that yesterday afternoon, during business questions, at about 4.30, my hon. Friend the Member for Leeds, Central (Mr. Fatchett) asked the Leader of the House whether there would be a statement about this matter. He was told that a statement would be made before the end of the month.

It would appear that a number of Conservative Members have not been detained by legitimate constituency business, as have been my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) and my hon. Friends the Members for Sheffield, Attercliffe (Sir P. Duffy), for Tyne Bridge (Mr. Clelland), for Rotherham (Mr. Crowther), for Leeds, Central, and for Blaydon (Mr. McWilliam), all of whom have played an active part in campaigning on a cross-party basis to secure the order for Vickers.

It is extremely regrettable that the courtesy that was shown to me late last night—and clearly was extended to Conservative Members—was not extended to the House as a whole. That has meant that some of my hon. Friends are not present today to welcome the order and to give it the sort of support that they have shown since December 1988, when the statement was first made about the milestone procedures. I must make that point because, while I welcome the order, I regret the somewhat unparliamentary way with which the matter has been dealt.

Mr. Clark: I am grateful to the hon. Gentleman for his support. I apologise to him and the House for the fact that the statement is being made on a Friday. The House will appreciate when I explain that negotiations with the company were completed only late yesterday afternoon, so this is the first opportunity I have to disclose the matter to hon. Members.

This has been for many months the subject of widespread concern and comment, inside and outside the House and in the press. Much of that comment has not been well informed, so I am sure that hon. Members will appreciate that, had we left the matter over the weekend, the likelihood of leaks, uncertainties and comment, inaccurate or mischievous, would have multiplied. For that reason, I felt it appropriate to come to the House immediately to make a statement.

It is our intention to re-equip completely two regiments of Chieftains. We believe that after the Options arrangements are fully in place, there will remain two regiments of Chieftains. They will be replaced with the new tank. The numbers in this contract will be up to about 130, which is larger than required to equip two regiments but includes tanks for training and logistical support.

The number of Challenger 1 tanks to be retrofitted under the improvement programme will depend on how many Challenger 1 tanks remain in service under the finalisation of the Options arrangements, but it is our intention that every Challenger 1 remaining in service should be retrofitted.

Mr. Neville Trotter (Tynemouth): Does my right hon. Friend agree that this is great news not only for the British Army but for the north-east, with thousands of jobs being secured? Can he confirm that Vickers won the order on merit against great international competition? Does he accept that great credit is due to the Vickers work force for their achievements in connection with the Gulf and in bringing this design to a successful fruition?

I know that the work force would want me to thank hon. Members on both sides of the House who helped them. I particularly pay tribute to my hon. Friends the Members for Sheffield, Hallam (Mr. Patnick) and for Leeds, North-East (Mr. Kirkhope), who have been gagged in public by serving as Whips. They have helped enormously behind the scenes in putting our case.

Does my right hon. Friend agree that this vote of confidence by the British Army should help to pave the way for export orders and further job opportunities in our region?

Mr. Clark: I echo my hon. Friend's tribute to colleagues who have worked behind the scenes and spoken on this subject on the Floor of the House. As my hon. Friend says, although my hon. Friend the Member for Sheffield, Hallam (Mr. Patnick) must, technically, remain silent in the Chamber, he has played a significant part in concentrating our minds on this issue.

Every tribute should be paid to the work force, especially for its help to the 1st Division in the Gulf. It provided thorough, continuous and effective maintenance of the Challenger 1 tanks, which enabled them to perform so effectively throughout the war. That performance augurs well for the quality of workmanship that we expect to find in the new tank.

Mr. Stanley Orme (Salford, East): We welcome the Minister's statement, as to the trade unions that have been involved in the campaign, including my union—the Amalgamated Engineering Union—the Transport and General Workers Union, Manufacturing Science Finance and many other unions concerned about employment in the two main companies in Leeds and Newcastle and the subsidiary companies that supply other components for the vehicle.

We accept that we must have such weapons, but it is essential that we buy British. The Government have taken long enough, but we welcome their decision. Will the orders be sufficient to maintain employment at both the major plants and in the subsidiary companies involved?

Mr. Clark: I am grateful for the right hon. Gentleman's support. The House will be pleased that our decision has resulted in buying British. I assure the right hon. Gentleman that we took into consideration a wide number of factors, of which the maintenance of an indigenous tank production capability was only one. It took a long time to weigh those factors carefully, but that passage of time allowed us to make a thorough examination of all the factors. It would not be appropriate for me to comment on work loading in the factories. However, as the right hon. Gentleman knows, York university carried out a study and attached a figure of 2,400 jobs to the order.

Mr. Cyril D. Townsend (Bexleyheath): Does my right hon. Friend agree that his important statement is good news for Britain, Britain's technology, our famous armoured regiments and the soldiers who may one day be required to take these sophisticated tanks into action? What will my right hon. Friend do to encourage our embassies and military attachés abroad to ensure that the tank is widely perceived by the world tank market as a desirable purchase?

Mr. Clark: My hon. Friend raises an extremely important point. A number of countries among our friends and allies are considering re-equipping their armed forces, particularly in the light of the lessons of the recent conflict. As I said in my statement, Challenger 2 is excellently placed to take advantage of that demand, subject to the appropriate scrutinies of the supply of heavy armaments to countries overseas. Although our embassies and posts abroad require no urging from me, they will know about what has been said in this place.

Mr. Ronnie Fearn: (Southport): Although I welcome the decision in favour of Vickers, especially the sub-contractors who have been anxious about this order, will the Minister say whether the export market will be considered by Vickers—he said that there will be fewer than 200 tanks—and, if so, will the Ministry of Defence have an input into that decision and into deciding where the tanks will go?

Mr. Clark: Of course. All exports of arms are subject to detailed scrutiny by ourselves, the Foreign Office and the Department of Trade and Industry. That would always be a factor in determining whether a sale could be allowed. We are well aware of a considerable demand for new armour from many countries that we regard as friends and allies.

Mrs. Edwina Currie (Derbyshire, South): My right hon. Friend will remember that I wrote to him on behalf of my constituents who work for the steel makers, F.H. Lloyds of Burton-on-Trent. May I convey to him their thanks for the decision? Does my right hon. Friend agree that it is good news not only because we are buying British but because we are buying the best in the world? That augurs well for the engineering and metal-bashing industries of the midlands and the rest of the country.

Mr. Clark: I am grateful to my hon. Friend for making that point. She wrote to me in persuasive terms, and I am sorry that I could not at that time give her a fuller assurance than the stage of our negotiations allowed. My hon. Friend's points are valid, and I hope that the order will give a considerable boost, not only to direct employment—including employment for the sub-contractors—but in illustrating and enhancing the prestige of the closely-related trades in metal working and high technology.

Mr. Dennis Skinner (Bolsover): In deciding the contract, did the right hon. Gentleman discuss with his colleagues the number of Challenger tanks that were left to rust at the end of the Gulf war? Has he read the report that, of the 157 Challenger tanks, the vast majority were inoperable because, as a senior officer said, there was vandalism by neglect? As a result, the repair bill ran into tens of millions of pounds.

Will the Minister comment on the fact that the Germans offered to loan 130 Leopard 2 tanks to replace the defective Challengers only on the basis that they would receive the contract that he has just announced? Yet the Germans call themselves allies.

Will the Minister accept that some of us believe that the decision was delayed unduly because the Tories thought that there would be a June election and somebody else would have got the contract?

Mr. Clark: I am always delighted to see the hon. Gentleman in his place and I pay tribute to the fact that he is such an assiduous attender, even on Fridays. On an occasion such as this, when the entire House welcomes the Government's decision, I looked to the hon. Gentleman to supply a note of discord and I was not disappointed.

I am well aware of the report to which the hon. Gentleman refers. It is entirely groundless—there is no truth in it whatsoever—and was published in one provincial paper. The national papers that inquired into the issue were rapidly disillusioned, as there is no substance in the allegation or the figure that the hon. Gentleman quoted.

The German's offer to loan Leopard 2 was unrelated to the alleged deficiencies in the remaining Challenger 1 fleet. It was a move in the contractual negotiations and was carefully considered, as was every aspect of all offers and every detail in a long and complicated series of negotiations with several different suppliers. However, we reached our conclusion having weighed all the factors.

Mr. Ivan Lawrence (Burton): I thank my right hon. Friend for his wise decision and the goods news that it will bring for jobs in Burton-on-Trent, particularly at F. H. Lloyds already referred to by my hon. Friend the Member for Derbyshire, South (Mrs. Currie). I appreciate the care with which my right hon. Friend made the decision. It is all too easy to be chauvinistic for chauvinism's sake. I appreciate that he had a difficult decision to make and made it as a result of the particularly good technology that has been put into those tanks. This will also help to boost the morale of our troops if they ever have to go into battle again because they will know that they are riding proudly on a British product.

Mr. Clark: Certainly the Government will always ensure that, if our service men have to go into battle, they have the best equipment available. I am confident that, in this case, we have made the right decision. However, as my hon. and learned Friend the Member for Burton (Mr. Lawrence) said, a large number of factors had to be taken into account, including technical merit, risk, contract conditions, time scale, cost, the balance of inter-operability considerations, stretch potential, logistical

[Mr. Clark]

implications, employment and overseas sales. It takes considerable time to equate all those differing factors and place them in the context of the operational lessons that we learnt in the Gulf war. I am entirely satisfied that we have come to the right conclusion.

Mr. Tony Banks (Newham, North-West): Is it a complete coincidence that this important announcement was timed to take place at just about the same time as the victory parade for the Gulf, despite the fact that, when the Leader of the House was asked yesterday when the announcement was to be made, he could not tell us? Surely the Minister would not expect us to believe that the information was not very much in the mind of the Leader of the House yesterday.

Obviously, because of the job implications, I welcome the statement, but why does it appear that British industry is capable of leading the world in producing the arms of death and destruction, but is bottom of the league when it comes to consumer goods, machine tools, computers and motor vehicles?

Mr. Clark: I completely reject the allegations with which the hon. Gentleman concluded his question, which offered a good example of the insatiable appetite of some Opposition Members to welcome bad news, talk down British achievements and try to attach an unhappy side to anything.

On the hon. Gentleman's main question, yes, the timing of the announcement is a complete coincidence. As I have explained, we were in negotiations until late yesterday afternoon. If we had not been, I would have attended the parade myself.

Mr. Spencer Batiste (Elmet): On behalf of everyone in Leeds who campaigned for the Challenger tank, may I thank my right hon. Friend the Minister for the decision announced today, both in respect of the order for the new Challenger 2 and the upgrading of Challenger 1, which vindicates the view that we have produced the best tank in the world—an opinion which the campaigners have expressed from the beginning.

This project opens the way for significant exports to secure the future of the Leeds and Newcastle factories. Is it not clear that the only threat that remains to the future of the factories is the prospect of a Labour Government, committed to further deep defence cuts in order to fund their profligate expenditure on other programmes?

Mr. Clark: I welcome what my hon. Friend said, and I should like to single him out as one of the most energetic and tireless advocates in helping us to reach the right decision.

Yes, it is perfectly true that many Labour Members are quick to complain about cancellations and redundancies in the defence sphere, when they think that they can protest with impunity, but when they hear of substantial defence orders they tend to stay away or avoid the subject—[HON. MEMBERS: "Not true."] It is not true of the hon. Members now present, but we have heard examples of such behaviour. If Opposition Members are honest with themselves, they will know that what I say is true and applies to many of their colleagues. However, I certainly exclude those hon. Members who have spoken in support of today's announcement.

My hon. Friend the Member for Elmet (Mr. Batiste) is entirely right to say that the decision reflects great credit on the factories involved, and will enhance their prestige and substantially improve their overseas sales prospects.

Mr. Simon Coombs (Swindon): Is my right hon. Friend aware that this morning's tremendous news is a vindication of the beliefs of all those who have always maintained that British is best, and who now have the proof of it? Can he confirm that the decision announced today was largely brought about by the work of the many defence sub-contractors in constituencies across the country, including my own, Swindon, and the efforts put in by the contractors' employees during the recent Gulf war?

Mr. Clark: Yes, the sub-contractors have played an important part in contributing to the specification which has won the competition and led to our decision. I am glad that my hon. Friend the Member for Swindon (Mr. Coombs) raised the issue because I always welcome an opportunity to pay tribute to the tireless work of a number of sub-contractors during the Gulf war, when they worked continuous overtime, seven days a week, in many cases during the Christmas holiday. That was a good example of the resources and quality from which we can draw in crisis from our widespread, and exceptionally skilful and diverse sub-contracting industry.

Mr. Richard Holt (Langbaurgh): May I join other hon. Members with constituencies in the north-east in congratulating my right hon. Friend? I am sure that what he has done today will bring great encouragement for jobs and industries in the region. Now that my right hon. Friend will have some spare time on his hands, will he lend some assistance to his junior colleague, the Parliamentary Under-Secretary of State for Defence Procurement, who is having great difficulty in announcing a date when the Ministry of Defence quality assurance directorate will move to the north-east of England, as his predecessor, now the Minister for Trade, promised nearly two years ago?

Mr. Clark: I did not expect to hear the closing passages of my hon. Friend's question. I shall refer the subject to my colleague, the Parliamentary Under-Secretary. My hon. Friend the Member for Langbaurgh (Mr. Holt) will appreciate that, as someone with responsibility for procurement, the subject is not one on which I would wish to make an off-the-cuff comment. I know that he is greatly concerned about the issue, and my hon. Friend the Parliamentary Under-Secretary will read the report of this statement to which I shall personally refer him.

Mr. Alan Williams (Swansea, West): The Minister will know that the announcement that the order is to be placed with British industry is welcome to the Opposition, especially those of my hon. Friends who campaigned for months and years to achieve the order. However, as a matter of parliamentary courtesy, will the Minister state whether, after the decision was made last night or when it was realised that a decision was to be arrived at, his office or his Whips' Office contacted Conservative Members who might have an interest in the announcement? If that was done, were Opposition Members similarly alerted to the fact that the announcement was to be made today?

Mr. Clark: I cannot answer for my colleagues in the Whips' Office, but I can assure the right hon. Gentleman

that, as soon as the decision was confirmed, we were at pains to advise the hon. Member for Clackmannan (Mr. O'Neill). Any other arrangements that may have been made were outside my control or knowledge.

Mr. Neil Thorne (Ilford, South): I congratulate my right hon. Friend on making this important announcement as soon as he could. I know that my colleagues on the Select Committee on Defence will be disappointed not to be here today. Some of them are participating in the Gulf parade and others, like me, were not informed about the announcement this morning. I can assure the right hon. Member for Swansea, West (Mr. Williams) that Conservative Members were not asked to be here today. I did not know about the announcement until I saw it on the annunciator and came straight to the House. As a member of the Select Committee on Defence, I should have thought that I would be one of the first to be informed by the Whips if they were notifying Government Members.

I am sure that my colleagues would want to say how delighted they were at the announcement and, probably, would also want to ask how large a part experiences in the Gulf played in the decision-making process. I am sure that the way in which Challenger 1 performed in the Gulf had a profound effect on the decision taken by my right hon. Friend the Minister. He mentioned that Challenger 1 was to have a new gun designed for it. Will he confirm that that gun will use British ammunition? One of the annoyances of the Gulf conflict was to find that, when we looked for extra supplies of ammunition which were to come from another country in the Common Market, our soldiers were deprived of the ammunition due to some political decision taken by the Belgians. We do not want that to happen again. Will my right hon. Friend, therefore, please confirm that any weapon that is mounted on Challenger 2 will have British ammunition supplied to it?

Mr. Clark: I am grateful to my hon. Friend for having returned to this important point, to which I referred in my statement. The intraoperability of ammunition was at the forefront of the factors that we considered in coming to our decision. I am also grateful to my hon. Friend for his swift retort and effective repudiation of the accusations levelled against this side of the House by the right hon. Member for Swansea, West (Mr. Williams). My hon. Friend is a colleague whose opinion and expertise I value greatly. Although he is a member of the Defence Select Committee, he told us that he had not been advised that a statement was to be made and that, simply because he is a regular attender on Fridays and saw on the annunciator that a statement was to be made, he came to the Chamber.

Mr. William O'Brien (Normanton): I welcome the decision to place an order for the Challenger 2 tank. A number of my constituents work in the industry. However, will the Minister of State say how many tanks will be delivered to the forces each year? That will have a significant bearing on the length of employment in the industry.

I am sure that next week we shall experience the wrath of Members of Parliament in my area, especially those with Leeds constituencies, who have been pressing all this week for information. It is sad to think that, after trying all week to obtain it, they have been denied the opportunity to make a contribution today. The Secretary of State for Defence will, rightly, have to reply to questions that were put to him. Regardless of what Conservative Members may say, the Labour party has been fully behind the programme to acquire the Challenger 2 tank for the United Kingdom services. It is very disappointing, therefore, that those who have a keen interest in the matter have not been allowed to make a contribution on this statement.

Mr. Clark: I have already apologised to the hon. Member for Clackmannan (Mr. O'Neill) for any apparent discourtesy on this subject. I ask the hon. Gentleman to appreciate that this has been an extremely sensitive topic in market terms. If there had been any authoritative leak or communication that might have led to the recipient knowing what had been decided, there would have been an immediate reaction on the stock market—either way. Companies that were not going to get the order might have suffered weakness in the value of their equity, while those that were going to get it might have suffered a run of speculative buying. The decision, therefore, had to be closely protected. We could only say that the matter had been conclusively decided at a very late stage yesterday afternoon.

I am not responsible for, and it would be inappropriate for me to comment on, the Opposition's internal arrangements for alerting the hon. Gentleman's colleagues, or putting his colleagues on notice of the possibility of a statement relating to their constituencies being made. It is desirable, as far as possible, to do that, but such discourtesies as may be thought to have occurred were unintended and related to the need for absolute secrecy until the very last moment. Once the decision has been made—again to prevent speculation and uninformed comment of various kinds—it was thought right that a statement should be made to the House immediately.

As to the delivery rate of Challenger 2 tanks each year, we anticipate up to about 40. As I told the hon. Member for Clackmannan, we intend to re-equip two Chieftain regiments. That will involve a total buy of up to about 130, including training tanks and logistic support vehicles.

Local Government Services

Question again proposed.

11.34 am

Mr. Harry Barnes: The motion relates to the delivery of local government services and the inadequacy of those services. The point that I was making was that we cannot discuss those issues unless we discuss local government finance—the grant system, the formulas used in determining those grants and the problems that local authorities face in raising money, due to the poll tax which has seriously affected their revenue.

The poll tax is still with us. Legislation is going through Parliament to deal with its latest consequence, which will be to poll-tax-cap the smaller authorities—those with budgets of under £15 million. The poll tax was, and is, the unfairest taxation system that has ever been introduced into any western democratic system at any time. It is a flat-rate tax, apart from the exemption of certain people, but no decent principle has been devised to decide who should and who should not be exempt. Apart from the rebate system, everybody pays the same, which leads to massive savings for the wealthier people in our society. That bill has to be picked up by others, including many of those who have rebates. That was bound to have a devastating effect on local government in terms of the services that it is able to provide.

The Office of Population Censuses and Surveys has just published statistics showing that one of the consequences of the poll tax as it affects local authorities is the collapse, by about 1 million, in the number of people on the electoral register. The impact of that collapse has nowhere been more serious than in Liverpool. At one period, 10 per cent. of Liverpool's electorate disappeared from the electoral register. Only slowly, through the operation of the poll tax and the interlinking of the two registers, have some of those people reappeared on the register during the last two years, but there is still a collapse of 6 or 7 per cent. in Liverpool's electorate.

That also means a collapse in the number of potential poll tax payers. Apart from its problems over collecting the poll tax, because many people cannot pay it, Liverpool does not have, as a result of the Government's legislation, correct information about the number of people to whom it ought to send poll tax demands. That problem is repeated throughout the country.

Mrs. Currie: The hon. Gentleman is one of my neighbours in Derbyshire. Bearing in mind what he says about people who cannot pay and also what he says about people who have removed themselves from the register, does he think that it was wise to encourage and set an example to people who could pay the poll tax by not paying it himself?

Mr. Barnes: I am happy to discuss why, for a period, I did not pay my poll tax bill. As a Member of Parliament, I believed that I had a duty not to pay it because of the points that I have just made about it being a contitutionally odd measure that attacks the operation of the electoral system—something that the House seems not to be concerned about. I never asked other people not to pay the poll tax. I said that however poor or desperate people were, they could be put to an even worse position by the draconian measures included in the Bill.

Mr. Jacques Arnold *rose*——

Mr. Barnes: I shall give way in a moment.

I wanted first to go to the magistrates court to use the argument of constitutional oddity in the operation of the poll tax. Unfortunately, it was so long before the case was brought before the court that we moved into the new financial year. I was then not subject—as I could have been —to the criticism that other people would then pay poll tax moneys on my behalf. I was in a genuine dilemma about the problem of electoral registration. *[Laughter.]* It is a disgrace that the hon. Member for Derbyshire, South (Mrs. Currie) finds the matter humorous, as she is one of the people who has helped to inflict the problem on the nation and on the people of Derbyshire, when she is a massive gainer from each measure that is passed on the poll tax.

Mr. Arnold: What amount are the charge payers of Derbyshire, North-East having to pay this year because people such as the hon. Gentleman did not pay their charge last year, let alone this year?

Mr. Barnes: That does not relate to me because I paid the money to prevent that from happening. However, some people face that situation, through no fault of their own. Masses of people simply found themselves in great difficulty.

Reasonable estimates were made for nort-east Derbyshire about the number of people who would be able to pay. One hundred and two per cent.—the highest in the area—have paid. North-east Derbyshire is a decent, honest—*[Laughter.]* Hon. Members should listen. The estimates were of people who were going to pay, and those estimates were exceeded. In such circumstances, it is possible to have 102 per cent. The fact that Conservative Members are statistically ignorant does not mean that those figures are impossible.

Mr. Dennis Skinner (Bolsover): It is worth noting that the Labour party does not need lectures from Tory Members, 250 of whom moonlight in other jobs and who, because of the effects of the people at Lloyd's and elsewhere, come to this place only to feather their nests. Does my hon. Friend accept that thousands and millions of people wanted the poll tax killed, and it was killed because millions of people did not pay? The Conservatives passed an Act that provided them with a massive reduction in rates, but the British people would not wear it.

As a result of the efforts of those who refused to pay, poll tax mark 1 has been killed. Why are Tories now condemning people outside the House who refused to pay, when the Act for which they voted is now dead on the ground? The millions of people who refused to pay performed a public service in getting rid of a vile piece of legislation.

Mr. Barnes: The poll tax will have been defeated and removed by the massive opposition to it around the country. That opposition includes people who organised "don't pay" activities, the masses of people who would have paid if they could have done so, the people who demonstrated, marched and organised, and hon. Members who outlined an alternative position in the House.

That was reflected in the electoral system, despite the fact that the poll tax had been deliberately used to interfere with electoral registration. A million people have disappeared from the electoral register, but the trick has

not worked: people rumbled it. That has been shown in by-election results and in the action that has been taken throughout the country. Therefore, pressure activities and the processes of democracy have led to change, and that change has left devastation in its wake.

The Government must now face the problem of electoral registration. Are we to have an election next year with a million people missing from the electoral register? Does that not bother Members of the House which passed the great Reform Acts of the 19th century, and which extended the franchise and ensured that it should be the birthright of everyone over the age of 18 and not dependent upon one's position in society and upon one's wealth?

The franchise was undermined by the poll tax, which was constitutionally peculiar. Had I been given the opportunity in court, I should have used Dicey to prove that. The reason I did not was that, in politics, different issues must be balanced. One was the fact that the poll tax was on its way out and was beginning to be removed by the processes to which I referred.

Another issue was people's perceptions of the fact that their Member of Parliament would have had to have his poll tax paid by others who had been driven to pay it. That was a genuine consideration. The fact that one knuckles under does not mean that one accepts the measure. I was involved in the campaign to highlight the issues and to make changes. I am proud of the role I played, which contrasts sharply with that of the hon. Member for Derbyshire, South, who has done nothing but feather her own nest through the operation of the different measures.

It is not only the tax that is important, but the amount of money that must be raised by local authorities. That meant that the poll tax became far higher than people had estimated. During debates on the poll tax in the House and in Committee, we were told that we should have a nice system under which 50 per cent. of the grant would come from central Government, that only 25 per cent. would have to be raised by local authorities and that 25 per cent. would come from the new national business rate. That system did not operate at any time, apart from in one or two luxurious authorities which managed to get that 50 per cent. level—authorities such as Wandsworth and the city of Westminster, which had 57·8 per cent. before the £140 was knocked off some people's bills.

What is the position elsewhere? There is information in the Library, based on the answer to my written question of 5 December. It breaks down the percentages of different authorities into the money that came from revenue support grant and from the business rate and the amount of poll tax that was expected to be raised under the standard spending assessment. That was before people went above that level because they were driven by circumstances.

This is relevant to the Local Government Finance and Valuation Bill which is currently going through Parliament and on which the hon. Member for Derbyshire, South spoke on Second Reading. However, she managed not to mention the plight of South Derbyshire, which, under the standard spending assessment—based on the revenue support grant before the £140 is taken into account—receives only 13·5 per cent., not the supposed 50 per cent. Most authorities in Derbyshire are in the same difficult position.

The areas in north-east Derbyshire which I and my hon. Friend the Member for Bolsover represent receive merely 11·3 per cent. Only 20 authorities receive less money. I know that somebody has to be bottom of the league table. However in my area, the social deprivation, the loss of jobs and the services that need to be provided by the local authority to compensate for that and to provide growth and stimulation make that figure ridiculous.

The standard spending assessment per poll tax payer in North-East Derbyshire makes that authority the second worst-off out of 336 authorities in England and Wales. The worst-off authority is East Dorset. It is a solid Tory area and has all the middle-class characteristics that go with that. It has less need of funds than various areas in Derbyshire, such as Chesterfield borough. Together with my right hon. Friend the Member for Chesterfield (Mr. Benn), I cover part of that area. Other areas in Derbyshire that need funds are Bolsover and North-East Derbyshire. All those authorities are at the bottom of the list.

The reason for the position of those authorities is the fiddled formula. The Government are brilliant in the way in which they have managed to get through a nonsense formula—the standard spending assessment. There should be a public inquiry into that, before the amount of money that people are allowed to spend next year is worked out and before legislation goes through Parliament.

Early-day motion 1000 which has been tabled by me and some of my hon. Friends, points out the need for such an inquiry. It stresses the need for us to know quickly what the SSAs will be so that authorities can take action and the need for the removal of the poll tax. If the matter is investigated, the fiddle involved will be revealed.

How are district authorities such as South Derbyshire, North-East Derbyshire and Bolsover affected by the operation of the SSA? Three major items determine the money available. The first is the effective population. North-East Derbyshire and Bolsover are areas from which people have to move for employment. North-East Derbyshire is a C-shape around Chesterfield. People work in Chesterfield, move into the pits in the Bolsover and Chesterfield areas or go to Sheffield for work. The authorities in the area lose grant because of that. The shape and position of an authority determines the level of grant.

The density and sparsity of population comprise the second factor. A densely or sparsely populated authority may receive more grant if the grant is assessed ward by ward. North-East Derbyshire is a massive area the size of Malta and it has differing areas within it. When the areas are combined, they are not judged to be densely or sparsely populated. However, the area is difficult to get round. The district authority operates in Chesterfield at the centre of the C-shape, but outside the authority area, and many services have to be directed through Chesterfield and from one end of the authority to the other. Yet the authority loses grant when it should be gaining it. Bolsover is affected in a similar way because of the shape of the area and because of its closeness to other county boundaries.

Social characteristics also affect the money given. North-East Derbyshire fails to score on that criterion, because in rough and ready terms, the eastern section is solid working-class territory with some social deprivation, whereas the western part contains large elements of the middle class—rural and other. When the figures are combined, the area fails to score.

If the Minister has listened, he will understand the story, especially as I have put this argument to the House before. The matter must be investigated. In North-East

[Mr. Barnes]

Derbyshire, we have a great deal of expertise about the operation of the standard spending assessment and about the problems that it causes for local government finance. I hope that we can meet at some stage to discuss that and that we can at least influence the Government to make a minimum of decent provision while we plough ahead with the vast injustices of the poll tax.

Liverpool has been discussed a great deal this morning. I mentioned that I visited Liverpool in the early 1980s and had the privilege to attend a meeting organised by the Labour Co-ordinating Committee, at which Eric Heffer spoke. We were aware then of the assault of Thatcherism, how it would create further unemployment and devastation, and how local government especially would be hit. The issue of the time was not the poll tax but the cutting of grants. Something had to be done to fight that.

The Labour movement had a problem about how to engage in the fight. Some people adopted an adventurist position and wanted to get into the struggle immediately. I believed that they were in danger of being solidly defeated. Another group was more collaborationist. They believed that they should do the best they could and that they had not reached the stage when they should fight. I thought that a third position, which realised the strengths and weaknesses of the Labour movement, should be adopted. I believed that people should be willing to ask the adventurists to pull back and to say that those who favoured collaboration should push forward. If a threat had been made and a line of defence established, there would have been a chance of uniting the whole Labour movement, local authorities and others in defence against the assault.

The Government were clever. They advanced in monetarist areas in which they found it easy to advance, and they were careful in other areas. It was not until the mid-1980s that the major clash with the miners took place. On one occasion, I was in the House with a group of Yorkshire miners who had come to the House at the time of a pit closure programme. By the time that they got home, the pit closure programme had been dropped because the Government were not ready to tackle the miners, although they were ready to do so later.

It is only recently, although there has been some preparation, that the health service has been at the forefront of the struggle against the Government because of their trusts policy. The Government have engaged in a clever policy of going quickly when they can and for the rest of the time building up to a time when they can strike —or at least that was true until a couple of years ago when the tide began to turn. The tide is turning——

Mr. John Marshall (Hendon, South): On a point of order, Madam Deputy Speaker. This debate concerns local government services. We seem to be moving rather wide of the motion.

Madam Deputy Speaker (Miss Betty Boothroyd): That is a genuine point of order, although I must make the point that the hon. Member for Hendon, South (Mr. Marshall) has only just come into the Chamber and has not listened to what has gone before. Perhaps the hon. Member for Derbyshire, North-East (Mr. Barnes) will oblige me by returning to the motion.

Mr. Barnes: All the factors with which I have dealt and the whole programme in which the Government have engaged—their monetarism, their general economic policies and the privatisation programme—are directed to undermining working-class people. Part of their tactic was to hit local authorities and those who have struggled to defend working-class people—the trade union movement and the Labour party, including the Labour party in local authorities. People have now understood that. That is why the Government are on the way out and why we can now start the slow process of correcting mistakes made on local government finance and introducing a decent system of raising money based on people's ability to pay and on property.

We shall also be able to move to put right the devastation that the Government have inflicted on democracy by causing the removal of masses of people's names from the electoral register. It is astonishing that there is no movement in the Conservative party that is worried about the fact that 1 million people have disappeared from the register. If that had happened in the 19th century, there would at least have been one or two Tory radicals at the forefront of a movement to defend democracy. I have been defending democracy but the hon. Member for Derbyshire, South as not—nor has she defended South Derbyshire or said what grant it needs.

12 noon

Mr. Patrick Nicholls (Teignbridge): I found that a most enjoyable and engaging speech. I hope that it receives wide circulation and receives as much attention as possible. I have to say to the hon. Member for Derbyshire, North-East (Mr. Barnes), speaking as one experienced politician to another, that I have rarely heard such bare-faced brazen check. It is quite extraordinary for someone who receives an income of more than £29,000 a year to stand up in the House and say with a straight face that he was justified in hanging on to his poll tax money for just a little longer. A Bill has gone through both Houses of Parliament and received Royal Assent—it is a law of the land. I regard it as quite extraordinary that the hon. Gentleman can say, "The charge is a constitutional oddity so if you don't mind I'll hang on to my superior earnings for just a little longer."

Mrs. Currie: Is my hon. Friend aware that the poll tax in Derbyshire last year was more than £450, which means that if the hon. Member for Derbyshire, North-East (Mr. Barnes) kept the money and put it in the bank or building society he will have ended the year about 50 quid better off?

Mr. Nicholls: My hon. Friend makes a valuable point. The problem with being a socialist is that one has to earn at least £29,000 a year if one is to be able to afford to enjoy the luxury.

Mr. Harry Barnes: I should like to point out that, when I got round to paying my poll tax, Derbyshire county council had been poll tax capped, and there was a reduction of £52. I paid that extra £52 so any money that I may have earned in interest in the meantime was more than compensated for. I asked the district authority to transfer that money to the much-maligned Derbyshire county council. It was a minor amount, but it meant that there was nothing dishonourable in what I did.

Mr. Nicholls: The poor and huddled masses—the down-trodden and horny-handed proletariat—of the hon. Gentleman's constituency must have been delighted to hear that he could spare an extra £50 out of his £29,000 income to contribute to local government services. His was a most extraordinary performance. As I said, I hope that we shall be hearing a great deal more from the hon. Gentleman in future.

Mr. John Marshall: Does my hon. Friend agree that the extra £52 that the hon. Member for Derbyshire, North-East (Mr. Barnes) paid over for the year will be as nothing compared with the £50 that someone on his income will have to pay over weekly if there is ever a Labour Government?

Mr. Nicholls: Yes, but we can give the hon. Gentleman some comfort. It may be a little while yet before he has to contemplate that idea. When the hon. Members for Derbyshire, North-East and for Bolsover (Mr. Skinner) pretend to champion the rights of the working classes, I sometimes wonder whether those so-called working classes realise just how well those hon. Members are paid in comparison.

Having allowed myself to be seduced for a moment by what the hon. Member for Derbyshire, North-East said, let me explain that I propose to deal principally with the question of local government finance. I am grateful to my hon. Friend the Member for Stroud (Mr. Knapman) for framing his motion in such wide terms to enable us to discuss these matters. I have no doubt that, as we lead up to a general election, whenever that may be, the people of Britain will want to think more about local government matters and local government finance. The House owes it to them to give them every opportunity to consider the full range of options available. I know that the Minister will be seeking to catch your eye, Madam Deputy Speaker. I have written to him at some length suggesting one or two ways in which the banding arrangements for the council tax might be dealt with and about the discount. I do not want to go on at great length about those matters today and I certainly do not expect an especially detailed reply from my hon. Friend. I see that he is nodding. I am grateful that he has been thinking about the suggestions that I have made to him.

There is no ideal way of raising local government finance—or national finance, for that matter. No one likes parting with his money, especially the hon. Member for Derbyshire, North-East. But in an imperfect world we have to find a mechanism. Having had experience of these matters both inside and outside government, I have no doubt that the council tax is the best available way of raising the money that has to be raised locally. It will be even better if the Minister takes on board the points that I have made to him, but it is pretty good as it stands.

Ignoring all the details that might be put in place, the essential point about the council tax is that it acknowledges the fact that the share of finance that was expected to be raised locally was too large. It is when one strikes the right balance between central Government's contribution and what should be raised by local electors that a proper system begins to emerge. For the reasons that I have given, I have no doubt that the council tax achieves that balance.

I could go on at length about Labour's proposals. It seems that it is not only Labour Members who do not take their policies on local government finance seriously. It is fairly clear to me from my postbag and from those whom I meet in my constituency that many people do not take them seriously either. That is hardly surprising given that we are talking about a pledge to return to the rating system, with rolling yearly valuations based on what would appear to be four sometimes contradictory methods of assessment. Even the Leader of the Opposition has described the rates as the most unfair of all taxes. To suggest a return to the rating system is simply not a credible alternative. I do not feel that I am doing the policy an injustice by merely mentioning it and dismissing it.

One of the other ideas about the way in which local government finance could be raised which receives a fair degree of attention and prominence is the idea of a local income tax. I waited in vain to hear from the Liberal Democrats—I see that the hon. Member for Southport (Mr. Fearn) has now left us—about their local income tax proposals. One does not like to be unpleasant to colleagues on either side of the House, but I must say that if the hon. Gentleman's speech had ever managed to ascend the heights of grinding mediocrity it would have been an improvement. No matter how preposterous one's pretensions to office may be, one owes it to the House to advance a coherent argument and, even if it has been scripted for one by someone else, to read it with a degree of panache or aplomb. I was absolutely staggered—given the comments made nationally by the Liberal Democrats about how the local income tax is a solution to all our local government ills—to hear a speech that was so banal and pathetic. I should like to think that it is mere embarrassment that has driven the Liberal Democrat spokesman from the Chamber. I suspect that he just popped in and then had a train to catch. The House deserves more than that.

Although we do not have the benefit of the intellectual rigours and powers of analysis of the hon. Member for Southport, I have brought with me a document called "Local Income Tax—The Best Way—How it Works" produced by the Liberal Democrats. It contains the sparkling headline "Shaping Tomorrow—Starting Today". I shall quote just one or two sentences from the publication. Those hon. Members who, like me, do the football pools will recognise that the copywriter for the publication must have been the same person who writes for Littlewoods, and sends letters saying, "Would you like to own a nice house and a nice car and be able to go on holidays?". One's name is inserted by typewriter, slightly askew. Such letters are not written by the most inspired of script writers, but we still open them just in case that elusive cheque is in the envelope.

The Liberal Democrats have obviously employed just such a copywriter to produce a marvellous document called

"Local Income Tax—The Best Way—How it Works".

To encourage us, it begins by saying that some countries have moved successfully from a poll tax to a local income tax—and it mentions the country that has done so. I hope that I do not cause my right hon. and hon. Friends in the Foreign and Commonwealth Office any difficulties by saying that, when the Liberal Democrats draw attention to the fact that Papua New Guinea has made the transition successfully, I do not find that to be the most persuasive authority. [AN HON. MEMBER: "And a head tax."] My hon. Friend may be right to suggest that that country also has a head tax.

Mr. Harry Barnes *rose*——

Mr. Nicholls: I shall give way to the hon. Gentleman as I am anxious that he has maximum exposure.

Mr. Barnes: Why did the hon. Gentleman support the Government when they introduced the poll tax, which was the system in Papua New Guinea at that time? I find it amazing that the hon. Gentleman should make such a point in an attempt to attack another party. He was guilty because he supported the Government.

Mr. Nicholls: I am not the slightest bit surprised that the hon. Gentleman should rally to the defence of an SLD document. It is worth remembering that every time that the Liberal Democrats have had an opportunity to enter into an alliance with another party they have always chosen the Labour party. It is interesting to note that the seeds of the next alliance are being sown.

I can tell the hon. Gentleman why, having been in favour of the community charge, I am now in favour of the council tax. As a politician, I have never found it embarrassing—although it is sometimes uncomfortable—to admit that I am wrong and that I have not carried the argument. The arguments in favour of the community charge were powerful. However, I have to admit that, in the end, we could not convince sufficient numbers of people of the case. For what it is worth, I suspect that that was because the whole structure of the community charge depended on local government raising too high a proportion of the money that would have to be spent. Once we had that wrong, there was no way that it would be accepted as being fair. If the Labour party were able to show the same contrition for the appalling way that the so-called moderates have run Liverpool for the past three years in the way that the Government have shown contrition with the community charge, there might be a little more hope for the Labour party.

The interesting Liberal Democrat document about a local income tax continues in the same chirpy style when explaining how it will work. It says:

"Collection happens like this: everyone, wherever they live, pays a uniform rate of LIT—for example, 4 per cent. At the end of the year, each taxpayer's actual liability is assessed, depending on where they live and their overall taxable income. Those living in areas where the LIT is below 4 per cent. get a refund; those living in areas with higher LIT rates pay the difference. In practice, 70 to 80 per cent. of people get a rebate."

Nothing could be simpler than operating a system for local government revenue on that basis.

Just a moment's thought—and even a moment's thought by the SLD spokesman today, the hon. Member for Southport—would make us realise just how barmy that proposition is. Is Britain really to have a system of local government finance where a local authority can set any income tax rate that it wants, people then send their money to the authority in advance, and perhaps at the end of the year the authority returns some of it? We have heard about the bureaucracy created to run the community charge—just imagine the bureaucracy that would be involved with cheques coming in and out.

Since when has it been a sensible proposition that people should pay tax in advance of knowing what their tax computations might be? Why should either national or local government be entitled to sit on people's money for a year until it works out how much it intends to charge? What would happen in areas such as Eastbourne, which is represented by the Liberal Democrat spokesman on local government—the hon. Member for Eastbourne (Mr. Bellotti)? I imagine salaries are relatively high in Eastbourne, but no doubt housing costs and mortgages are also high. How will those people feel if, suddenly, a local income tax rate is set at a high level, but they are told, "Don't worry about it—at the end of the day we might return some of your money."

I try to work out my budget for the year so that I can meet my commitments and aspirations and those of my family. I can usually estimate what my tax will be. I would be appalled if I thought that I would have to pay a sum of money in advance and that, perhaps, one day some of it might be sent back. It is a ridiculous and ludicrous idea. The fact that Papua New Guinea has followed that route is not something that I find especially encouraging.

Mr. Holt: My hon. Friend has emphasised the 4 per cent. mystical figure, which might result in a rebate at the end of a year. Of course, it could be that, having paid one's 4 per cent., the council is profligate, uncapped, and spends 6 per cent.—and so retrospectively one has to pay another 2 per cent. How would people cope with that?

Mr. Nicholls: My hon. Friend makes a good point. I think that people would be very miserable. It is impossible to budget our family finances in such circumstances.

There might be a case to be made—and I say this in my usual spirit of fairness—in favour of local income tax if there were to be some form of capping as well. However, the hon. Member for Southport had clearly been briefed—in so far as he was briefed at all—to confirm that the SLD is not in favour of capping. I am reminded of a debate in the House a couple of weeks ago when the hon. Member for Eastbourne was in his place, and I mentioned that his party was committed to not having any form of capping. I asked whether it was true. The hon. Gentleman nodded, and *Hansard* recorded it as "*indicated assent*". Anyone who saw him would realise that that did not for a moment do justice to the hon Gentleman's enthusiasm for the idea of no capping. He was positively bouncing. Indeed, he looked like a whippet on steroids. He was obviously trying to put across the message that there would be no capping under an SLD Administration.

Today, the hon. Member for Southport justified that by saying that people should be entitled to vote to pay that sort of money. That appears marvellous until we pause and think about it. We must face a central point about local government, and that is that it is the creation and creature of this House. It is this House which has set up structures for local government; it is this House which has the ultimate responsibility for it; it is this House which, in the end, has to change the arrangements. I do not discharge my constitutional duty by saying to someone in a constituency where the local government levy is wrong and unreasonable, "I am sorry, but it has nothing to do with me. If you want to, you can move out of the area." That would be monstrous. This House has an ultimate obligation to protect charge payers, ratepayers, council tax payers and so on.

Even if the hon. Gentleman was correct in saying that it should be a matter just for local government, imagine what the consequences would be. Better still, let us remember what the consequences were when left-wing authorities were able to levy rates without any capping. It drove out those who might have been able to afford to pay

them. It drove out businesses and left those remaining in a vortex of despair. That is what happens when we say that it is no part of national government if local government chooses to act irresponsibly. The idea that Britain could have a system of local income tax but no capping is monstrous.

As with all Liberal Democrat ideas, the local income tax is intended to appeal to the nice people's society. Their ideas are always squeaky clean. The late Lord Stockton said that the trouble with the Liberal Democrats was that they always produced sound and original ideas, but none of the sound ideas was original, and none of the original ideas was sound. That is true about local income tax.

It was interesting to note that when the SLD's shadow Chancellor—the hon. Member for Berwick-upon-Tweed (Mr. Beith)—gave a press conference to launch the publication of their bizarre document, he came under some pressure from *The Independent*, a very good newspaper. It is probably common knowledge that that newspaper is not wholly uncritical of the Government. In an article headed

"Liberal Democrats promise 'fair' local tax",

Nicholas Timmins said that households with incomes above £20,000 a year, whether with one earner or two, would pay more. Mr. Timmins stated:

"Mr. Beith said, 'We do not attempt to hide that. Those on higher income will pay more; that is the principle of fair taxation.'"

Indeed it is. I wonder how many people who were beguiled by the prospect of a local income tax realise that a husband and wife who earn £10,000 a year each and who are assessed for local income tax will be among the wealthy of the land. Although in some places £10,000 a year will be above average income, as many hon. Members know, that is not a lot of money in the south-east or the south-west, although it is certainly better than not having that amount. The idea that it is so much money that it qualifies people to pay more is bizarre.

Yesterday, we found from costings of the Labour party's policies that its proposals will mean an extra 15 per cent. on income tax for someone in that bracket—£20 a week more.

Mr. Paul Boateng (Brent, South): That is bunkum.

Mr. Nicholls: The hon. Gentleman who speaks for Lloyd's for the Labour party thinks that that is bunkum. He knows as well as I do that those proposals have been properly costed. That will be the effect. The hon. Gentleman can shake his head as much as he likes, but he knows that those proposals have been costed.

The Liberal Democrats have identified people with a joint income of £20,000 a year as ready to be soaked. Is it not interesting that the figures tie in neatly with the Labour party's proposals?

Under questioning, the hon. Member for Berwick-upon-Tweed admitted that his proposals could lead to a local income tax of 17·3p in the pound. His justification was that national income tax might fall to 11 per cent. —perhaps it might. He then misread his figures. In working out what the average local income tax rate would be for the time being, he forgot that he was taking advantage of the transfer back to central Government in the £140 reduction which was made possible by an increase in VAT. Having voted against the Government's proposals, he then took advantage of them. Taken together, we are talking about a standard income tax rate of more than 30 per cent., just to implement the proposals and have a standard tax rate. The local income tax does not bear examination.

I do not suggest that there is an ideal way of raising of tax locally. If anyone has any illusions about what a crazy, barmy, nightmarish system the Liberal Democrat proposals would provide, he could do a lot worse than read "Local Income Tax—The Best Way—How It Works". Its best point is probably the Papua New Guinea example. After that, it is downhill all the way.

12.23 pm

Mr. William O'Brien (Normanton): This is a significant motion. People who have served on local government are best able to contribute to a debate on local government services. The hon. Member for Teignbridge (Mr. Nicholls) has experience in local government, so one must give credence to some of his points. I support some of his comments on why a local income tax would not be an acceptable way of funding local government. I wish that I could say the same about the hon. Member for Stroud (Mr. Knapman), who moved the motion. I cannot find much information about his local government experience. It is sad that such people criticise local government without having served in it and without having helped to provide the services upon which many people rely.

The hon. Member for Stroud asked why local authorities should provide recreation facilities. A couple of years ago, the hon. Member for Teignbridge and I shared a platform, when we discussed sport and recreation with a national association. We were at one in our belief that local authorities need to provide such services. Many schoolchildren and elderly people rely on local authorities to provide those facilities.

The hon. Member for Stroud said that the provision of local government services had not been considered in detail. He wanted to have a productive debate, but the outcome of his speech was less than productive. The hon. Member for Wirral, South (Mr. Porter) made a more productive contribution than the hon. Gentleman.

During the past 12 years, the House has passed a substantial number of Bills targeted at local government. The way in which the subject was introduced today was not in the interests of local government services; it was a further attack on local government. After 12 years of ruling this country, the Conservative party appears to have nothing constructive to offer people in terms of local government services. More than 52 Acts of Parliament have been directed at local government. There have been reviews and consultations. There has been no request for the views of elected representatives, although we are told that that will be the subject of a review in due course. I hope that there will be consultation on the role in local government of elected representatives.

Over the past 12 years, there has been greater centralisation of local government services as they have been pulled into the centre. In 1979, the Government campaigned for more freedom for local communities. Departmental committees and quangos costing more than £11 billion to administer were set up. However, it costs less than £42 million across the country for local councillors to run our local authorities. We should compare the cost to the country of the elected members who serve in local

[Mr. William O'Brien]

government and who are responsible to their electorate with the costs of the quangos that have been appointed by the Government.

In addition to those 52 Acts of Parliament, the review of local government services, greater centralisation and all the quangos, we now face capping. We also have a Minister who is responsible for our cities. Furthermore, the Secretary of State for the Environment comes to the Dispatch Box to appeal for consultation because the Government have no idea how local government should be administered. In addition to those impositions and to increased centralisation, the Government now control 80 per cent. of local government revenue spending. That is what has happened under the past 12 years of the Tory Administration.

Mr. Knapman: I have been following the hon. Gentleman's argument with some interest. Are there any circumstances in which the Labour party would support the capping of local authorities?

Mr. O'Brien: Our document, "Fair Rates", states exactly how we would approach the financing of local government. The Labour party has also made it clear that we believe that choice belongs with the electorate. If there is to be capping, that should be the electorate's choice. It should not be imposed by faceless Ministers—[HON. MEMBERS: "Faceless?"] They are faceless to many of my constituents who have no idea of the identity of the Minister or the Secretary of State who says to them, "You will have X, Y and Z services." However, they know who their councillor is, because they see him or her regularly in connection with the services and facilities that are provided by the local authority.

As I have said, although 80 per cent. of local government revenue spending and 100 per cent. of its capital expenditure is now controlled by central Government—by the Tory party—Conservative Members criticise local authorities that are struggling to provide services for local people.

The hon. Member for Stroud said that local government monopolies were a bad thing in a strong party system——

Mr. Knapman *indicated assent.*

Mr. O'Brien: I notice that the hon. Gentleman is nodding in agreement. Does he agree that the private monopolies, such as the water companies, are also a bad thing? As a result of the monopoly in Yorkshire, water customers face a 13 per cent. increase on last year's charges, although inflation is now running at about 6 per cent. Does the hon. Gentleman believe that that kind of monopoly is fair and that faceless people should be able to tell Yorkshire Water's customers that the charges this year will be 13 per cent. greater than last year? British Gas and British Telecom are both monopolies, but the hon. Gentleman did not refer to either.

The hon. Gentleman also forgot to mention the continual reduction in the rate support grant given to local authorities during the 12 years since 1979. That reduction is a further reason for the increased charges that local authorities have had to impose on their rate and poll tax payers. If services are to be maintained, they must be paid for. If the Government withdraw their support for the provision of those services, the local people invariably have to make up the shortfall. The Government cannot have it both ways: if they want to cut their revenue contributions for local services, the maintenance of those services will depend on the local community paying for them. That is what has happened in many local authorities.

After all the Government intervention—after those 52 Acts of Parliament, all the reviews, the greater centralisation, the quangos, the capping, the Ministers who are responsible for our cities, the appeals for consultation and Government control of expenditure—Conservative Members still have not found any satisfaction in the Government's control of the provision of local authority services. In my opinion, that is because the Conservative party and the Government do not believe in local government. There is no genuine approach from Conservative Members who believe in local government. That has been demonstrated more than once.

The hon. Member for Southport (Mr. Fearn), who is not in his place—

Mr. Fearn: Yes, I am.

Mr. O'Brien: I apologise.

The hon. Member for Southport referred to the poll tax. There is a great deal to be said about the dissatisfaction with the poll tax that poll tax payers have shown over the past 12 months. The poll tax was in force for less than 12 months in England and Wales before the Government decided to do a U-turn and scrap it. If there is one subject that the Government do not want to discuss, it is the poll tax, because it has cost a great deal of money, a great deal of hardship and has caused the greatest U-turn by any Government and especially the greatest U-turn by this Government in this decade.

A few months ago, the hon. Member for Stroud and many other Conservative Members were proving how good the poll tax was, both in their constituencies and in the House, and saying how important it was for local government. How they followed through the Lobby to ensure that it would be in place. How they told us, both in the House and throughout the country, that councillors would now be accountable because everyone would have to contribute to the cost of local services—that was the argument for the poll tax.

The right hon. Member for Finchley (Mrs. Thatcher) insisted that the poll tax should be on the statute book, and that local government finance should be raised by the tax. If the right hon. Member for Finchley were here today, she would still be insisting that the poll tax should be in place.

I remind the House that the right hon. Member for Finchley has gone and that the poll tax is due to follow her. We have been told that the poll tax is dead, but no one can say that until it is taken off the statute book completely. Labour Members of Parliament offered to support the Government to introduce a Bill to abolish the poll tax forthwith. There would have been no opposition whatsoever if the Government had wanted to abolish the tax. However, that offer was not taken up.

A few months ago, the hon. Member for Stroud and other Tory Members of Parliament were arguing how fair the poll tax would be and how important and necessary it was for the financing of local government. Now the hon. Member for Stroud and his colleagues are telling their constituents how unfair, undemocratic, unworkable and

costly the poll tax is. That is the sort of U-turn that members of the Government have to face because they got it wrong in the first instance and because they have not got the guts to say, "Sorry" to the people of this country for the hardship that has been created.

How wrong it is that people on income support still have to pay 20 per cent. of their poll tax and will have to continue to do so until after 1993. The Secretary of State and the Prime Minister have admitted that a fair system of financing local government should be based on a person's ability to pay, but not until after 1993.

Why should people who are facing and witnessing hardship have to continue to face it until 1993 or 1994? I ask Conservative Members, and especially the hon. Member for Stroud, whose motion refers to "value for money", whether it is value for money to spend £15 to collect £5 from people on income support? That happens in many authority areas. The cost of collecting the 20 per cent. from people on income support is more than the value of the money realised. Is that value for money?

Mr. Knapman: Value for money is indeed important, and I am glad that the hon. Gentleman is coming to that part of his speech. I hope that he will deal with the matter in some detail. My position is the same as that of Mr. Keva Coombes, the former leader of Liverpool city council, who said:

"In that particular case, the council's problems are not down to resources, but rather that it costs four times more to pick up a piece of litter in Liverpool than it does in other areas."

Perhaps that has to do with value for money.

Mr. O'Brien: Again I ask the hon. Gentleman: does he believe that paying £15 to collect £5 from people on income support is value for money?

Mr. Boateng: Answer.

Mr. O'Brien: Obviously, the hon. Gentleman declines to answer.

The hon. Gentleman referred to Liverpool. I shall refer to the city of Westminster—that well-run Tory authority. In 1991, it cost Westminster £42 per head to collect the poll tax——

Mrs. Currie: Which was how much?

Mr. O'Brien: It cost £42 per head to collect the poll tax. In Westminster, 20 per cent. of the 1991 poll tax was £39, so for every person on income support who qualified under the Government's terms to pay 20 per cent. of the poll tax, Westminster was losing £3 per head for collecting it. Is that value for money? That happened not in Liverpool, but in Westminster.

Mr. Knapman: Which would the hon. Gentleman prefer?

Mr. O'Brien: I would say that such people should not have to make a payment. It causes them hardship and problems, and it is administratively uneconomic. There is no justification for charging people when it costs the authority money to collect the payments.

A sum of £300 million would exempt the poorest from the 20 per cent. poll tax payment. Not only would that help those in need who are on income support, but it would relieve the administrative burden on local authorities that find that collecting the 20 per cent. costs more than the money realised. Therefore, there are substantial benefits from abolishing the 20 per cent. payment for those on income support and low incomes.

I remind the House that, in answer to a question on 6 February, which is printed in *Hansard* at column *153*, we were told that rebates were costing £1·99 billion. A significant number of people are eligible for rebates, including Tory Members who earn their £29,000 a year. That money should go to the people who need it most. It is not impossible for the Government even now to abolish the 20 per cent. payment that people on income support must make.

In the Budget, the Chancellor of the Exchequer announced that value added tax was to increase from 15 to 17·5 per cent. to help pay for local government services and rebates to poll tax payers. That 16 per cent. increase in VAT means that a further £4·3 billion will be added to poll tax rebates.

The Government are giving money to people who can afford to pay but are taking no action to ease the hardship of the very poor who suffer most from the payment of poll tax. Had the 20 per cent. payment by those on income support been abolished, the outstanding poll tax, as mentioned in the motion, would have been much less.

The motion also refers to delay in collecting the poll tax. Had the Chancellor of the Exchequer announced the Cabinet plans to reduce poll tax bills a fortnight earlier, he could have saved the nation's taxpayers over £200 million. Local authorities, being efficient, had all the poll tax bills printed and ready to be redistributed, and then the Chancellor said that they should be scrapped and the exercise done again. Was that value for money? Did the Chancellor's action secure value for the country? Some Government Departments could learn a lesson in achieving value for money by examining the way in which efficient local authority departments go about their tasks.

The motion refers to "rigorous controls on overspending". Let us be clear that that applies not only to city authorities. A recent announcement stated that poll tax capping would apply to all authorities—with the exception of parish and town councils—providing budgets. So all district authorities are now subject to poll tax capping.

The SSA for Stroud district authority for the current year is £7·68 million, not an excessive amount. Providing services for the community that the hon. Member for Stroud represents would involve expenditure by the district authority of £9·5 million, representing a 30 per cent. increase. Were that amount to be spent, that authority would be capped under the Government's procedures.

Does the hon. Member for Stroud consider that his authority should be poll-tax-capped on the basis of those figures? It is clear from his silence that he is not in a position to reply. Surely it is not exorbitant for Stroud district authority to want to spend less than £10 million on providing services. Before launching motions such as the one before the House today, the hon. Member for Stroud should discover what is happening on his own patch.

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert Key): The hon. Gentleman is being a little unfair to my hon. Friend the Member for Stroud (Mr. Knapman), who has the good sense not to fall for his ploy. My hon. Friend could not possibly answer his

[Mr. Robert Key]

question until the Secretary of State had let local authorites know what capping criteria he would apply for next year.

I know from the frequent correspondence I receive from my hon. Friend how assiduous he is. He has pointed out to me that Stroud has an SSA of £7·7 million, which is £1·8 million, or 19·3 per cent., below the 1990-91 income. However, the community charge is 20 per cent. less than in 1990-91. The hon. Gentleman is right to draw attention to Stroud's tendency to wish to achieve more than is realistic, and my hon. Friend the Member for Stroud is right to be cautious.

Mr. O'Brien: The hon. Member for Stroud tabled the motion. In opening the debate, he criticised local government, but when I ask about the position facing his constituents through his local authority, the Minister says that I am being unfair. Is the Minister implying that the Secretary of State will look favourably upon Stroud, and will allow a 30 per cent. increase in its standard spending assessment? If so, we have much to look forward to. The hon. Member for Stroud should tell his district authority that, if it does not reduce its planned expenditure and the services it provides, it will be poll-tax-capped.

Mr. Knapman: If Stroud district council overspends, bearing in mind the fact that we do not yet have all the information, Stroud, like every other district council in the country, should be capped. That is why I asked the hon. Gentleman whether there were any circumstances in which the Labour party would support capping. His answer carried no conviction one way or the other. The hon. Gentleman should read the motion, because his remarks suggest that he has not done so. It states:

"That this House notes the widespread discontent with the inadequacies of local government services in parts of Britain, particularly in many inner city areas".

Why does the hon. Gentleman not mention Liverpool and so many parts of London represented by Labour councils, which are now attracting the attention of newspapers?

Mr. O'Brien: I am discussing local government services, which is the title of the motion. The motion is framed

"To call attention to policies on . . . the delivery of local Government services".

The delivery of local government services, depends on central Government saying exactly how 80 per cent. of local government income will be presented. If any reference should be made to the provision of local government services, it should be not to local authorities but to the Government, who provide 80 per cent. of their revenue.

I am pleased that the hon. Member for Stroud says that, if his district authority wants to spend £9·95 million on services for his constituents, whether for recreation, for bus shelters or for housing and services connected with housing, he will support capping. If those services then cannot be provided because of capping, I hope that the hon. Gentleman will make it clear to his constituents that it is because his supports such a principle.

Mr. Knapman: The hon. Gentleman may be aware that, in Stroud last year, the direct labour organisation lost several million pounds.

Mr. O'Brien: I shall come to that later. The hon. Gentleman's motion refers to competitive tendering and value for money. Stroud is not the only Tory authority to be suffering as a result of capping. Services will be cut because the Government are now applying poll tax capping to district authorities.

Mr. Harry Barnes: I thank my hon. Friend for giving way, and I do not think that we should move beyond Stroud at present. The figures produced in the answer of 5 December, to which I referred earlier, show that, before the £140 element was introduced, Stroud received only 12·9 per cent. support from the revenue support grants, which puts it at the bottom of the league. It does not receive anything like the 50 per cent. that the Government promised. If it sticks to the standard spending assessment provisions, it increasingly has to find money from the poll tax funds. The Opposition should seek to defend and assist Stroud, even if the hon. Gentleman who represents that constituency does not.

Mr. O'Brien: I thought that we had made it clear, that, if there was a case for providing services to Stroud and other district authorities that are subject to Government capping, it was being made by Opposition, not Conservative, Members.

Stroud has a budget of less than £10 million to provide services. Local authority members in Stroud will provide their services free or for very little. Reference was made to Government quangos. The urban development corporation in Leeds spends a similar amount to that which the Stroud authority wants to spend. The chairman of that corporation will receive more than £16,000 for administering that budget, but the councillors of Stroud will receive nothing like that amount. However, the hon. Member for Stroud attacks his local authority and supports urban development corporations, the chairmen of which are handsomely paid and which provide local government services. It is disappointing and sad that the hon. Member for Stroud does not defend his own local authority and the services it provides.

Mr. Holt: I do not expect to hear too much common sense in this debate from either side of the Chamber, but I have just heard the most nonsensical contribution of all. The hon. Member for Normanton (Mr. O'Brien) does not understand what an urban development corporation does or how it is run. The Tees urban development corporation has done an excellent job of regenerating the Teesside district so that the region is not suffering as badly as other parts of the country at present. He tried to equate the job of a councillor with that of a chairman of a development corporation. Has the hon. Gentleman never heard of a chief executive of a local authority receiving more money than the chairman of a development corporation?

Mr. O'Brien: I value the services of members who are elected to local authorities to defend the interests and services of their community, and I am comparing those members with the appointments made by Government Departments and quangos. I referred to urban development corporations, but there are 15,000 Government committees that cost more than £11 billion—that is a separate subject, which I am prepared to debate with any Conservative Member. The Three Rivers authority has a budget of £5·6 million for its standard spending assessment and wants to spend £7·45 million to provide services,

which means that it would be 33 per cent. above its SSA. Therefore, it will have to reduce the services that it provides through its authority.

A press release was issued by the chairman of the Association of District Councils. He was a Conservative councillor, not a Liverpool or a Labour councillor. The press release states:

"A furious Roy Thomason, ADC Chairman, declared: 'We appear to have a Government that is being run by the Treasury for the sake of Treasury convenience. I am shocked that the Government should be threatening small-spending district councils with these centralist controls. The budgets involved are trivial sums in terms of overall public expenditure.

I am shocked that the Government should so attack many of its own supporters in local government, particularly district councils which have raided their balances to keep charge levels down this year and maintain services.

It is also shocking that the Secretary of State for the Environment should completely ignore all the assurances previous ministers gave when the capping provisions were introduced that low-spending authorities would be excluded from the controls . . . I am greatly saddened by this move.'"

That is dated 21 May 1991. It shows what Tories outside the House—the people of Stroud and other Tory-controlled authorities—are thinking. The leader of the Association of District Councils has made it clear that he will have no truck with hon. Members who plan to cap local authorities. What the chairman of the ADC says speaks volumes.

Strong reference is made in the motion to inner city areas. The Government have failed local government. They have done nothing to try to resolve inner city problems, particularly in London. The hon. Member for Stroud referred to housing.

Mr. John Marshall: On a point of order, Mr. Deputy Speaker. First, I congratulate you on the very happy announcement that was made last Saturday. It gave pleasure to every hon. Member. Secondly, have you received any request from the hon. Member for Derby, South (Mrs. Beckett) to make a statement to the House about her public expenditure programme that was so well publicised yesterday?

Mr. Deputy Speaker (Sir Paul Dean): I am grateful to the hon. Gentleman for his kind comment. There has been no request for a statement.

Mr. O'Brien: I hope that Conservative Members will not make a request for short speeches. If there are interventions like that, the proceedings will be delayed. I was dealing with inner-city problems. The hon. Member for Stroud referred to housing but not to the problems that are facing those on housing lists. He said that, in the past, a good standard of housing was provided. He referred to the Parker Morris standards. Housing is the major problem in many cities. Homelessness is greater now than it ever was. There is a shortage of affordable housing either to buy or to rent. Nowhere does the motion refer to homelessness or to the housing provision that is required, not just in cities and urban areas but in rural areas. There is a shortage of housing. The Government have done nothing to improve the position during the last 12 years.

Mr. John Marshall: The hon. Gentleman talks about a shortage of housing. Is he aware that there are 20,000 empty council houses in London, almost all of them in Labour-controlled local authorities?

Mr. O'Brien: I draw attention to a statement by the Public Accounts Committee, which expressed concern that the Government own 31,000 empty properties that could house the homeless. If the point is made that local authorities own empty houses it is only fair and just to draw attention to the 31,000 properties, according to the Public Accounts Committee's report, that are owned by the Government which could be used to house homeless people and reduce the waiting lists in many of the areas that Conservative Members of Parliament represent. I am pleased that the hon. Member for Hendon, South (Mr. Marshall) has allowed me to make that point.

The Public Accounts Committee called on the Secretary of State for the Environment to act now with "due urgency", setting targets and time scales and pumping more cash into London councils with the worst problems. It is not the London Boroughs Association or the Association of London Authorities which make that plea but the Public Accounts Committee of this House—that the Secretary of State should make provision for the homeless.

Mr. Tony Banks: I want to add a few facts to what my hon. Friend has said about homelessness in London. In London, 2·8 per cent. of local authorities' housing stock is vacant. The hon. Member for Hendon, South (Mr. Marshall) said that there were 20,000 empty properties in London, but many of them are not fit to be inhabited. One of the reasons is that the Government are preventing local authorities from making them fit for habitation so that people can move in. There may be 20,000 vacant public sector houses in London, but there are also 97,000 empty private houses in London.

Mr. O'Brien: My hon. Friend's statement is borne out by the report published by the Public Accounts Committee. It states that officials from the Department of the Environment had admitted that

"they did not know enough about the underlying causes of homelessness".

One of the underlying causes of homelessness is the fact that local authorities are denied the resources to make houses fit to live in. I hope that the Secretary of State for the Environment will take note of and act on the Public Accounts Committee report.

I remind the hon. Member for Hendon, South that the Government own 31,000 empty houses which could be used.

Mr. Key: I am rather worried that I might not be able to speak this afternoon, because the hon. Member for Normanton (Mr. O'Brien) has already spoken for 45 minutes. In case I do not get to speak, I must say that, yes, there are 20,700 empty local authority properties in London, but there is also £360 million of uncollected rent in London. What an enormous contribution it would make to housing people if the hon. Gentleman told the Labour party in the London boroughs to collect the rents.

Mr. O'Brien: What income could be realised in rent if the 31,000 houses owned by the Government were let? What income would that put in the Government's coffers?

I accept that the Minister wishes to speak in the debate, but his hon. Friend the Member for Stroud took the best part of an hour to move the motion. [HON. MEMBERS: "It is his debate."] And I am entitled to reply, which is what I am doing.

[Mr. O'Brien]

Over the past 12 years, the Government have also failed the towns and inner cities because there is no co-ordinated transport programme. Transport is not included in the motion, but cities come to a standstill at peak times because there is no co-ordinated transport system.

Mr. Holt: On a point of order, Mr. Deputy Speaker. This is the third time on which the hon. Gentleman has referred to something that is not in the motion, and has then spoken about it for five or 10 minutes. Is it not right and proper that you should ask him—as other occupants of the Chair would do—to stick to what is on the Order Paper and to discuss Liverpool, gay advice centres and other such issues?

Mr. Deputy Speaker: It is a very wide motion, and I have not yet heard anything that is out of order. However, I am sure the hon. Member for Normanton (Mr. O'Brien) wil bear it in mind that many other hon. Members are still hoping to speak.

Mr. O'Brien: I said that local government services include transport, but they also include law and order, which are not dealt with in the motion although they are significant problems for local communities and for local authorities. One of the evils of capping is that police authorities—especially that in my area of West Yorkshire —have been threatened with capping and have therefore had to reduce the number of policemen and the number of those on the beat. There has been a reduction in law and order services which should be provided for local authorities.

The motion refers to compulsory competitive tendering. Of all tenders, 80 per cent. have been won by local authorities. It is significant that the Department of the Environment has commissioned research into the impact of compulsory competitive tendering over the past two years. The report has not yet been published, and the survey cost £100,000.

Mr. Key: It is published.

Mr. O'Brien: The survey cost £100,000 to produce, and covered 40 English local authorities. It was intended to reveal substantial savings, but the opposite proved to be the case. The researchers point out that there have been fewer savings than the Government expected.

Mr. Jacques Arnold: Will the hon. Gentleman give way?

Mr. O'Brien: Yes, I am prepared to give way, but Conservative Members and the Minister must not then complain about not being able to participate in the debate.

Mr. Arnold: The hon. Gentleman took great pride in the number of contracts allocated to direct labour organisations within Labour councils. What would he say to the former Labour leader of Liverpool city council, in view of the specific example of how the council fiddled the system to enable it to get the contract, despite the fact that the alternative private bid was £1 million cheaper?

Mr. O'Brien: Sections 13 and 14 of the Local Government Act 1988 exist for the purpose that the hon. Gentleman has suggested. If Ministers are not applying the Act, the hon. Gentleman should direct his questions to them.

The report was intended to discredit the delivery of services by local authorities and to favour the private contractors, but that did not work. There is evidence from the people who are subject to tendering. After the privatisation of its refuse collecting service last year, Kensington and Chelsea received 400 complaints a day in the first month of operation by the successful private contractor. The Prime Minister wants to introduce a charter for residents, but people who are not yet covered by the charter complain about the services provided by the private operator in Kensington and Chelsea.

Tayside received so many complaints after the first six weeks of a school cleaning contract that the contract went back to to the direct services organisation to ensure that the school was cleaned. One head of a junior school took the unprecedented step of writing to parents saying that he intended to close his school on health and hygiene grounds because of poor work by private contractors. That is the value we get from private contractors. The headmaster described the cleaning services as

"at best a shambles, at worst non-existent".

In some schools in Essex, the pupils do the cleaning.

The Minister of State, Department of Education and Science, said:

"I am generally in favour of privatisation but with school services I take a pragmatic view. I am aware of the ups and downs of privatisation."

The motion does not address the reality of providing local services to the community. If we discuss local government services, we should discuss the principles of local government. If we do, we find that the hon. Member for Stroud has no idea about the services and principles of local government.

1.14 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert Key): I congratulate my hon. Friend the Member for Stroud (Mr. Knapman) on his good fortune in being able to initiate this debate, which has proved both important and constructive. Hon. Members on both sides of the House have addressed us with some passion. Although I may not be quite as passionate as the hon. Member for Derbyshire, North-East (Mr. Barnes), I shall illustrate my arguments as graphically as I can.

First, however, the whole House will wish to record the deep shock that we felt at the death yesterday of Harry Collinson, the principal planning officer of Derwentside, and to express our sympathy and great sorrow to his widow Anne and their children, Katy and Robert. The incident illustrates the danger in which public servants often find themselves and also the strong tradition of public service that we are privileged to enjoy both in the civil service as a whole and among local government officers. I pay an unreserved tribute to them.

There are other groups of people who make a great deal of time available and who are unpaid, although they sometimes receive expenses. The largest single group in local government is made up of the councillors themselves. I have no hesitation in thanking councillors of whatever party for the work that they do, because it involves great sacrifices of time, effort and energy to serve in local government. I do not think that they would wish comparisons to be made between the voluntary role of the public services and paid posts such as chairmanships of urban development corporations.

There are other groups that we may not think of so readily. I refer first to the valuations and community charge tribunals. The members and officers of the tribunals service play a crucial role throughout the country. They do so every day, they have done so for many years, and they will continue to do so. It is a very difficult role, as appeals for community charges, appeals on business rates and so on are very demanding. In addition to the local members of those tribunals, I wish to thank all the officers and staff who put in a great deal of work on behalf of the community.

I could cite many more groups, but there is one in particular which we should thank. The bailiffs do a difficult and sometimes an unpleasant and dangerous job. On the whole, they work in a professional and regulated way. The Certificated Bailiffs Association operates professionally and should be congratulated on seeking always to maintain standards. It is an ancient organisation. When I addressed its annual general meeting recently, I met a bailiff from Darlington who had been doing the job since 1934. He was a very experienced and professional gentleman indeed.

We understand that the Institute of Revenues, Rating and Valuation is aiming to establish a national code of practice to cover bailiffs working on collecting the community charge. The IRRV aims to have the code agreed between the local authority associations, consumer groups and the Certificated Bailiffs Association. I understand that the National Consumer Council is involved. We should seek to encourage the professionalism of the groups of citizens on whom so many of us depend.

It is not for me to wind up the debate, which was initiated by my hon. Friend the Member for Stroud, but I must pick up one or two of the points that have been made. I have nothing to say about the conspiracy theories held by the hon. Member for Derbyshire, North-East, but I have something to say about facts which he may or may not have got right. In referring to SSAs, he claimed that North-East Derbyshire did not score on density or sparsity of population. That is not correct. The total SSA is £76 per adult, and North-East Derbyshire receives £8 per adult for ward-weighted density and £9 for sparsity.

My hon. Friend the Member for Teignbridge (Mr. Nicholls) spoke of the correspondence that he had had with me on banding and discounts, and I am considering his representations carefully. I admired the strength with which he argued the case against local income tax: he put it exceptionally well. I would only add that the same argument could be applied to those who wish the universal business rate to be handed back to local authorities. One of the strongest reasons for resisting that suggestion is that for many years in some areas authorities that charged very high business rates were responsible for driving businesses out of our inner-city areas. I can think of nothing more foolish than giving back to those same authorities the power once again to drive out initiative, people and businesses.

The hon. Member for Normanton (Mr. O'Brien) ran over ground that we had debated previously, so I shall not seek to answer his points at length. However, on his point about the police, I have to tell him that we expect police authorities to seek maximum economy and value for money. We have made clear the importance of maintaining manpower at the approved levels. It is disappointing that some police authority budgets assume manpower reductions that we regard as unnecessary. Neither the West Yorkshire police authority nor any other single-service police authority was designated for capping.

If we do not trust local government—as the hon. Gentleman sought to argue—we would hardly have delegated so much responsibility to it over the years. The House sets the tone for local government. We explain what we think should be done in the interests of the community, and we trust local government to carry out that policy.

Perhaps we need to ask ourselves what is local government about? I can tell the House what it is not about. It is certainly not for the convenience of political parties; it is not for the preservation of vested interests in local government jobs. Local government has an inertia all its own, and too often the local government machine runs for its own sake. That is not desirable. Our citizens do not mind how a service is provided, as long as it is provided. That is the responsibility which local government must meet.

I disagree with the hon. Member for Normanton about the standing of some local councillors. I have the honour to serve as a local government Minister, and my job takes me to many local authority areas. When I meet the public in their community centres and consult them about Government policies, I ask, "How well do you know your councillors?" I am glad to say that, very often, not only do they know them, but they are present at the meetings. However, sometimes the city councils and the councillors —and this is prevalent in our urban areas—are loathed by the communities that they seek to serve. That is a problem in responsible government. If we seek to improve local government and its services, we cannot ignore the fact that too many people do not know, and do not care, who their councillors are—they just know that they are not being consulted about or involved in any policy making. They do not have a vision for the future that is expressed by the policies in the town hall. That is bad news.

The hon. Gentleman claimed that the Government had done nothing about inner cities. I remind him that inner-city areas have been represented by the Labour party for many, many years—and that is one of the main reasons why there have been such poor services.

During the past week, I have spoken to local authorities and communities in Wolverhampton, Birmingham, Bradford, Manchester, Salford, and, yesterday, Bristol. There is an interesting variety of approaches to local government. Many councillors are of extremely high calibre and it is wonderful that they are doing the job in the way that they are. However, there are others about whom one is rather less enthusiastic—and I am not making a party point.

Mr. Tony Banks: They are rather like Members of Parliament.

Mr. Key: The hon. Gentleman is right, which is why I do not draw any conclusions. It is a fact of life. It is also true of council officers. Often they are motivated, dedicated, efficient, incredibly hard-working and burn the midnight oil on behalf of the councillors whom they serve. However, all is not yet right in local government, and it is no good pretending that it is.

I wish to explain the Government's view of the role of local government in our society, while reaffirming our commitment to and support for local government. Local government exists to ensure that the community gets

[Mr. Key]

certain essential day-to-day services provided at a local level. Our policy is entirely dictated by our wish to ensure, and our responsibility for ensuring, that those services are provided as efficiently and effectively as possible. We are about quality, and we are about value for money.

Value for money means value for people. The better one spends every pound in local government, as elsewhere, the more value for money one gets for the people who are paying it. In our experience, the two go closely together. We have a responsibility to the citizen—to ensure that he or she gets the quality of service that he or she has a right to expect. We have a responsibility to the national taxpayer, the local charge payer and the business ratepayer—to ensure that their hard-earned money is spent efficiently and effectively.

Most local authorities share those objectives. It is a great pity that the dogma, idiocy and incompetence of a relatively small number of largely Labour authorities have done so much to sully the reputation of local government in this country. I sometimes despair when I see headlines in our national newspapers with nothing to say about anything except Liverpool and Lambeth. I think about the good work that is being done by so many local authorities. A great shadow has been cast over local government by this vocal and vicious minority, more interested in acting out revolutionary fantasies than in providing decent people with decent services.

The prime example must be Liverpool, as many hon. Members said—once a great city and still a great city. It has been brought to its knees by successive Labour councils dominated by Militant. There is no doubt about that. It has become almost a joke, and not one of a nice variety. It has become a parody. Television enthusiasts will have been watching "GBH.", which protrays the scandal of Liverpool-type politics—of course, grievous bodily harm is what is being done to this city.

What is the Labour party's reaction? What can we expect from the Labour party? In July last year, the Leader of the Opposition said to *The Times*:

"I have talked many times with ordinary people in Liverpool and their constant desire is for decent services . . . they are sick and tired of people who constantly flout their responsibilities and obligations. We will have no more of that, starting right now."

Not much happened for a long time.

A few days ago, Ian Lowes, one of the principal architects of the chaos in Liverpool, said:

"Oh, yes . . . never mind what happened in the winter of 1979, this is going to be Liverpool's Summer of Discontent."

Is that the way to convince people of the value of local government? I think not.

The admission by Keva Coombes that the council was

"obsessed with the interests of our employees and not enough with the interests of our ratepayers"

has been graphically illustrated in the past few weeks.

All this is happening not just in Liverpool. Yesterday I spoke to a parent with children in schools in Lambeth. The head of a Lambeth school has been told that he can telephone the Department of Education and Science only between 10 o'clock and 12 noon on Tuesdays and Thursdays. What an attitude to take towards teachers. What a disgrace. That attitude is taken even by other more gentle authorities. I have met representatives of Stoke-on-Trent council several times and have a good deal of sympathy with them, but even the council's officers are disillusioned and are not highly motivated. I have read the following:

"The police are investigating allegations which include bribes for contracts, overspending without authority, misuse of public funds for the benefit of council officials and friends, intimidation of witnesses and destruction of evidence."

That is happening in Stoke-on-Trent, for goodness sake. What is going on?

Then there are the problems of Derbyshire. I wonder whether my hon. Friend the Member for Derbyshire, South (Mrs. Currie) would tell us what advice she would give to Opposition Members invited by the leader of Derbyshire county council to contribute to a whip-round of £100 a head to pay his legal fees when he lost his case in the High Court. I imagine that the hon. Member for Derbyshire, North-East is not enthusiastic about it and has something to say—

Mrs. Currie: I understand that my right hon. Friend the Member for Chingford (Mr. Tebbit) was advised by the Labour Member who received the letter that if Labour Members had been on the jury Mr. Bookbinder would have gone down for even more.

Mr. Key: As usual, my hon. Friend makes her own point tellingly.

Mr. Harry Barnes *rose*——

Mr. Key: I must give way to the hon. Gentleman as a matter of courtesy.

Mr. Barnes: If any money is left over after the whip-round for Councillor Bookbinder, could it not usefully be provided to those hon. Members who are Lloyd's underwriters for running soup kitchens in Westminster hall?

Mr. Key: The hon. Gentleman knows the Government's attitude to the suggestion that Lloyd's underwriters should be given special treatment. Has the hon. Gentleman paid his £100 to Derbyshire county council?

Mr. Barnes: What I said earlier shows that I am sometimes slow paying my bill. I have however, been contributing towards the fund, but how much I have paid is a matter for me.

Mr. Key: I respect the privacy of the hon. Gentleman's financial affairs.

The effect of what has happened in Liverpool spills out beyond the city's boundaries. It has been said that Liverpool has been losing 10,000 people a year for 20 years. Where have they gone, and what sort of people are they? I fear that they are not only the sort of people who are fed up with the Labour council, who want to make a success of their lives and who wish to take full advantage of the opportunities that the Government have provided during the past 12 years, although it is a tregedy that those people leave Liverpool.

One of the prime reasons behind my right hon. Friend's initiative, City Challenge, is to reverse the trend of people leaving our inner cities as soon as they are vaguely successful. We want to encourage people not only to stay in the inner cities, but to return to them. That is why we must concentrate on jobs, training and the quality of life of all those people. However, as I said, it is not only the winners who wish to leave Liverpool. My hon. Friend the

Member for Bournemouth, West (Mr. Butterfill) was distressed when he came to see me the day before yesterday. He said that he had hoped to participate in the debate but that he would be busy in his constituency today. He told me that Bournemouth has a severe overspill problem as a result of the problems in Liverpool. Apparently, about 7,000 Liverpudlians are now in Bournemouth, most of whom, according to my hon. Friend, are on the "Costa del Dole" and are contributing to the squatting problem in Bournemouth. I am also told that those people have contributed disproportionately to the problems of drugs, crime and prostitution in my hon. Friend's constituency. I do not know whether that is true, but I have no reason to doubt that allegation.

Mr. Tony Banks: As the Minister knows, Bournemouth is a pleasant town which is well run by its Conservative council. One of the reasons that it is so well run is that the council is into municipal enterprise in a big way. It does not sell off its services. It wants to run its own buses. It has its own conference centre and runs its own car parks and shopping malls—all the things that the hon. Member for Stroud (Mr. Knapman) criticised.

Mr. Key: What the hon. Gentleman does not say is that those services demand very little from the national purse because they are so very well run. The point is that Bournemouth is largely self-financing as an authority.

We cannot get away from the issue, which is the face of Labour government as we see it operating in our great cities. We have been told for too long that the Labour party is getting things under control. Last July the Leader of the Opposition said that, starting from that date, the problems would all be over. More recently—on 3 March—a Walworth road spokesman was quoted in *The Sunday Times* as saying:

"We have sorted out Liverpool."

Oh yes?

Mr. Tony Banks: The Minister seems to think that Liverpool is a badly run city—no doubt that has something to do with the Walton by-election. However, as we have been talking £100, will the hon. Gentleman publicly bet me £100 that the Conservatives will win that by-election?

Mr. Key: I have a confession to make—I am not a betting man. When I was about 15 years old I occasionally had a flutter on the point-to-point. My fingers were so badly burned with losing my pocket money that I have not put money on horses or anything else ever since. However, it has not made me rich.

Mr. Harry Cohen (Leyton): At the conclusion of his remarks about Bournemouth the Minister quickly mentioned the financial problems of local authorities. The underlying financial problem was made much worse by the Government's poll tax and their cuts in grants to local authorities—especially Labour-controlled authorities. The central problem is that richer people live in areas where there are fewer problems and they pay less, and poorer people live in areas with most problems and have to pay more. That is the scandal of this Government.

Mr. Key: It is extraordinary to hear Labour Members yet again perpetuating the myth that there have been cuts in local government spending and resourcing from central Government. Nothing can be further from the truth, and the hon. Gentleman knows it. In the past two years there has been a 25 per cent. increase in central Government funding of local authorities. What matters is the quality of services provided by that money.

Mr. Robert G. Hughes: Does my hon. Friend agree that, if the Labour party running Liverpool cares so much about services for the people of Liverpool, it would help them by claiming the Government grant available? Millions of pounds are available in grants which they have not even bothered to claim.

Mr. Key: I confirm that there are indeed councils that do not claim what they may claim. It is often because they are so incredibly inefficient that they miss deadlines and often do not even know how to apply for grants. The largest single source of revenue lost to Labour authorities is not merely uncollected community charge but uncollected rates from before the charge was introduced and uncollected business rates from before the introduction of the uniform business rate. It is quite absurd that some authorities are so poor that they cannot even do that.

Mr. Knapman: Is my hon. Friend aware that in the Walton district of Liverpool one person has not paid any rent since 1982 and the amount outstanding was in the order of £9,000? The reason that the money has not been paid was that no one had asked him for rent for that number of years. Due to the by-election in that area, he has miraculously been asked for the rent and has paid it with a cheque.

Mr. Key: I am grateful for that contribution from my hon. Friend. I am afraid that it is rather typical. One can quote examples of Labour authorities from all over the country that are in a similar mess.

We recognise the face of Labour government when we see it. However loudly the Leader of the Opposition and his friends may proclaim that they have purged the party of militants, they always resurface, like ghouls from the grave, to haunt him. We were told in an article in *The Guardian* recently:

"The GMB, union of the contentious gravediggers, reminded people that it was better to die on your feet than live on your knees . . . their celebrated convenor . . . Ian Lowes, explained how he coped with the abuse of the bereaved.

'When people are going through that period of their lives . . . they are not thinking rationally.'

There was much genuine resentment at the way decent strikers could be cast as cold-hearted villains. 'Do they think that union members are immune from bereavement?' asked . . . one of Liverpool's 47 surcharged councillors. 'During the Winter of Discontent, we had to put our loved ones in storage too.' When the trouble was over, . . . GMB men volunteered to dig the backlog of graves by candlelight."

What a pity that they got themselves into that position in the first place.

Opposing the lunacy, ineptitude and squalor of the Liverpools and Lambeths does not make this Government "anti-local government". On the contrary, our whole approach over the past few years has been to strengthen the capacity of local government to deliver. We have looked at the practices and methods of the best local authorities and sought to extend them to all authorities. We created the Audit Commission to monitor the performance and quality of local government and provide it with immensely valuable constructive advice. Anybody who does not realise that we already have a "quality commission" simply has not been paying attention.

[Mr. Key]

In the past local government has often seemed concerned more with the providers than the receivers of services. It is central Government's role to see things from a wider perspective. Our concern has been to help make local government more responsive to people's needs—to ensure the provision of effective services to the citizen. We should not allow dogma or vested interest to prevent us from achieving that goal.

Our policy is to enable local authorities to survive and grow. Local authorities should be, above all, user-friendly. So our ideal is the enabling authority—local authorities concentrating on the quality and efficiency of local services, rather than the day-to-day difficulties of their organisation and delivery, which is the proper role of council officers.

Competitive tendering has been central to the movement towards enabling authorities. There is widespread recognition in local government that the private sector has much to offer in the delivery of a wide range of services, from rubbish collection to computer management, and individual authorities have been keen to grasp the opportunities for greater efficiency which using private contractors can offer. Their example has been important in helping us to develop our thinking.

With the Local Government, Planning and Land Act 1980 and the Local Government Act 1988, we have made it compulsory to seek competitive tenders for major manual services, such as construction, building cleaning and refuse collection. For authorities that are enthusiasts for market-testing, compulsory competitive tendering has been a valuable validation of good practice. But for authorities whose ideas of service provision are determined by the demands of the trade unions, not the needs of the community, CCT has come as a rude shock—rude, but healthy!

We have looked at the impact of CCT across local authorities through research carried out by the Institute of Local Government Studies in Birmingham. The message is clear. Competition has produced real productivity improvements, certainly where contracts have been won by private companies, but also where local authorities' work forces have been successful—because they have had to increase their efficiency and trim their costs to compete. At the same time, standards of service have been maintained or improved.

We have made it clear that we are seeking to extend the benefits of competition more widely across local government, in particular by considering how best to bring professional services within a framework of CCT.

Mr. O'Brien: This is an important matter. Does the Minister accept that there is need to write into contracts, whether with private companies or direct labour organisations, that quality must be achieved? We are receiving reports that the quality of service is not being maintained. Does the hon. Gentleman agree that it is important to include in any contract a provision about quality?

Mr. Key: The hon. Gentleman's remark is timely. Apart from the fact that, of course, quality is implicit in the process, we have commissioned a study that is under way and which will draw on local authorities' experiences of moving services, particularly professional services, towards commercial operation, if not wholly into the private sector. In due course, we shall introduce specific proposals so that local government and other interests can make their views known.

Together with CCT and the quality and efficiency work of the Audit Commission, we are bringing about a steady improvement in local government services. Much more needs to be done. We need to give attention to the quality of services for which local authorities are responsible but which individual citizens experience at first hand. They may know or care little about how a service is organised or exactly who provides it, but they care very much about how that service affects them personally—whether their bins are emptied, for instance, at the time they are supposed to be emptied or whether they find some of the contents in their front gardens when they come home from work. These are small things in themselves, but are what matter a great deal to the householder and in practice are the measure of whether a service is judged good value.

This is where our citizens' charter will bite. It will involve ordinary citizens in the process of improving local services, by giving them the power to insist on value for money. Already the Government's measures under the Environmental Protection Act 1990 empowering citizens to take to court councils which fail in their litter collection duties, are in place. As the House will know, that has happened in Liverpool. The citizens' charter will extend this principle of empowerment to provide ways of encouraging an emphasis on quality in many other areas of local government. Standards of service will be set and checks put into the system to ensure that they are met. Information on service targets and achievements will be freely available to the councils' customers so that they know what they are getting for their money.

Local authorities are already responding to the challenge. Some imaginative schemes are afloat and others are in the pipeline. We recognise where progress is being made and wish to encourage those initiatives. The Government are open to ideas and are considering a whole range of possible measures that will help to improve local services. We will announce our proposals in a White Paper shortly. I am sure that they will be widely welcomed.

Mr. O'Brien: I appreciate the Minister's response to my question about the need to include in contracts provisions about quality. He said that citizens could complain if they felt that standards had not been maintained, but he did not answer my precise question, which was to the effect that there should in contracts be assurances to the effect that quality will be paramount. That is as significant as a citizen's charter.

Mr. Key: I noticed that, while I was answering the hon. Gentleman's earlier intervention, he was interrupted by a note being brought into the Chamber for him. I invite him to read the *Official Report*, and if he is not satisfied with my answer, perhaps he will write to me.

When my right hon. Friend the Secretary of State returned to the Department of the Environment, he sought initially to evaluate what progress we had made from the point of view of inner cities and urban areas since he was last Secretary of State. He was pleased to discover that many of the targets that had been set in the early 1980s had been achieved. A great deal of inner-city regeneration was going on by urban development corporations, in enterprise zones and through the efforts of local

authorities. But something was still missing, and that was vision. There was a lack of vision among councillors, communities, the business community, voluntary organisations and so on, and he sought to find a way to encourage that vision.

My right hon. Friend found something else missing after that decade and more. He found that there was still no co-ordinated approach to inner-city regeneration. He realised that local and central government could not be expected to do it all, any more than one could expect individual firms, enterprises or communities to do it all. Accordingly, he set about trying to devise a scheme for competition which would bring in the authorities, with their partners, to achieve a real vision for regenerating quite small areas of their cities. The City Challenge initiative has proved to be exceptionally popular. The Secretary of State, the Minister of State and I are currently visiting cities and talking to local authorities.

It is staggering to discover the enthusiasm and commitment that is being put in by Labour authorities throughout the country. What a pity it is not the norm. What a pity it has taken a Conservative Secretary of State to bring it about. But it will work, and local authorities are bringing together the business community, private sector investors and others, some of whom have not talked to each other for years.

For example, we were in Bristol yesterday. Representatives of Bristol city council, Avon county council, the chamber of commerce, the Bristol initiative scheme, the civic society, churches and others from local communities were all present with me sitting in a room discussing their vision for parts of Bristol. What a pity that did not happen earlier. It is happening now as a result of the commitment of the Government to our inner cities.

Mr. Fearn: Does the Minister intend to visit Liverpool?

Mr. Key: My hon. Friend the Minister of State, as the Minister for Liverpool, is indeed concerned about Liverpool and will be going there, and to the Wirral, both of which have put in bids under the City Challenge procedure. By 5 July, all the 15 selected authorities will have put in their bids and then we, as Ministers, will have the difficult task of judging which 10 should be the winners. Though that will be difficult, in view of the level of commitment shown, it shows the way forward for the future.

Returning to the more mundane issue of the structure of local government, our objective is to maximise local government's capacity to deliver. This has also been a key factor in our approach to the vexed question of structure. What structure will best enable local government to provide effective and efficient services and, at the same time, reflect the sense of identity that people feel with their locality? We aim to produce a local government structure that is in tune with the wishes of the people of an area—the people local government exists to serve. This is clearly a question that interests a great many people. We invited responses to our consultation paper by last Friday. By the end of that day, some 1,500 responses had been received, and they are still coming in.

We intend to introduce legislation establishing the new local government commission, which will assess the most appropriate form of local government area by area, taking into account the wishes of local people. They are best placed to tell us which councils provide the best and most efficient services. They are best placed to explain to central Government how they identify as geographical areas. Subject to parliamentary approval, the commission should be formally established by summer 1992 and we hope to see the first new unitary authorities set up on 1 April 1994.

What does the Labour party want to do? It pays lip service to government close to the people and says that it wants to impose a tier of regional government with 10 assemblies. It will take power from local people and from this Parliament.

Too often, the relationship between central and local government is seen as a battle. Too much is heard of the cries of vested interest disguised as "defenders of local democracy". We have been through a difficult time in the past 10 years, but it is now clear to most people in local government that the Government have been steering them in the right direction.

More and more authorities are grasping the opportunities for efficiency and value for money that we have given them. More and more have recognised that the enabling authority, and not the creaking old paternalistic ways of pre-1990 eastern Europe, is the model for the future. Exceptions such as Liverpool and Lambeth just serve to illustrate the point.

Respect has to be earned and is easily lost. People in local government want to be respected for the work that they do. Most of them now realise that the only way for local government to earn the public's respect is to provide quality services efficiently. This Government will continue to do all they can to help them.

1.52 pm

Mr. Tony Banks (Newham, North-West): It would be peevish of me not to welcome the opportunity to speak in this debate and congratulate the hon. Member for Stroud (Mr. Knapman) on his motion. My speech will be somewhat shorter than the one that I should like to have made, given the number of issues that have been raised so far, but I do not wish to be selfish and other hon. Members also wish to speak before half-past two.

I regret the knockabout nature of the debate until the Government Front Bench became involved. I have some regard for the Under-Secretary of State, the hon. Member for Salisbury (Mr. Key), and I welcome his comment about councillors in local government, whether Tory or Labour, and the service that they provide. They do not receive the same salaries and fringe benefits as Members of Parliament, and in many cases, they get abuse, vilification and very little gratitude, even when they are doing a good job. The Minister's words contrasted starkly with those of the hon. Member for Stroud, who could have made a much better speech.

Mr. Knapman: The hon. Gentleman did not attend the debate until rather a later hour, so he cannot possibly know what I said in my speech.

Mr. Banks: I appeared in the Chamber at about 10 minutes to ten, when the hon. Gentleman had been speaking for about 11 minutes. He continued to speak for what seemed like an age but was probably about another 25 or 30 minutes, so I had a good idea of his drift. I certainly heard enough to make me feel fully justified in saying that such a sneering, carping, miserable, pathetic

[Mr. Banks]

speech was not worthy of him or of the House on such an important subject. I am glad that that is now also on the record.

Many Conservative Members take the simplistic approach that if a council is Labour controlled it is bad, and if it is Tory controlled it is good. That is fatuous, and it is impossible to have a properly structured, rational debate when people take that attitude. Anyone who knows anything about local government—I purport to know a little, having been involved in it for some years—will know that there are good Conservative local authorities, such as the one I spoke about earlier, Bournemouth, and there are bad ones. There are bad Labour authorites and good ones. But to take exceptions and use them as a way of attacking all Labour authorities or all local government is unworthy of Conservative Members and certainly not justified in relation to those who work so hard in local authorities.

The continual debates, Bills and orders on local authority matters that we now have in the House show how low grade and petty we have become in recent years. Part of the problem has arisen from the obsessive desire of recent Conservative Governments to decide everything centrally. The great helmswoman, during her period of office, could not resist interfering in everything, whether the opinions and affairs of her hon. Friends or the conduct of local government. As the Minister said, the notion that local government has become a battlefield is a true one, but it became a battlefield because of the enormous hostility of the right hon. Member for Finchley (Mrs. Thatcher) towards local government. London in particular became a battlefield, to the point where she decided that she was not prepared to tolerate what was going on in county hall in the Greater London council, so she abolished it, along with the metropolitan county councils. That is no way for parliamentary sovereignty to be used. It is not true democracy if someone decides that she does not like what is going on in a particular town or county hall and so uses the parliamentary majority to abolish it.

It still rankles with me that someone can approach structures of local government in London and elsewhere by deciding, with a flourish of the pen, that the whole structure is to be abolished. We have heard much talk from Conservative Members, particularly Ministers, about devolution and accountability in local government, but the process used by them has always been to centralise and remove from scrutiny. More and more local government fuctions are moving into the hands of quangos, indirectly elected organisations and Government Departments, where Members of the House cannot scrutinise them. The desire to centralise and the hostility towards local government mean that we have many debates about a section of political activity that we should leave to the people involved, so that they are accountable only to those whom they represent through the ballot box .

Another part of the problem of local authority debates and matters in this House is that we have seen the absolute and relative decline of the whole country. There was a time when local government rarely came up as an issue in the House, apart from the rate support grant and the annual debate. For the rest of the time, central Government allowed local authorities to go their own way and to carry out the functions for which they were elected.

The country has been turned into a bit player among the family of nations, particularly in Europe. That fact is reflected in the House and how we conduct our business today. We are turning into a low-grade, provincial Parliament on the edge of Europe, working ever harder on matters of ever-diminishing importance.

There have been many tumultous events in eastern Europe, in Africa and in Latin America. Around the world, in places such as Africa, people are starving. People are in turmoil and are reaching out for new democratic structures that they have not experienced. The hon. Member for Stroud could have tabled a motion so that we could discuss significant matters affecting the world, and particularly this country, but because there is a by-election in Walton, a party-political knockabout was introduced to try to stir up a bit of nastiness so that the Labour party would lose a few votes in the Liverpool, Walton constituency. I am happy to give all hon. Members their opportunity for knockabout, but I bet any Conservative Member present whatever amount—they are all far wealthier than me—that the Conservative party will not win the by-election in Liverpool, Walton. Indeed, the Conservative candidate will be lucky to hold on to his deposit. All the puff and wind on the Conservative Benches will not win them any votes in Liverpool.

As for local government provision of housing in London, there is a housing crisis in the capital. There are 20,000 empty council properties in London, but there are also 97,000 empty private sector houses in London. The Select Committee reported only yesterday that the Government are responsible for the fact that there are 31,000 empty properties that could be used to house the homeless. Throwing statistics backwards and forwards is an insult to the homeless. It is disgusting and nauseous that the homeless have been turned into a political football. Conservative Members are not prepared to sit down with us and try to solve the homelessness problem in London, which has reached crisis proportions. We are trying to find a consensual way out. The hon. Member for Gravesham (Mr. Arnold) laughs——

Mr. Jacques Arnold: I was not laughing.

Mr. Banks: I will give way to the hon. Gentleman in a moment. The idea of a Labour local authority sitting down with central Government, or Labour politicians sitting down with Conservative politicians, to find an agreed way out of what we all accept is a scandal in this capital city —80,000 people in bed and breakfast accommodation and perhaps 10,000 people sleeping on the streets—is apparently something that he regards as funny. That is absolutely staggering.

Mr. Arnold: I am amazed at the hypocrisy of it all. The council with the largest number of unoccupied council flats in Greater London is the hon. Gentleman's own Labour-controlled council in Newham. He should not be sitting down with us discussing it—the Labour council in Newham should get on with solving the problem.

Mr. Banks: The hon. Gentleman is misinformed to the point of being a fool. If he knew anything about the London borough of Newham, he would realise that the fact that there are so many vacant properties is due to the council having to move people out of unsafe tower blocks, built by Taylor Walker Anglian. Ronan Point was so unsafe that part of it fell down and people were killed. We have had to move hundreds of families out of tower blocks

because they were unsafe to live in. For a Conservative Member to say that there is something wrong with us in Newham as we have so many vacant properties—because we have moved people out of properties that were in danger of falling down and taking people with them—seems to me not hypocrisy but stupidity developed into an art form, something in which the hon. Gentleman specialises.

As for empty properties in London in either Conservative or Labour-controlled local authorities, when Conservative authorities want to do something about housing the homeless in their boroughs—I exclude Westminster from the list—they find that they cannot get the money to rehouse people in those empty dwellings. For example, in the past year the withdrawal of Government subsidies forced London boroughs to increase council rents by 22·9 per cent., compared with 13·8 per cent. in the country as a whole. The reason for so many rent arrears in London is the simple fact that people cannot afford to pay the rent. That is a major problem, but Conservative Members do not seem to think that it exists.

There have also been Government cuts in local authority capital spending on council housing in London. That has hit London far harder than anywhere else. In real terms, there has been an estimated 74 per cent. fall in London between 1979 and 1991, compared with a 64 per cent. fall nationally. That is the reason for so many empty properties and why rent arrears are so high. One does not need to have a PhD in housing administration to work out why there is a housing crisis in London. For example, London councils had 170,000 fewer homes for rent at the end of the 1980s than they had at the beginning of the decade because they had been sold off and were no longer available to rent.

There has been an 80 per cent. cut in the housing investment programme allocation by central Government. Local authorities cannot afford to build houses now. In the 1970s, London local authorities built 25,000 units of accommodation per year. Now they are building 1,500 per year. Some local authorities are building none. Is it surprising, therefore, that there are 80,000 people in bed and breakfast and temporary accommodation in central London? Conservative Members throw out cheap, silly sneers about vacant properties and the level of rent arrears, but they are not interested in solving the housing problem or in the homeless people in London. Many of the homeless, by definition, do not have the vote, so they are not part of Conservative Members' political considerations, but the homeless do exist and they are a real problem in Labour-held boroughs. My hon. Friend the Member for Leyton (Mr. Cohen) was absolutely right to say that Labour authorities have so many problems because they cover the poorest areas, where the problems are legion.

It is no good saying that it is all about value for money. I understand the principle, but we need the money to start with. Since 1979 money has been taken away from local authorities which have then been told that they are somehow not managing to deal with their problems. Someone who is now departed—although not far enough for me—said, "You don't solve problems by throwing money at them", but nor does one solve them by taking money away, which is what has been happening in local government since 1979. It has been robbed blind by the Government.

I am conscious of the time. There are still many points that I should like to make, but I am not selfish and I intend to give way to an hon. Member with whom I shall disagree entirely. However, anyone who arrives at the beginning of a private Member's debate on a Friday morning is entitled to his four pennyworth, and I have already had three and a half pennyworth.

The Minister mentioned the paper on the reform of the structure of local government. Why should we not have another look at local government? We seem to be spending all our time looking at and interfering with local government structure. I resent the fact that the one area that has been excluded from any consideration for structural change has been the capital city. That has been deliberate. There are one or two sensible Tories—none of them in the House at the moment, except the Minister—who come to me and say that it makes sense to have a strategic authority for London because it needs one.

When Londoners have a Labour Government after the next general election, they will have a strategic authority which will be called the Greater London authority. I hope that it will be based at county hall and will provide Londoners with something that they are unique in not having. London is the only capital city that does not have a citywide local government structure. That is appalling, and it is an indictment of the Government—and especially of the right hon. Member for Finchley (Mrs. Thatcher), who still looms large enough for even the sensible Tories not to vote as they would like and restore strategic government for London.

About 50 per cent. of Londoners would quit the capital city if they could—for a variety of reasons, of which transport is the primary one. Other reasons include the filthy streets, the potholed roads and the general poor quality of life, all of which make London a pretty nasty, unco-ordinated and unpleasant place to live. The transport system is overcrowded and the provision of many services is bad. One thing is clear: two thirds of Londoners say that London needs a strategic authority. Conservative Members should listen carefully as we are approaching a general election. I do not expect this Government to provide us with such a strategic authority, but London will have one as soon as the Labour Government are elected.

2.8 pm

Mr. Jacques Arnold (Gravesham): The hon. Member for Newham, North-West (Mr. Banks) ended with the comment, "as soon as the Labour Government are elected." That is an abstraction. How can we know what the Labour Government would do when we have to rely on the peppering of pledges that we have heard in the House time and again? The Chief Secretary to the Treasury has done the House a great service by costing those pledges and showing that an abstract Labour Government would mean an extra 15p in the £1 on the standard rate of income tax.

We need not consider abstractions or look into the crystal ball; we can look at the book of Labour government in action, and that is where this debate is so useful. In the *New Statesman and Society*—the Labour party's house magazine—Sarah Baxter put it clearly when she said:

> "Local authorities have provided the sole model of Labour in power in the past decade (and many have given the electorate a good fright)".

How right she is. Whichever way one looks at the Labour party in government, one sees high taxation.

[Mr. Jacques Arnold]

Which councils have the highest community charge this year? The five top chargers are Labour councils. Lambeth charged £450 and Haringey charged £420—what one might call the loonie left of London. Bristol is in third place, Islington is fourth and Oxford, of all places, is fifth. They are all Labour councils. Liverpool, which we have discussed today, is ripping off from its community charge payers the 10th highest charge.

I am grateful to my hon. Friend the Member for Stroud (Mr. Knapman) for raising the specific matter of the delivery of local government services. Let us have a quick look at how local councils deliver those services. Education is the largest service. Let us consider the councils that spend the most on education and then let us consider what they deliver in terms of the examination results of the youngsters about whom we should be concerned.

Let us look back two years ago to the unlamented Inner London education authority which had the highest spending on each child. Out of the 96 education authorities, its youngsters came 88th in terms of examination results. That hardly served those youngsters and was hardly value for money in giving them education. The second highest spender was Labour-controlled Waltham Forest, but its examination results were 95th out of 96 as a result of the education given under that authority. The third highest spender was Brent, which was then Labour, but in its examinations it was 75th out of 96. Newham, which is dear to the heart of the hon. Member for Newham, North-West, was the fourth highest spender, yet managed to clock in at 93rd out of 96 in the examination performance of its youngsters. That is hardly value for money and is hardly good education for the children concerned. Why is that occurring?

Let us consider which authorities spend the most of their employment money within the education service on teachers in the classroom—the teachers who teach the children. In Newcastle upon Tyne, which is Labour controlled, fewer than half the staff in the education department are teaching the children. Some 54 per cent. are non-teachers—bureaucrats, administrators and goodness knows what else. In Coventry, the second on the list, fewer than half the staff in the education department are teachers of children. The third worst is Cleveland, which is Labour controlled, and it is followed by Sheffield, which is Labour controlled, and Northumberland, which is Labour controlled, where 49 per cent. of the education department staff are not teachers. What is education all about if money is not put up front where the children are to be educated?

Mr. Cohen: Will the hon. Gentleman give way?

Mr. Arnold: If I am quick, the hon. Gentleman will have a chance to speak later.

The Government have given great encouragement to our councils to put money up front in our schools under local financial management. Which councils put the least money up front in the schools for spending directly on teachers and on provision for our children? Which councils hold back the most for the central bureaucracy? Again, we find that it is Labour councils. Cumbria, under Labour and Liberal Democrat control, retains almost 29 per cent. of the money at the centre rather than spending it on schools. Haringey, which is Labour controlled, retains 28·6 per cent. Newcastle, which is Labour controlled, retains 28·2 per cent. It would rather spend the money on the central bureaucracy than on the schools in which our children are taught.

The other great local government service is housing. Housing is provided for people in need to live in, as was said by Labour Members. Which are the 10 authorities with the highest number of vacant properties? All are Labour controlled and include Manchester, Liverpool, Salford, Sheffield, Birmingham, Newcastle upon Tyne, Newham of which we spoke, Leeds and Sunderland. They are Labour councils that cannot administer their housing stock properly. Why not? One reason is that they do not have the money; but why is that? It is because they are incompetent and do not collect their rents properly.

I wonder how many people know that when Brent was controlled by the Labour party 44 per cent. of its annual rents were not collected; it had arrears on the roll. In Lambeth, 32 per cent. of the rents were not collected. In Southwark—Labour-controlled again—31·9 per cent. were not collected. We can go all the way down the list of Labour councils—Hackney, Islington, Ealing, Liverpool, Haringey, Waltham Forest, and Newham. none of them collect their full rents and they therefore do not have the money for instance to reconstruct tower blocks that were built under Labour councils in the first place.

Those are all cases of incompetence, but there is worse to come. Look at the waste. Why did Birmingham's Labour council see fit to spend ratepayers' money on 149 trips to 31 countries, including Puerto Rico, the Gambia, Hong Kong, Japan, Australia, the United States and Pakistan? The most popular destination was France, with 29 trips. What does that have to do with local councils delivering services to local people? We have heard about Derbyshire, and the hon. Member for Derbyshire, North-East (Mr. Barnes) condescendingly said that he had returned £52 to Derbyshire county council. Perhaps that defrayed some of the expense of the county council's party to celebrate the release of Nelson Mandela, which cost local charge payers £2,000. Can that be described as money going into local services?

Labour-controlled Bradford voted to spend £10,000 to commemorate a strike that had taken place in the city 100 years ago. Is that a priority for funds? That is Labour local government in action.

The examples that I have given are of incompetence and misdirected services——

Mr. Robert G. Hughes: Let me give my hon. Friend an example on a larger scale. During five years of Labour control, with the hon. Member for Newham, North-West (Mr. Banks) as a committee chairman and then as chairman of the council, the GLC spent £8,870,000,000. Can my hon. Friend think of anything that improved during that time?

Mr. Arnold: No, I cannot—nor has any Labour Member given any evidence today of improvements taking place.

We are told, "Never mind the incompetence and the failure to deliver services; at least we have got rid of the loonie left." But have we really? Did we know that, during the Gulf war, Lambeth and Lewisham Labour councils both ordered drivers to remove union jacks from council vans and minibuses? Did we know that Harlow Labour council has prohibited the playing of the national anthem

at council functions? Did we know that Labour-controlled Manchester spent £47,440 on a gay village and £33,000 on a lesbian link counselling project? Are they the local services delivered by Labour government in action? And Camden spent £17,000 a year on a lesbian day centre. What kind of councils are these?

Mr. Knapman: My hon. Friend is being unfair to Hackney, which has organised a six-week course of counselling sessions for grieving black lesbians. Despite a considerable amount spent on publicity, it has not yet found a single grieving black lesbian. Will my hon. Friend comment on that matter?

Mr. Arnold: Yes. Labour councils are obsessed with such shibboleths when they should be getting down to brass tacks and delivering services to local residents.

Let us look at what some leading Labour council leaders and commentators have to say about their performance. The current leader of Labour-controlled Liverpool city council, Councillor Harry Rimmer, said:

"We know we are overstaffed, we know we are inefficient".

Well, what are they doing about it? In Labour-controlled Bristol, Jim Williams, Bristol's first black lord mayor, was dropped by Labour as a candidate in this year's council election. He said:

"I have been told they decided to get rid of me because I wasn't green enough and I wasn't left-wing enough."

That is the modern sanitised Labour party. The former Labour leader of Liverpool city council, Keva Coombs, said:

"There just isn't any proper management and we should have worked harder to ensure there was."

What are they waiting for?

Joan Twelves, the Labour leader of Lambeth borough council, said:

"It is hard to find the right word to describe the state of Lambeth's finances—'dire' is close."

On the question of the former Greater London council, so beloved of the hon. Member for Newham, North-West, Ben Jones, a commentator in *Labour Briefing*, said:

"A campaign to re-establish the GLC could be very popular but unfortunately the dire record of Labour local government undermines the enthusiasm that exists."

He could not have put it better.

2.20 pm

Mr. Harry Cohen (Leyton): As time is short, I shall not follow Conservative Members' anecdotal attacks on Labour local authorities. They did not once mention Westminster council, with its selling of cemeteries for 15p and its wish to sell its homeless people to other boroughs, despite the fact that it has plenty of empty houses. Conservative Members conveniently forget Tory examples. Such anecdotes are part of their overall attack on Labour authorities. They cite all the anecdotal evidence because they want to cover the fact that the Government have cut grants to Labour local authorities. Billions of pounds of central Government grant have been taken away from Labour authorities so that they can no longer provide the services that their areas need.

I welcome the debate on local government services because I want to raise the important issue of the housing crisis, both in my borough and in London generally. It is a desperate crisis. Some 33,400 households—more than 80,000 people—are living in temporary accommodation awaiting a permanent home. That is a tenfold increase over the past year. If I had brought to the House all those people in my housing file, I could have filled the Benches on both sides of the House. I will cite the first case that I picked up this morning. A Mr. Raja wrote to me saying:

"I have been living at . . . for the last 13 years with my wife and six children ranging from 1 to 12 years . . . in appalling conditions as I am occupying only one room."

I intend to raise his case with the council. He and his family would have had a much greater chance of being rehoused a decade ago. Now, he has little chance because of the housing crisis. I suspect that, after I have raised his case with the council, yet another sorry reply will be sent to him.

My housing authority in Waltham Forest is relatively good, especially in the circumstance of various options being closed by the Government. It has avoided bed and breakfast. It has fewer empty properties than most other authorities—certainly fewer than the private sector and fewer than central Government, who preside over 31,000 empty houses, often for a long time.

I wish to refer to the report of the director of housing for Waltham Forest. It is a microcosm of the crisis faced by London local authorities. It points out that there has been a massive increase of 58 per cent. in homelessness during the first few months of 1991, compared with the same period in 1990. There has been no increase in staff to cope with that because of the pressure caused by the poll tax. Casework is falling behind, with ever more cases needing investigation. The homeless are having to wait for up to nine months before they are offered accommodation. More than 500 cases are waiting to be investigated.

The director says that there is no one reason for the increase in homelessness, but he says that the number of people with mortgage difficulties is now twice as high, and the number of applications from refugees is two and a half times as high. No money comes from the Government to help. The director points out that the number of applications from people who have lost private rented accommodation is one and a half times as high. If friends and relatives are not willing to accommodate an applicant, he is pushed further down the queue and told to make his own arrangements.

On the other side of the coin, the housing director points out that the supply of accommodation has been significantly reduced. The number of houses available in November, December and January fell from 195 in 1989-90 to 158 in 1990-91. Nominations to housing associations are much lower. The number of properties that an authority can lease for homeless people has dried up because the Government revised the subsidy reviews in October 1990. The effects trickle through because it takes time to negotiate leases.

The housing director points out that many families have to go into one-bedroom accommodation because that is all that is available. Even with families in such unsuitable accommodation, this year there will be a shortfall of 370 properties. Only 209 urgent cases out of a waiting list of thousands will be rehoused.

Many people are told to make their own temporary arrangements for an indefinite period and many are in grossly inadequate accommodation. People in category A special management transfers—for example, victims of domestic violence or racial harassment—cannot get rehoused. Even the useful transfers list—whereby people in family-sized accommodation move to smaller, more

[Mr. Harry Cohen]

suitable accommodation, making their houses available for families—is clogged up because of the enormous pressure.

The housing director concludes by pointing out the impact on staff. He says:

"The rise in homeless has obviously created severe pressures on staff. Not only the increased work in investigating applications, but also the additional work involved in advising and counselling people turned away who would otherwise be rehoused and who may refuse to leave the office, have not been matched by more staff and have contributed to the high levels of stress and poor morale amongst officers in the Homeless Persons and Housing Advice Units."

We all extend our condolences to the family of the planning officer who was shot. It was a shocking incident. I am amazed that more people in housing departments —*[Interruption.]* Many people fall victim or are put at risk in a similar way. As well as extending condolences, the Minister should institute a review of security for local officers who face such risks.

I welcome the debate. I checked with the Library and found that the last debate on housing and homelessness was on 3 July 1990. It is a scandal that the House has put off discussing a problem of such magnitude. The Conservative party has been in power for the past 12 years. The Government have created this crisis. They sold the best houses and did not make all the money available to the councils that owned them. The houses were sold at big discounts, and because of Treasury regulations the councils were not allowed to spend even amounts that they received from those sales on improving existing homes or building new ones.

Mr. Tony Banks: The councils have faced huge cuts.

Mr. Cohen: As my hon. Friend says, there have been huge cuts in the housing investment allocation, amounting to 80 per cent. in real terms. The consequence has been enormous personal misery for Mr. Raja and his family, and for all the others I have encountered in my caseload or at my advice surgery. The papers that I have received about this matter would fill these Benches—and I am talking only about my caseload, let alone those of other hon. Members. That damage will take years and years——

It being half past Two o'clock, the debate stood adjourned.

Orders of the Day

Private Members' Bills

HARE COURSING BILL

Order read for consideration (not amended in the Standing Committee).

Hon. Members: Object.

Consideration deferred till 28 June.

BREEDING OF DOGS BILL

Read a Second time.

Bill committed to a Committee of the whole House. —*[Mr. Alan Williams.]*

Mr. Deputy Speaker (Sir Paul Dean): I must point out that Mr. Speaker deprecates further stages of a Bill being taken without notice. Does any hon. Member object to our proceedings? So be it.

Bill immediately considered in Committee; reported, without amendment.

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 75 (Third Reading) and agreed to.*

Bill accordingly read the Third time, and passed.

NATIONAL AUDIT (SCOTLAND) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Objection taken. Second Reading what day?

Mr. Tony Banks (Newham, North-West): With the agreement of the hon. Member in charge of the Bill, Friday 28 June.

Second Reading deferred till 28 June.

TRAINING AND ENTERPRISE COUNCILS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till 28 June.

FORESTRY COMMISSION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till 28 June.

TRADE DESCRIPTIONS (ANIMAL TESTING) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till 28 June.

PARISH COUNCILS (ACCESS TO INFORMATION) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till 28 June.

COAL IMPORTS BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till 28 June.

HOSPITAL SCHOOLS IN LONDON BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till 28 June.

ELIMINATION OF POVERTY IN RETIREMENT BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till 28 June.

DANGEROUS WILD ANIMALS ACT 1976 (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: As the Bill has not been printed, I decline to put the Question.
Second Reading deferred till 28 June.

HEALTH CARE OF PRISONERS BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till 28 June.

EMPLOYMENT OF CHILDREN ACT 1973 (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till 28 June.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 26th June, the Motion in the name of Mr. John MacGregor relating to European Standing Committees may be proceeded with, though opposed, for one and a half hours after it has been entered upon, and, if those proceedings have not previously been disposed of, Mr. Speaker shall at that hour put the Questions necessary to dispose of them, including the Questions on any Amendments to the said Motion which he may have selected which may then be moved.—*[Mr. David Davis.]*

Northern Ireland (Ministerial Accountability)

Motion made, and Question proposed, That this House do now adjourn—*[Mr. David Davis.]*

2.33 pm

Mr. David Trimble (Upper Bann): The question of accountability lies at the heart of the functions of the House and was established by our predecessor but one, the English Parliament, which had a clear tradition of refusing to grant supply to the monarch until there had been redress of grievances, thus eventually helping to establish the principle that Ministers were accountable to the House.

Accountability has three different aspects: the accountability of the Administration as a whole, of the entire Government, which has to command a majority within the House; the accountability of individual Ministers to the House and their relationship with hon. Members; and Ministers' accountability to their colleagues in government, which could also be regarded as an aspect of collective responsibility.

I intend not to discuss the position of the Government as a whole, but to concentrate on the accountability of Ministers. I shall mention four aspects of accountability and of Ministers' relationship with hon. Members and the House. One may approach Ministers or raise issues with them through correspondence and in oral and written questions. Ministers are also accountable to the Committees of the House.

I am sure that the House is aware that hon. Members representing Northern Ireland have a serious grievance with regard to that latter aspect of Ministers' accountability—the absence of a Select Committee on Northern Ireland. Select Committees were introduced comparatively recently in the life of Parliament. The present Select Committees stem from 1979. They were established to strengthen the function of the House and its role with regard to accountability. They were established for all Government Departments but one. There is one major Government Department for which there is no Select Committee—the Northern Ireland Office. Every other major Government Department has a Select Committee. There are Select Committees for Home Affairs, Trade and Industry, Foreign Affairs, Health, and Social Security. The other two territorial Departments have Select Committees; the Welsh Office has a Select Committee, and there is provision for a Select Committee for the Scottish Office. I say "provision" because, due to difficulties over membership, it has not proved possible to constitute it during this Parliament. However, there is no Northern Ireland Select Committee.

To remedy that gap, other Select Committees have tried to cover Northern Ireland matters by including them within their remit, but it has not been a happy experience. I do not intend to discuss that at any great length because it is covered fairly adequately by the recent report of the Select Committee on Procedure on Select Committees and I assume that at some time in the not-too-distant future there will be an opportunity for the House to discuss that report and such issues can then be touched upon.

I direct the attention of hon. Members to a few passages from that report. In paragraph 46 the Procedure Committee said:

[Mr. David Trimble]

"very few Committees made any specific mention of this aspect"—

Northern Ireland matters—

"in their orders of reference. The Energy Committee has made some attempt to cover the affairs of the Province with one visit and evidence and Reports on the Gas Industry and on Electricity Supply in Northern Ireland. The Chairman of the Committee acknowledged however, that it had 'only occasionally fulfilled its duties to examine Northern Ireland matters', and he added ' I do not believe that Committees with Great Britain members alone will ever do justice to Northern Ireland issues'."

Other Committees have not even attempted to cover Northern Ireland matters. Paragraph 47 of the report of the Select Committee on Procedure refers to the views of the Chairman of the Select Committee on Home Affairs, who reveals that he has not attempted even to cover Northern Ireland issues. He appears to think that he should not do so. As the report says, there has been a fragmentary coverage of Northern Ireland affairs. A few Committees have tried—recently, the Select Committee on Health.

The fragmentary coverage means that the Northern Ireland Office escapes scrutiny. Some of its functions and matters within its purview might occasionally be covered by other Select Committees, but attention is inconsistent and one cannot expect each Select Committee to adopt the same approach. For that reason, the Procedure Select Committee concluded that there was a case—in my view, a strong case—

"for bringing the Northern Ireland Office formally within the system of scrutiny by Select Committees."

It is interesting that the Government accepted that case in their response to the report. The key sentence is:

"The Government accepts that, in principle, a select committee concerned solely with the work of the NIO and Northern Ireland Departments may be desirable in order to ensure that Northern Ireland matters receive the parliamentary scrutiny they deserve."

That is a significant concession from the Government, and it must be regarded as such. If they concede that, why have steps not been taken to establish such a Committee? The Procedure Select Committee considered it to be desirable, there is considerable evidence to show that it is desirable, and the Government have acknowledged that it is desirable. Why, then, has it not been done? It is not because of difficulties such as those encountered by the Scottish Office in setting up a Select Committee on Scottish Affairs.

We in Northern Ireland are perhaps more tolerant than the Scots and even the Welsh. We have said that we are prepared to allow hon. Members who represent constituencies outside Northern Ireland to be part of our Select Committee. Not only that, we are even prepared to allow them to be in the majority. We are so anxious to see such a Select Committee established that we are prepared to accept a minority role on it. That shows our anxiety to establish this important Committee and to reinforce the important function of the House to bring the Executive to account and to scrutinise the functions of government. There is a clear need for that scrutiny.

I have said that contacts with Ministers come not only through the House and its Committees, but through questions and correspondence. I do not intend to refer to oral questions and Question Time, which is a rather special, almost gladiatorial exercise. One does not expect and one rarely sees any significant result from it. In passing, however, it is noticeable—other hon. Members have noticed this with regard to other oral question proceedings—how the Government seem to try to pack the Order Paper. I feel keenly about that.

I tabled a question for each of the past four Northern Ireland Question Times, but only once did my question even get on the Order Paper. I had the chagrin of seeing that the early questions on the Order Paper were tabled by Members who were not only not from Northern Ireland —that is not so bad—but who had not displayed any particular interest in Northern Ireland. One suspects that they were encouraged to table their questions to give Ministers the opportunity to have a breather or to spin out the time and prevent other hon. Members from raising important issues.

The matters that I want to raise about the conduct of individual Ministers relate to written questions and correspondence. Those are issues about which one expects Ministers to be accountable to hon. Members, and I am not happy with the situation. The problem with correspondence is the regrettable delay between writing and receiving replies from some Ministers at the Northern Ireland Office.

I asked my consituency secretary to go through my files of corespondence, and I confess that I asked for the correspondence with the Minister who is the slowest to respond, who I regret to say is the Parliamentary Under-Secretary of State for Northern Ireland the hon. Member for Wiltshire, North (Mr. Needham), and I will give an example of the problem concerning him.

There was outside Portadown in my constituency an issue of considerable importance to the local community concerning a tip or dump on an old quarry that was being used as a landfill site for domestic waste. A fly-by-night cowboy operator from Dundalk—in the Irish Republic; where else?—had somehow managed to erect on that tip a number of storage tanks for industrial waste. They were on a tip for domestic waste from which methane gas was escaping and regularly being ignited. There was much concern about it in the locality and I raised the issue at Government level.

The first time I wrote to the Minister on the subject was on 10 December 1990. I received holding replies on 17 December and 3 January and a substantive reply on 21 January, an interval of six weeks. I wrote again on 23 January. I received holding replies on 25 January and 5 February and a substantive reply on 28 February, a five-week interval. Prior to receiving that reply I had written another substantive letter, on 26 February, and I received holding replies on 28 February and 12 March and finally a substantive reply on 18 April, an interval of seven weeks.

It was not as if the replies required important research on detailed technical matters. It was a straightforward issue, but there were intervals of six, five and seven weeks, and that was not unusual. On other issues I have experienced intervals of four, 10, five, four, nine and seven weeks. If the Minister would like the details, I will furnish him with the list. It is not a satisfactory record.

I am reminded of a comment from the time of the Kilbrandon commission many years ago when the question of devolution was under consideration. That commission referred, in regard to local accountability, to a person who had given evidence before the commission and who said that Government officers and Ministers should be located in relation to the individual citizen in

such a way that an angry farmer could take a bus, visit the relevant Minister, horsewhip him and get back home before nightfall. That may not be altogether possible in the present security position back home, but sometimes it might be thought to be appropriate.

I have been dealing with the problems that hon. Members face when letters are sent to the Northern Ireland Office. The situation is not happy when it comes to written questions, and in that connection I shall cite some exchanges that I have had with the Under-Secretary, the hon. Member for Richmond and Barnes (Mr. Hanley), who will reply to this debate.

I tabled questions about new health boards that had been established in Northern Ireland. I raised the issue because, like many others, I was concerned about the quality of the persons who had been nominated. As for the nomination of non-experts, non-professional staff, there was no element, so far as one could see, of a representative character or balance, but we have become accustomed to that from the Northern Ireland Office, which rarely makes an effort to be representative and fair in its distribution of appointments.

As I was as much concerned with quality as with representation, I tabled a written question asking the Minister

"if he will list the members of the . . . boards . . . indicating in respect of each the original nominating person or body; and whether there was consultation at any stage in respect of each such member with the Government of the Irish Republic".—[*Official Report*, 1 May 1991; Vol. 190, c. *199*.]

I received from the Minister an answer referring me to earlier answers he had given to my right hon. Friend the Member for Strangford (Mr. Taylor) in which the names had been listed, but there was no reference to the other matters that I had raised about the original nominating person or body.

So I tabled a further question, which the Minister answered on 20 May 1991. I asked the Minister whether

"he has anything to add to his reply of 1 May in respect of the original nominating person or body of those appointed to serve on health and social security boards".—[*Official Report*, 20 May 1991; Vol. 191, c. *339*.]

The Minister said that he had nothing to add. That was particularly unsatisfactory given that I had framed my question in that way because I had seen an answer dated 25 March 1991, given by a Minister responsible for Scotland. He had been asked to give the original nominating body of each member who had been appointed to those boards. He complied with that request and listed all the members, giving their occupations and the original nominating person or body. The Minister was happy to acknowledge that the first appointment on the list was the Scottish Conservative party. The list also includes local health councils, the CBI, cancer research committees, local authorities, Conservative constituency associations, Conservative Members, Ministers, persons connected with the Conservative party and other bodies such as universities, the Red Cross Society, the Women's Royal Voluntary Service and other such bodies.

If the Scottish Minister had no hesitation in revealing the original nominating bodies, why is there a difference with regard to Northern Ireland matters? If that information can be made available for Scotland, why cannot it be made available for Northern Ireland? What is the difference? Why is there such secrecy? What is the Minister trying to hide?

A question tabled for Northern Ireland questions about a week ago by the hon. Member for Wanstead and Woodford (Mr. Arbuthnot) appeared briefly on the Order Paper and was then withdrawn. It asked the Secretary of State to make a statement in response to the report on the Irish sea of the environment education and culture committee of the British-Irish Inter-Parliamentary Body. At Northern Ireland questions last Thursday, that question had been withdrawn and we can guess why—the report is secret, like so many other matters connected with the Anglo-Irish Agreement. That, one suspects, is the reason behind the secrecy in this case. The Minister is reluctant to reveal matters relating to the Anglo-Irish Agreement.

I said at the outset that, as well as being accountable to individual hon. Members, Ministers are also accountable to the Government of which they form part. That is partly why my original question referred to the Anglo-Irish Agreement. However, Northern Ireland Office Ministers are in a slightly different position from others because they are accountable not only to the Government but to a Government of another country—the Irish Republic, which has been given the right to propose and nominate persons. Perhaps that is what the Minister was concealing——

Mr. Deputy Speaker (Sir Paul Dean): Order. If the hon. Gentleman wishes an answer from the Minister, he must draw his remarks to a close. Time is short and the debate must end at 3.3 pm.

Mr. Trimble: Thank you for reminding me of that, Mr. Deputy Speaker. Once again, I have been more long-winded than I intended, but I shall draw the matter to a close.

I suspect that the Minister is concealing the extent to which the Northern Ireland Office has compromised the sovereignty of the House. We saw another example of that last night when the Secretary of State referred to the difficulties that he is now creating for himself with regard to the inter-party talks in Northern Ireland. The subject may be raised at meetings to be held later today. I hope that when the Secretary of State meets both his masters he will entreat them to get him out of the difficulties in which he found himself last night.

2.54 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Jeremy Hanley): When I saw the subject of today's debate I wondered what heinous error of omission or commission I or one of my ministerial colleagues might have committed. Since I was appointed to this post by the Prime Minister, I have worked long hours, late into the night, as have my colleagues, to answer as speedily but as fully as possible any letter or question posed by hon. Members and their constituents, either through correspondence or in the House.

Why should the accountability of Northern Ireland Office Ministers require special debate? What makes us different from Ministers of other Departments? Are we any the less accountable to Parliament or the public for what we do? As hon. Members will know, my right hon. Friend the Secretary of State for Northern Ireland is in no different position from any other Cabinet Minister as far

[Mr. Jeremy Hanley]

as accountability to the House goes. He faces questions in the House; he has to deal with parliamentary debates and motions in the same way as his colleagues.

Yesterday, a debate in Committee was dealt with by the Parliamentary Under-Secretary of State for Northern Ireland, my hon. Friend the Member for Wiltshire, North (Mr. Needham), and yesterday evening there were six and a half hours of debate in the Chamber exclusively on Northern Ireland business. Therefore, all Ministers in the Northern Ireland Office are called to account, which I suppose is exactly what the hon. Member for Upper Bann (Mr. Trimble) is doing today. He is using his rights to call us to account.

The hon. Member for Upper Bann did not deal specifically with the constitutional position of Northern Ireland, but it is important. We have a special way of legislating for Northern Ireland in this House—we use an Order in Council procedure. That is, in some ways, unsatisfactory and is regarded as such by most people, but it is the least bad way of legislating for the Province at present. The fact that hon. Members cannot amend Orders in Council in the same way as they can amend Bills is far from ideal. As the hon. Member well knows, however, exceptional measures are taken to enable consultation on proposed draft orders, including the publication in advance of the actual text of the proposed legislation. That enables hon. Members and other interested parties to discuss the proposals in the full knowledge of what is entailed and to comment on the detailed wording of the proposed legislation. The Government are, of course, pleased to be able to discuss and take account of, as far as possible, comments that may be offered. The Northern Ireland Committee to which the hon. Gentleman referred, has just been brought back into use—at the request of the hon. Gentleman's party. I am happy to say that it provides a parliamentary forum in which issues relating exclusively to Northern Ireland can be debated. As the hon. Member knows, that Committee is a purely considerative body, but I am sure that it can provide another useful opportunity for Northern Ireland Members to seek explanations of ministerial policies and legislative proposals and for Northern Ireland Ministers to provide them. Of course, once a draft order is laid, Ministers must come to the House to debate it before it can be put to the Privy Council. Therefore, even if accountability on this sort of legislation is not of the same type as in the case of Bills, it still exists and I know that my right hon. Friend the Secretary of State and all my colleagues take seriously—as I do—their responsibilities to ensure that legislation for Northern Ireland is properly prepared, properly explained and properly delivered to Parliament and to the people of Northern Ireland.

The hon. Gentleman referred specifically to the question of ministerial accountability to Parliament through the Select Committee system. There is no provision in the House's Standing Orders for a territorial Select Committee. There is no shadow for the Northern Ireland Office and Northern Ireland Departments. Whatever comfort we might derive from that is, of course, tempered by the knowledge that the Secretary of State, other Ministers, myself and our civil servants can be called before any of the departmental Select Committees. The hon. Gentleman said that that system was not satisfactory, but the Select Committee on Trade and Industry can look into the work of the Department of Economic Development and the Industrial Development Board; the Agriculture Committee can look at the work of the Department of Agriculture for Northern Ireland—I have been summoned before the Committee next week, on the subject of fallen animals. The Public Accounts Committee has the Northern Ireland Office and Northern Ireland Departments within its remit, as it showed this week when it investigated and took evidence from the chief executive of the health service on the subject of trust status and the other reforms. The Select Committee on Energy intends to undertake an inquiry into the privatisation of Northern Ireland Electricity. Therefore, the absence of a territorial Select Committee does not mean that the Northern Ireland Office Ministers are immune from accountability to the Select Committee system.

I appreciate that a Select Committee, based on territorial grounds specifically for Northern Ireland, might give a keener focus to the scrutiny of Northern Ireland matters in Parliament. The Government said as much in their reply, published in May, to the relevant comments in the Procedure Committee's report on the working of the Select Committee system. However, in line with the Procedure Committee, we do not feel that this is the right time to agree to the establishment of a Northern Ireland Select Committee. We should need to be satisfied that the establishment of such a Committee would be supported by elected representatives from both sides of the community in Northern Ireland. That is exactly what we are discussing, to an extent, in the talks that are under way. The issue is under review. It may well be raised in the talks at Stormont, or further afield.

The hon. Gentleman said that the British-Irish Parliamentary Body is a creature of the Anglo-Irish Agreement. I must disabuse him of that fact. The British-Irish Parliamentary Body was established well in advance of the Anglo-Irish Agreement. That is why the hon. Gentleman's party was invited to join. I regret that it has not done so. I believe that the British-Irish Parliamentary Body is doing a lot of good work.

If I may refer briefly to parliamentary questions, the hon. Gentleman referred to my fellow Under-Secretary of State, my hon. Friend the Member for Wiltshire, North (Mr. Needham), and also to questions that the hon. Gentleman put to me. I shall certainly look into these specific cases with care and write to him about them.

As for the health boards, I had not appreciated until today that an answer had been given by the Scottish Office. I shall therefore have a look at it. We try as hard as possible to make sure that our answers are very full. One of the features of Northern Ireland questions, though not those asked by the hon. Gentleman, is that many of them are tabled as priority written questions. That gives us little time in which to make available a great deal of detailed information. However, the hon. Gentleman is right when he says that Members of Parliament deserve full answers within the time scale, if that is possible. I shall therefore look into that matter. That is a pledge.

I should like to deal with another issue that was raised last night by the hon. Gentleman. I have little time in which to do so, but he may like to know that since he raised the subject of the international covenant on civil and political rights—in particular, article 25—in last night's debate, I have looked into the issue. It may be of assistance to him, as this is part of the subject of

accountability, to know that the people of Northern Ireland have the right, without unreasonable restrictions, to take part in the conduct of public affairs. They have the right to vote and to be elected at genuine periodic elections, both at district council and national level. They have access to that public service on general terms of equality.

Direct rule is not the ideal method to conduct the affairs of Northern Ireland. It is precisely for that reason that my right hon. Friend the Secretary of State for Northern Ireland and his predecessors made repeated attempts to bring about a situation in which direct rule would no longer be necessary. That is why my right hon. Friend has spent, and is spending, so much time and effort on the present political talks. In these circumstances, rather than concentrate on the perceived deficiencies of the present arrangement, I hope that the hon. Gentleman and his colleagues will bend all their efforts towards finding a way to help the present talks forward to a successful conclusion. The Government are committed to fair government until an alternative form of government is agreed by all the parties concerned. Until that day, I hope that we shall remain accountable to the hon. Gentleman and Parliament as a whole, that we shall produce the very best service that Northern Ireland not only needs but deserves and that our accountability will be seen to be as good as any Government could produce.

I congratulate the hon. Gentleman on his good fortune in having secured this debate and I thank him for the courteous way in which he made his comments.

Question put and agreed to.

Adjourned accordingly at three minutes past Three o'clock.

House of Commons

Monday 24 June 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

Pensioners (Telephone Bills)

1. **Mr. Jessel:** To ask the Secretary of State for Social Security if he has made any estimate of the financial position of pensioners who receive social security pensions in the light of their expenditure patterns in relation to items such as telephones.

The Parliamentary Under-Secretary of State for Social Security (Miss Ann Widdecombe): My hon. Friend will be pleased to hear that the increased prosperity of pensioners is reflected in the extent to which they now have access to important household items. For instance, 86 per cent. of pensioners had use of a telephone in 1989, compared with less than 50 per cent. in 1979. Those figures will be of considerable encouragement and comfort to my right hon. Friend the Member for Castle Point (Sir B. Braine), who has often raised the matter in parliamentary questions and who celebrates his 77th birthday today.

Mr. Jessel: As it is so important for pensioners—including my right hon. Friend the Member for Castle Point (Sir B. Braine)—to be able to telephone, and as this large and welcome increase has taken place because of the successful management of the economy by the Conservative Government, does my hon. Friend agree that such improvements could be placed at risk by the extravagant and foolish proposals of the Opposition?

Miss Widdecombe: Indeed. The extravagant expenditure proposed by Opposition Members will not benefit pensioners who need it most, and neither will they target resources on the poorest pensioners—their plans will result merely in large rises in national insurance for everyone, including the lower paid.

Mr. Alfred Morris: In regard specifically to disabled pensioners, will the Minister confirm that the local authority has a duty, under section 2 of the Chronically Sick and Disabled Persons Act 1970, to assess their need for a telephone; and that, as I was legally advised as Minister, for provision of a telephone to be withdrawn is unlawful without diminution in the need in any particular disabled pensioner's case?

Miss Widdecombe: The right hon. Gentleman has correctly interpreted the law on the responsibilities of local authorities. The Government are particularly concerned to channel extra help with telephones to elderly or infirm people who depend on the telephone as a lifeline, as so many do. We have therefore ensured a better deal than ever before for elderly and infirm people, whereby in many cases rental prices will be halved and low users will receive 30 free call units every quarter.

Sir Bernard Braine: I thank my hon. Friend for her kind reference to me. The trend towards more people acquiring personal pensions is welcome, but would it be possible at some stage to publish proposals to encourage people to make their pension arrangements at an earlier stage? Would that not be a marvellous step towards encouraging people to take responsibility for their own pension arrangements as I know that the Government wish to do?

Miss Widdecombe: Indeed. My right hon. Friend will be interested to know that more than half the pensioners taking retirement, and a considerably larger proportion of all retired persons, have provision other than the state pension, of which personal pensions are one aspect. As the original question was about telephones, it may interest the House to know that the increase in pensioners' prosperity has been such that 70 per cent. now have central heating, compared with 43·2 per cent. under the last Labour Government, 96 per cent. have a fridge, 71 per cent. have a washing machine and 98 per cent. have a television.

Savings

2. **Mr. Pike:** To ask the Secretary of State for Social Security if he proposes to make any changes in the way income from savings is assessed for benefit purposes.

Miss Widdecombe: The present capital rules give the greatest help to those with the lowest savings. The rules continue to be kept under review, but no further change is proposed at present. Substantial changes were made only last year to the amount of capital that a person can have and still receive income-related benefits.

Mr. Pike: Does the Minister recognise that most of the people claiming housing and poll tax benefit under the existing regulations believe that, in 1991, £3,000 is a fairly modest amount of savings? Should not the tariffed income basis, which takes 20·8 per cent. interest, be amended? When people begin to lose in that way, should not something be done to give them a better deal?

Miss Widdecombe: The hon. Gentleman should do his sums again. He will find that there is a clawback of only 1·6 per cent. interest from those at the lower end of the income scale. The present system means that it is better to have a tariff than to take into account the actual income of those with low savings, because that is precisely the point at which the tariff benefits them. I know of nowhere else where interest would be assumed to be just 1·6 per cent.

Mrs. Roe: Will my hon. Friend reassure the House that the Government have no plans to introduce a tax on savings, as mooted by the Labour party?

Miss Widdecombe: I assure my hon. Friend that we have no such plans. Our plans will encourage savings and, more important from the pensioner's point of view, protect savings—unlike what happened to pensioners' savings under the last Labour Government.

Earnings Disregard

3. **Ms. Short:** To ask the Secretary of State for Social Security what plans he has to adjust the earnings disregard for single parents on income support.

The Secretary of State for Social Security (Mr. Tony Newton): We increased the earnings disregard for working lone parents on housing benefit and community charge benefit to £25 per week from last October, but we have no plans at present to change the corresponding £15 income support disregard, which is already £10 higher than that for most other claimants.

Ms. Short: As there has been an enormous growth in the proportion of lone parents dependent on income support under the present Government, because various changes have increased the poverty trap, would it not be much better to increase the disregard for income support and maintenance payments so that lone parents can move off benefits into semi-independence and then into work, rather than do as the Government have done and push more and more of them on to benefits, which the Conservatives then bellyache about because of the much bigger poverty trap?

Mr. Newton: The hon. Lady, despite her long-standing interest in these matters, has perhaps failed to focus on the fact that simply operating on income support earnings disregards works against the process that she wishes to advance of lone parents moving into what counts as full-time work. Much the more productive approach is to do what we have done, as I said in my first answer, and improve the earnings disregards for the in-work benefits. We shall build on that, in addition to the Child Support Bill proposals, by reducing the number of hours required to qualify a person for family credit and by introducing a maintenance disregard.

Mr. Harris: I accept that my right hon. Friend said that and I pay tribute to what the Government have done, but two lone parents who came to see me on Friday at my surgery in Penzance made the point that if the earnings disregard were raised from £15 they would be able to earn more through part-time work and therefore be able to devote more of their income to their children—for example, through school uniforms and school trips. Will my right hon. Friend consider that matter sympathetically?

Mr. Newton: To some extent, I am virtually driven to repeat what I said to the hon. Member for Birmingham, Ladywood (Ms. Short). Perhaps some of those people who went to see my hon. Friend the Member for St. Ives (Mr. Harris) did not focus sufficiently on the proposed change that would reduce family credit hours—to use a form of shorthand—from 24 to 16, together with other changes that the Government have already made.

Mr. Frank Field *rose*——

Hon. Members: Hear, hear!

Mr. Field: Does the Secretary of State accept that his argument in response to my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) was inadequate? My hon. Friend merely asked the Government to continue a policy that they have already begun and to raise the disregard. Does the right hon. Gentleman accept that, as the disregard is increased, more single parents may find an opportunity to find part-time work—and, in the long run, a full-time job—and more single parents may be able to raise the cash to cover child care costs? If it was right in the past to raise the disregard, why is it wrong to raise it in the future?

Mr. Newton: First, to advert to the warm murmurs of approval from the House, I should say how delighted we all are, regardless of party, at the hon. Gentleman's success in Birkenhead at the end of last week.

If the hon. Gentleman examines what I said earlier, he will see that I have not ruled out further consideration of disregards in this respect, as in others, but for the past year or two I have thought it right to concentrate on disregards for in-work benefits and on the improvements to family credit to which I referred. Sixteen hours would, in many people's book, count as being closer to part-time than to full-time work, yet above that threshold people will now be able to qualify for family credit. One has only to consider the figures, which show a larger number of people—including lone parents—on family credit to know how important a benefit it is proving to be.

Family Credit

4. **Miss Emma Nicholson:** To ask the Secretary of State for Social Security what has been the total value of spending on family credit since its introduction.

The Parliamentary Under-Secretary of State for Social Security (Mr. Michael Jack): In the three years since the introduction of family credit, we have spent approximately £1·3 billion in cash terms, or £1·4 billion at 1990-91 prices, and by the end of the present financial year we expect to have spent £1·8 billion.

Miss Nicholson: Will my hon. Friend confirm that the average expenditure on family credit per family is about £30 per week, whereas average expenditure in today's terms on Labour's family income supplement would have been £11 per week? Does my hon. Friend therefore believe, as I do, that the modern Labour party is utterly hypocritical in its supposed concern for the poor when its Front-Bench spokesmen said that Labour would allow family credit to wither on the vine?

Mr. Jack: My hon. Friend's last point reminds me of the fact that whereas we have awarded family credit to 2 million people, the Labour party's policy for those on lower wages would mean the loss of 2 million jobs through the minimum wage proposals. My hon. Friend's figures for family credit are correct. In 1979 family income supplement was about £5·26, which is £13·50 in today's terms; 65 per cent. of people on family credit now get £20 per week or more, 30 per cent. get £40 per week, and 17 per cent. get £50 per week.

Mr. Kirkwood: Will the Minister say a word about the difficulties of the self-employed? As some of my case work substantiates, the bureaucratic application procedures are especially difficult for self-employed people such as farmers and fishermen. I know that the Government are turning their attention to academic studies, but will the Minister say something positive today?

Mr. Jack: The hon. Gentleman does his self-employed constituents much service in the way he has represented

them—especially the share fishermen—on the question of family credit. He will know, however, that nearly 45 per cent. of self-employed people receive £50 or more per week. The Government intend to take careful note of the research commissioned through the social policy research unit at York university, which is examining carefully the way in which family credit works for self-employed people, with a view to improving the delivery of the service to that group.

Mr. Peter Bottomley: Does my hon. Friend accept that family credit and other benefits repay detailed consideration, and that even though there are serious differences between, for instance, the hon. Member for Birkenhead (Mr. Field) and the Government, it is one of the issues to which Militant and the far left have nothing to contribute and where they have never shown much interest in the poor?

Mr. Jack: As always, detail is an important element in social security. I made a detailed search of the Opposition's spending proposals for any changes that would benefit the people on family credit, but I could find none.

Mr. Madden: As family credit is essentially a state subsidy for low pay, will the Minister say by how much family credit spending would have decreased if a national minimum wage had been in place for the past three years?

Mr. Jack: I do not believe in answering hypothetical questions. The Conservative party has no intention of introducing such a ludicrous system. Family credit enables people to accept lower-paid work in order to get back to work, with the advantage of having their finances supplemented by family credit. That is something to be applauded.

Pensioners' Incomes

6. **Sir Michael McNair-Wilson:** To ask the Secretary of State for Social Security what is the latest estimate of the value of the average pensioner's income from savings and occupational pensions; and what were the comparable figures in 1979.

Miss Widdecombe: From 1979 to 1987, the average pensioner's net weekly income from savings increased from £9·10 to £20·90 and occupational pensions income increased from £13·20 to £23·30 at 1987 prices.

Sir Michael McNair-Wilson: I welcome those figures. Does my hon. Friend agree that inflation remains the greatest threat to the prosperity of pensioners? In those terms, is she satisfied that the retail prices index accurately reflects the costs borne by those pensioners who depend mainly on the old age pension, or does she think that some other index of costs for pensioners should be sought?

Miss Widdecombe: At the moment, we have no plans to change the index by which we assess pensioners' incomes, but it is, of course, something which we always keep under review, and we shall continue to do so. From the figures that I gave my hon. Friend, however, it appears that our policies are working and are raising pensioners' overall incomes, which grew by a net 31 per cent. between 1979 and 1987—an average of 3·5 per cent. per year—whereas between 1974 and 1979, when inflation was rampant, the average increase was a mere 0·6 per cent. per year.

Mr. Meacher: Will the Minister confirm that all the figures that she has quoted are gross, and therefore conceal the enormous increase in the taxation of pensioners in the past 12 years? According to the figures that she herself produced in *Hansard* a fortnight ago, the poorest one fifth of pensioners paid 28 per cent. of their incomes in taxes in 1979 but now have to pay more than 40 per cent. How can she justify the fact that after 12 years of Toryism those pensioners are paying proportionately more in tax than was paid by the richest one fifth of households in 1979, when we were told that high taxes were driving the rich out of the country?

Miss Widdecombe: The hon. Gentleman's arithmetic does not improve with each new statement that he makes. Those were, indeed, my statements, but the hon. Gentleman is persistent in either accidentally misunderstanding or deliberately misinterpreting such statements. I said clearly at the start that the figures that I gave were net.

Mr. Grylls: Does my hon. Friend agree that, as my hon. Friend the Member for Newbury (Sir M. McNair-Wilson) has said, the best Government for pensioners is the Government who keep inflation firmly under control, as the Conservative Government have done for the past 12 years? In that respect, will she assure pensioners and the House that her Department will ensure that spending is prudent and does not get out of control, in contrast with the plans of the Labour party, which would unleash massive inflation and thus ruin the standard of living of all pensioners? Will my hon. Friend give the House that assurance?

Miss Widdecombe: Indeed, public opinion appears to be waking up to the dreadful implications of Labour's spending plans, as shown by the movements in opinion measured at the weekend. We shall, of course, pursue a prudent policy. We shall not promise what we cannot deliver, and we shall not promise to spend vast sums that will then have to be raised from the taxes and national insurance contributions of the less well off as well as from others.

Students

7. **Mr. O'Brien:** To ask the Secretary of State for Social Security if he will consider making some special provision for students during the summer vacation who are unable to obtain temporary employment; and if he will make a statement.

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): Financial support for full-time students is properly the responsibility of the education maintenance system, which has been considerably enhanced in the current financial year.

Mr. O'Brien: The Minister has ignored my question, which was about the assistance available to students who cannot obtain casual employment during the vacation and who, with their families, will therefore face hardship. I am asking whether the Minister is prepared to give those students some assistance, either through income support or in some other way, when they find that the requests that they make to employers for casual employment are met

with the answer, "No, we cannot help you." Will those students be given some assistance for the summer vacation? Can we have a direct answer?

Mr. Scott: The hon. Gentleman referred to students and their families. Those in vulnerable groups, such as lone parents, student couples with children, and disabled students, will be entitled to access to the benefit system. The role for supporting other students lies with the access funds set up by the Department of Education and Science. To make provision also through the benefit system would be to make double provision. The institutions are aware that access funds should be available not only during term time but during vacations.

Mr. Burns: Does my right hon. Friend appreciate that many of his colleagues were students in the past? Is it not better to target the available money to the genuinely less well off in society rather than to students who, when they have completed their training, will have the opportunity to earn considerable sums of money as a result of their privileged opportunity to become highly qualified?

Mr. Scott: I do not dissent from that for one moment. It must be recognised that provision for supporting students has been substantially improved during the current academic year and students in difficulty can fall back on access funds.

Mr. Meacher: Will the Minister acknowledge that the Government's ending of all entitlement to benefit for 16 to 17-year-olds, and the imposition of a lower rate of benefit for 18 to 25-year-olds have pushed more young people, including students, into poverty than ever before? Is he aware that the link between poverty and inadequate diet, ill health and low educational achievement has been conclusively demonstrated in a series of research studies published in the past month? When will the Minister and his colleagues apologise to the House, not just for the fact that poverty has more than doubled in the past 12 years but for the fact that it is now conclusively shown that the main cause of the growth in poverty is the Government's policies?

Mr. Scott: First, I congratulate the hon. Gentleman on his ingenuity in bringing 16 and 17-year-olds into an argument about full-time students, which manifestly they are not. Secondly, I deny absolutely that there has been a growth in poverty under this Government. Labour Members' tendentious use of statistics seeking to prove that case has been absolutely refuted by statistics which have been widely available for some time. We are monitoring carefully the impact of the changes on 16 and 17-year-olds, but I still believe that it was bad for society for youngsters to be leaving school and going directly on to benefit.

Pension Funds

8. **Mr. Cran:** To ask the Secretary of State for Social Security when he expects to bring forward regulations to restrict self-investment by pension funds.

Miss Widdecombe: As my hon. Friend may be aware, draft regulations for restricting self-investment by pension funds have been referred to the Occupational Pensions Board for consideration. The board has consulted widely on the proposals and will consider the responses at its next meeting, in July. We intend to bring forward draft regulations as soon as practicable after that.

Mr. Cran: The draft regulations are undoubtedly a step in the right direction and will be widely welcomed. Does my hon. Friend accept that some financial institutions believe that any level of self-investment, other than for very small funds, is undesirable not only because of double jeopardy but because of conflicts of interest in take-over situations and problems with insider dealing legislation?

Miss Widdecombe: My hon. Friend is right. A body of opinion holds that no self-investment could be ideal. I hope that my hon. Friend will also appreciate that it would be impractical to try to move towards that when there has been a certain amount of self-investment in property. To insist on immediate disinvestment of that nature would mean that firms would be disposing of the very assets that they use on a day-to-day basis. Although I hear what my hon. Friend says, and I am sure that it will feature in the consultations, the position of certain companies is such that total disinvestment would be neither practical nor desirable.

Mr. Tony Banks: Is it not time that employees received far greater protection for their pension funds through legislation? The Government continually talk about involving parents in school decisions and about enabling doctors to opt out of the national health service, so how about allowing employees to make decisions about how their pension fund money is used? Those funds should be protected from predators such as Hanson, who was stopped in the courts last time but who considers taking over such companies with a view to using the money from pension funds for other purposes. The workers deserve protection. When will they get it?

Miss Widdecombe: They already have protection to a large measure and the regulations that we are introducing are designed to improve it. The hon. Gentleman will be aware that pension funds are already protected by requirements for the reserves kept, so they are far less easy to plunder than he suggests. Nevertheless, what he says is important and will not be overlooked. It has formed the basis of much that we are now trying to do.

Family Credit

10. **Mr. Butterfill:** To ask the Secretary of State for Social Security when a Minister from his Department last visited the national family credit unit at North Fylde.

Mr. Jack: I visited the family credit unit at Blackpool on 30 May 1991 and was delighted to be able to mark the 2 millionth award of family credit since the scheme started in 1988 and to put on record, as I do this afternoon, my appreciation to the staff for all their efforts in delivering this high-quality benefit.

Mr. Butterfill: Will my hon. Friend confirm that the average family in need now receives about £30 a week in family credit compared with about £11 a week under the old income supplement scheme? Is not that evidence of our ability to deliver to families in social need and does not it compare favourably with the wild and uncosted promises from the Labour party?

Mr. Jack: My hon. Friend adverts to the fact that Opposition Members have a policy of allowing family credit to wither on the vine. In putting the fertiliser on the roots, we have been able to ensure that the take-up of the benefit has grown to a record caseload of 328,000 people. The figures that my hon. Friend quoted about the awards made are entirely correct.

Mrs. Margaret Ewing: Is the Minister satisfied with the speed with which applications are dealt, especially those concerning the self-employed? The procedures there seem to be so bureaucratic that many families are left on the breadline. There may be a back payment once a decision is reached, but that is no consolation to such families.

Mr. Jack: The performance of the family credit unit is the subject of continual concern and of continual monitoring by the Benefits Agency. The hon. Lady will be pleased to know that in March the performance target of dealing with all claims in about 18 days was exceeded, although subsequently some operational difficulties have caused a one-day delay. In general, the cases of the self-employed present particular complexities. That is what the research to which I referred a moment ago is designed to cure. I give the hon. Lady the assurance that we will do all that we can to deal with the problem to which she has rightly drawn my attention.

Dr. Godman: Why has not the Minister linked the questions on family credit?

The Minister talks about 2 million successful applications for family credit. What do those figures represent in percentage terms? Is it anywhere near the 80 per cent. claimed by Ministers three or four years ago? What are the Government doing to persuade more people to apply for family credit? What advertisements are being placed in local papers to attract those who are entitled to claim family credit because of their lousy wages?

Mr. Jack: I chose not to link the questions because we give, I hope, service from the Dispatch Box and we like to respond to every question put to us by hon. Members. The hon. Gentleman shows the assiduity of his attendance in the House by the fact that he was unable to be in front of his television set during February and March. If he had, he would have seen our latest advertising campaign, which drew people's attention to a message printed in 6·8 million child benefit order books, or on the automatic credit transfer letter, giving to every family with children a detailed message about the family credit to which they might be entitled. I am sure that the hon. Gentleman agrees that the cost of that advertising campaign—£1·5 million to reach 6·87 million families—was damn good value for money.

11. **Mr. Barry Field:** To ask the Secretary of State for Social Security how many families are expected to gain from the proposed reduction in the number of hours that must be worked in order to qualify for family credit.

Mr. Jack: Our latest estimate is that there is potential for about 65,000 families where a parent is currently working between 16 and 24 hours to gain from the change in the hours rule. In addition, this should also encourage more people to take up employment and so improve their income with the help of family credit.

Mr. Field: I thank my hon. Friend for that reply. What is the maximum that a lone parent with, say, two children under the age of 11 can earn? Does he agree that the Government have eradicated the benefit precipice for lone parents and replaced it with the excellent bridge of family credit, thus encouraging more lone parents back to work?

Mr. Jack: In my speech on the Second Reading of the Child Support Bill I referred to example 10 in the White Paper "Children Come First", which is a clear exposition of the benefits of our proposal. It shows that a lone parent with a child could be much better off in work with family credit and at the same time meet about £45 of in-work costs. Our proposals reduce a person's step-up from income support back into work and are a worthwhile development.

Mr. Flynn: Does the Minister agree that it is misleading to say that there are 2 million recipients of family credit because each applicant has to apply every six months and many people are being counted three or four times? Is not it also highly misleading to quote the number of applications for family credit when there is a 42 per cent. turndown of applicants? Is not it equally misleading to draw a comparison with the previous family income supplement figures when many of the benefits under the previous regime were cut in the 1988 review? When will the Government give straight answers to straight questions?

Mr. Jack: In about one second. I do not choose to mislead the House by one iota. I have made it abundantly clear that my answers are about the number of successful awards. Anybody who looks at those will see how the figures are constructed. This benefit has enabled us to put £1·4 billion to the benefit of people in low-income employment to help them to maintain their position in the workplace. I do not recognise the hon. Gentleman's figure of 42 per cent. However, I recognise that 70 per cent. of present applicants for family credit are successful.

Older Employees (Redundancies)

13. **Mr. Dykes:** To ask the Secretary of State for Social Security if he will consider establishing intermediate supplementary assistance on a short-term basis to assist older employees suffering unexpected redundancies; and what information he has on the practice in other countries in respect of short-run social security help to complement conventional unemployment payments made from public funds for older members of the work force.

Mr. Newton: A range of social security payments may be claimed by older workers who are made redundant in addition to redundancy payments from their employer, which are based on age and length of service.

The Department regularly collects information about social security provisions in other countries. However, international comparisons are often misleading because of the wide range of factors, including provisions outside the social security system, which need to be taken into account.

Mr. Dykes: I thank my right hon. Friend for that comprehensive reply. We all hope that the recession is beginning to abate and that there will soon be an upturn in the economy. However, there will be a time lag, which is particularly hard on the growing number of redundancies of people who are 50-plus, because such people experience difficulty getting other jobs. We all know of such cases in our constituencies. Will my right hon.

Friend consider some additional mechanism, bearing in mind the fact that it is Government policy to try to tailor some benefits to individual needs?

Mr. Newton: The latest figures, which I think reflect the latest analysis in detail, show that the number of unemployed over the age of 50 fell by about 45,000 between April 1989 and April 1991. I do not intend to build too much on that, but it is an interesting point. Those who become unemployed and entitled to income support after the age of 60 are entitled to what in other circumstances would be called the pensioner premium. That may assuage some of my hon. Friend's concern.

Mr. Allen: Does the Secretary of State accept that they are the very people who are facing an ever-diminishing state pension? They read about the massive profits announced by the electricity companies over the last week or so and hear of fat salaries being paid to the chairman and directors of British Gas. Will the Secretary of State give those people some hope for the future by restoring pensions to the levels at which they would have been if they had been index-linked in the way that they were under the last Labour Government?

Mr. Newton: The hon. Gentleman would not wish to mislead anybody. The retirement pension has been index-linked to the retail prices index and its value has been fully and faithfully protected. The social reality reflected in the earlier answers from my hon. Friend the Member for Maidstone (Miss Widdecombe) is that this age group includes a growing number of people benefiting from the development of occupational and personal pensions.

Family Credit

14. **Mr. Sayeed:** To ask the Secretary of State for Social Security what percentage of current family credit applications are being approved.

Mr. Jack: I am pleased to be able to tell the House that the success rate for family credit claims in May 1991 was 74·1 per cent., the highest ever.

Mr. Sayeed: May I say to my hon. Friend how welcome are the Government's effective efforts in increasing the take-up of this important benefit? Are not the two great advantages of the benefit that it provides an added incentive for people to work their way out of their difficulties, unlike the FIS system, and that this system pays 272 per cent. more for the average family?

Mr. Jack: Earlier I alluded to the percentage of people on different levels of family credit. For many it is a stairway back into the world of work. The improvements that we shall make, with the reduction of hours, will introduce more people to the opportunities available and we shall be looking at further campaigns to ensure that the message continues to get through to those who need help.

Mr. Winnick: Should not there be some concern about the many people whom employers are exploiting by paying them the lowest possible wage? I am glad about the take-up of benefit, because anything that increases the income of such people is to be welcomed, but we must remember that the main responsibility should be with the employer. Some poorly paid workers are bound to compare their plight with the position of the chairman of British Gas, with his obscene increase of 66 per cent. Perhaps we can have some reflections from the Government about what happened last week.

Mr. Jack: Sometimes Labour Members do not seem to be living in the real world. I should like to take the hon. Gentleman to a biscuit factory in my constituency, where many of the work force are able to obtain family credit. The employer puts on display in the entrance hall a copy of the family credit pack. Those people are on seasonal employment, making biscuits for the Christmas trade. Their hourly rate is quite reasonable, but the number of hours that they work each week is not sufficient to give them an adequate income for their families. However, their income is made adequate because they are able to claim family credit.

CHURCH COMMISSIONERS

Church Urban Fund

28. **Mr. Simon Hughes:** To ask the right hon. Member for Selby, representing the Church Commissioners, what was the number of commissioners at the last meeting of the Church Commissioners, *(a)* voting for and *(b)* voting against (i) the proposal to use £1 million of the Church Commissioners funds towards the church urban fund and (ii) the proposal to use £0·5 million of the Church Commissioners' funds towards the church urban fund; whether the Church Commissioners follow a policy of majority voting at their meetings; and when the Church Commissioners will implement the wishes of the commissioners on this subject as decided at their last meeting.

Mr. Michael Alison (Second Church Estates Commissioner, representing the Church Commissioners): The hon. Gentleman refers to the last meeting of the commissioners' board of governors, on 23 May. It is not the commissioners' practice to disclose voting figures relating to the internal and confidential discussions, but all the board's decisions, including those to which I am about to refer, are made on a majority vote, after the expression of opinion by individual governors. The board was meeting to decide recommendations for the allocation of surplus income to the commissioners' annual general meeting, to be held on 26 June. In the light of financial problems caused by the recession, but with considerable reluctance, it decided that it was unable to recommend a further immediate grant to the church urban fund, but would review the position towards the end of this year.

Mr. Hughes: I am grateful for that answer, but does the right hon. Gentleman accept that there is widespread anger and disbelief because it is widely known that the majority view of the board of governors was that the church urban fund should receive £1 million, or at least £500,000, in grant from the Church Commissioners? It expressed that view in a vote at its last meeting. Is the reality that the annual general meeting this Wednesday of the Church Commissioners has the power to continue to enact the policy of the Church and the new archbishop to give money to the church urban fund, or will the AGM be told that it is not in its power to deal with a recommendation by saying, "We do not accept the

recommendation. We believe that we should give money to the church urban fund"? A cut because of the recession may be acceptable, but a removal of all grant is not.

Mr. Alison: The hon. Gentleman is being a little alarmist about the church urban fund. The majority voting that he quoted—it has not been published—refers to the second review meeting later in the year. The majority voting reflected the preference of the majority of governors in relation to the subsequent meeting.

The hon. Gentleman knows that, because of its substantial reserves, there will be no cuts this year in the grants paid by the church urban fund. If he reads the annual report of the fund, he will find that it received more income from investments last year than it disbursed in grants. There is nothing scandalous or undesirable going on in relation to the fund.

Mr. William Powell: Does my right hon. Friend accept that much of the funding of the church urban fund comes from parishes through the payment of quota? Does he agree that over the years heroic sums have been raised by way of quota for the fund, often from small parishes that have been asked to carry a huge burden? The decision that my right hon. Friend announced today will not prejudice the moneys that are going into the fund and it will be greatly welcomed by the many thousands of fund-raisers in small parishes throughout the country.

Mr. Alison: I endorse my hon. Friend's reference to the particular generosity of small parishes. I am sure, however, that he will bear in mind the fact that there is some potential buoyancy, to put it no higher, in the amounts contributed through parish collections. The average donation of church members is only £2 a week, which is about 2 per cent. of their average net personal disposable income. The average donation is not a gigantic sum.

Redundant Churches

29. **Mr. Tony Banks:** To ask the right hon. Member for Selby, representing the Church Commissioners, how many redundant churches have been sold or leased to churches which are not mainstream Christian denominations.

Mr. Alison: Since 1969, 90 redundant churches have been acquired for worship by other Christian bodies. It is not for the commissioners to judge which of these are "mainstream", in the terms of the question, but I am letting the hon. Gentleman have a list of those which have been made available.

Mr. Banks: I am grateful to the right hon. Gentleman. I welcome redundant churches being taken over by Sikhs and Muslims for their temples. I am concerned about some of the right-wing, fundamentalist, out-to-lunch religious groups, such as the Ronald Reagan holy jellybean church. I have a letter from a friendly cleric in the east end of London, in which he tells me that some loony churches are telling members of their congregations that to vote Labour will damn their eternal souls or that it would cause their bottoms to drop off. I am sure that the right hon. Gentleman would deprecate such wild statements being made. I hope that he will encourage the Church Commissioners to ensure that the loony fundamentalist churches do not get hold of redundant buildings.

Mr. Alison: If the loony left in the London Labour party were to take to the Christian religion, I suspect that it would swing markedly to the right. The loony religious aspect to which the hon. Gentleman referred rarely finds expression in overt political dispositions, of either the right or the left. Where there is any doubt whether the church is mainstream in the Christian sense of the word, consultations are widely held locally. The hon. Gentleman will be invited to sit in judgment on whether a mainstream church is well represented by a loony fundamentalist church. I hope that when he meets some of the fundamentalist churches, especially from the Afro-Caribbean sector, he will discern how extremely desirable, honourable and religious—in the best sense of the word—they are.

HOUSE OF COMMONS COMMISSION

Director of Works

31. **Mr. Dalyell:** To ask the hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, pursuant to his answer of 10 May, *Official Report*, column *603*, what evaluation he has made of the value for money of paying the sum referred to to Saxon Bampfylde as headhunters in order to select a new director of works for the Palace of Westminster.

Mr. A. J. Beith (On behalf of the House of Commons Commissioners): The Commission itself decided that management consultants should be used to assist in making an appointment to the important new post of director of works. The firm concerned was chosen from a list of six originally approached. The price charged was at the lower end of the tenders and I understand that the firm performed its duties very well. I expect an announcement of the name of the director of works to be made shortly.

Mr. Dalyell: What evidence does the hon. Gentleman have for using the words, "very well"? The firm having netted a cool £20,500 from the taxpayer, should not the House expect that in that which is done in its name a certain courtesy of confidence should be extended to candidates asked to apply by civil servants and permanent secretaries who have known them for a long time?

Mr. Beith: There were more than 200 applicants for that post and the consultants did a great deal of work in looking at the applications. If the hon. Gentleman has come across an unsatisfactory communication of some kind, I should be happy to look into the matter.

Mr. John Garrett: On recruitment, will the hon. Gentleman reconsider the reply that he gave me on 14 May, when he would not tell me what the educational qualifications were for the Clerk's Department?

Mr. Speaker: That is a bit wide of the question.

Mr. Beith: I was going to point out, Mr. Speaker, that that supplementary did not arise from the original question.

Refreshment Department

32. **Mr. Simon Hughes:** To ask the hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what is *(a)* the average wage per

hour of those working in the House of Commons Refreshment Department, *(b)* the average percentage of hours worked that is paid for at other than ordinary rates and *(c)* the average number of hours worked; and if he will make a statement.

Mr. Beith: The average hourly wage of full-time industrial staff in the Refreshment Department is £4·67. The hourly rates from which that figure derives range from £7·32 to £4·18; it also compares with average hourly rates in the catering trade of £3·65 for men and £3·14 for women.

It has not been possible to provide meaningful information on the other parts of my hon. Friend's question. The Commission is not satisfied with the form in which financial administration is currently available to the management and following the Ibbs report it will be one of the principal duties of the new director of finance and administration to review financial and management information systems.

Mr. Hughes: I am grateful to my hon. Friend for his factual answer. Many of the people who work in the House live in my constituency and, as their representative, I must tell my hon. Friend that one of their great concerns is that their wages are not sufficient to enable them to stay here. The level of staff retention in the service Departments of the House is lower than it might be. Can we please consider the matter, as we want to hold on to good staff, whom the House values and would like to continue to employ?

Mr. Beith: The Commission is constrained by the statutory duty to keep pay rates in line with those of the civil service. However, it seeks to retain staff and there are some remarkably loyal and long-serving staff in the Departments of the House. The Commission will do its best to ensure that they have a satisfactory career.

Sittings

33. **Mr. Butler:** To ask the hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what are the estimated savings in running costs if the House of Commons retained its average length of sitting days but imposed a limit of midnight on all proceedings.

Mr. Beith: The total savings possible as a result of the House deciding to alter its hours of sitting would depend upon a number of factors, such as the predictability of the duration of sittings, the terms of any renegotiated conditions of service that might be necessary and whether there was an overall reduction in sitting hours. Those factors would be difficult and costly to quantify. I do not think that the exercise could be justified unless the House was considering specific proposals.

Mr. Butler: Nevertheless, does the hon. Gentleman agree that such savings are likely to be considerable, because much money is spent in sustaining our acts of collective masochism? That money is not a good investment in our democracy.

Mr. Beith: Yes, Sir, so long as there was an overall reduction in the hours during which the House sat and a great deal of work did not bunch up, to such an extent that additional staff had to be recruited to deal with it.

HOUSE OF COMMONS

Select Committee on Scottish Affairs

34. **Mrs. Margaret Ewing:** To ask the Lord President of the Council what recent meetings he has held with opposition parties to discuss the establishment of a Select Committee on Scottish Affairs.

The Lord President of the Council and Leader of the House of Commons (Mr. John MacGregor): None, recently.

Mrs. Ewing: Surprise, surprise. Is not it appalling that given that there is much speculation that the House may review its procedures and mechanisms for working, it is still in breach of one of its Standing Orders through its failure to appoint a Select Committee on Scottish Affairs at a time when many issues in the Scottish economy and Scottish society need investigation? Is the attitude of the right hon. Gentleman's Back Benchers from Scotland more important to him than the rights of the Scottish nation? Or has he just given up altogether?

Mr. MacGregor: No, and I have been in Scotland all this weekend. The hon. Lady should not be surprised at my answer, because on 22 May in response to a question from her I said that I did not expect to add anything about a Scottish Select Committee after the recess and there has been no change in circumstances to warrant further meetings. The hon. Lady also asked me on that occasion about progress on the Scottish Grand Committee; I am pleased to be able to tell the House that progress has been made on that matter. The Committee met twice last week and will meet tomorrow and at least two more dates have been fixed.

Mr. John Marshall: How many representations has my right hon. Friend received from the Scottish people on this issue?

Mr. MacGregor: Personally, I have received none.

Mr. McKelvey: Nevertheless, should not an answer be given to the question why we continue to be in breach of our Standing Orders? Is not this the mother of Parliaments? Why does the right hon. Gentleman continue not to do his duty and why is he sustaining a policy of neglect as regards Scotland?

Mr. MacGregor: There is no policy of neglect—I have just said that the Scottish Grand Committee has been meeting regularly—and nor is the House in breach of its Standing Orders. I remind the hon. Gentleman that, in the debate on 20 December 1988, the House recognised the inability of the Committee of Selection to nominate hon. Members to serve on the Scottish Affairs Committee.

Oral Questions

36. **Mr. Harry Greenway:** To ask the Lord President of the Council what is his estimate of the average number of oral questions submitted each day; how many of these are committed to written status after failing to secure a place in the ballot for oral questions; and if he will make a statement.

Mr. MacGregor: The average number of oral questions submitted each day is approximately 170. It is estimated

that only about 1 per cent. are retabled by hon. Members as written questions after being unsuccessful in the shuffle for oral questions. The evidence suggests that the procedural change relating to the printing of questions has been a successful innovation and is widely accepted by the House.

Mr. Greenway: Does my right hon. Friend agree that when hon. Members have taken the trouble to table questions, they have done so for a particular purpose and that it would be valuable if those questions were answered? Does he therefore agree that questions that are not among the first 30 drawn in the ballot should automatically be tabled as written questions?

Mr. MacGregor: That was neither recommended nor agreed and there is a good reason for that. It is open to any hon. Member who wishes to have his question answered to retable it as a written question and the fact that only 1 per cent. have done so suggests that many are satisfied. Moreover, the House has a duty to use taxpayers' money wisely and the change has saved several hundred thousand pounds in printing costs alone.

Mr. Dalyell: Does the right hon. Gentleman include in that 1 per cent. my question to the Prime Minister, which I have tabled seven times, but which has remained unanswered seven times because I was not lucky in the shuffle, asking about information requested from the sequestrators of the National Union of Mineworkers? Does not the right hon. Gentleman think that, on a matter such as the appalling situation that has arisen in relation to the NUM and the lawyers, when a man has tabled a question five times, that question should at least be answered orally?

Mr. MacGregor: The hon. Gentleman is no different from any other hon. Member; if his question is unsuccessful in the shuffle, it is not reached during oral questions.

Mr. Barry Field: At risk of sounding like a long-playing gramophone record, may I again draw my right hon. Friend's attention to the fact that, if an oral question is not reached, an answer to it still appears on the board? Surely it would be sufficient just to print it in the record and it is not necessary to have a great paper chase when an oral question is not reached. Would not that save considerable resources and money?

Mr. MacGregor: It is a different matter when an oral question is not reached because it is one that was likely to be answered. We are talking about circumstances in which a question is unsuccessful in the shuffle and is not retabled by the hon. Member in question. When that happens, the question is not answered; nor is an answer put on the board. I believe that that is right, because the practice involves considerable savings in civil servants' time and because the original practice has been proved not to be necessary.

Sittings

37. **Mr. Skinner:** To ask the Lord President of the Council what further discussions he has had in relation to hours of work and procedures in the House of Commons; and if he will make a statement.

Mr. MacGregor: I have been having a number of discussions and hope to make an announcement shortly.

Mr. Skinner: Why cannot the Leader of the House make an announcement? Is it because he does not know how to deal with the request that has probably been made about the ending of the pairing system, another name for which is organised truancy, or has he got caught up in requests coming from the Common Market that all these MEPs and bureaucrats—federalists—should be allowed in here to crawl all over the place? Who is running the right hon. Gentleman's Department? Is it Jacques Delors?

Mr. MacGregor: It has nothing to do with either point. The pairing system has nothing to do with our hours of work and procedures. The question of access to various parts of Parliament—of the building—by MEPs is being considered by the Services Committee, but that is an entirely different matter from the points made by the hon. Gentleman.

Mr. Wilkinson: Will my right hon. Friend make a serious effort to produce the review of working hours? It has become a fetish or shibboleth for Ministers, and other right hon. and hon. Members with important responsibilities, to walk around like ashen-faced zombies through overwork late at night. There is no merit in that; it makes no sense and brings the House no credit outside. Will my right hon. Friend do something, fast?

Mr. MacGregor: I do not think that there are any zombies here.

In the past year or so we have changed our procedures on a number of issues, including private Members' Bills, ten-minute Bills, the tabling of oral questions and, in particular, the scrutiny of European legislation. The change involving European Standing Committees has already had a marked effect on the number of late sittings in the House. That is a considerable improvement and I think it important to make it work.

As for the review, there is a wide variety of views in the House about what changes should be made. I consider it important to proceed on the basis of some agreement and that is what is currently in my mind.

Dr. Cunningham: The Leader of the House will find a large measure of agreement and support for any proposal that he may present for a wide-ranging review of our practices and procedures, our sitting hours and related matters. May I urge him to present such a proposal, following his normal meticulous consultations? Will he also make an oral statement in the Chamber, so that the wide range of views can be expressed and we can have a genuine exchange here, rather than dealing with it by way of a written reply?

Mr. McGregor: I am grateful to the hon. Gentleman. He and I share a number of views about the ways in which we can improve the workings of the House and I have always been extremely grateful for the co-operative manner in which he has approached such issues. This is very much a House of Commons matter. What has emerged from the many discussions in which I have participated is that wide variety of views. There is often a conflict of opinions, not between the two sides of the House but between hon. Members of all parties.

I noted the hon. Gentleman's point about speed. I shall certainly address that; as he knows, I am undertaking consultations. I also noted his request for an oral statement.

Exterior Refurbishment

38. **Mr. Simon Coombs:** To ask the Lord President of the Council if he will make a statement on progress in refurbishing the exterior of the Palace of Westminster.

Mr. MacGregor: My hon. Friend will be aware that the stonework repair and cleaning programme has now reached the Victoria Tower. Good progress is being made.

Mr. Coombs: Is my right hon. Friend aware that the general public are extremely pleased with the progress that has been made in improving the exterior of the Palace? Are there any plans to continue the work in the interior courtyard to improve the view for the staff?

Mr. MacGregor: I very much agree with my hon. Friend. The work has greatly enhanced this part of London and an historic building and it is widely appreciated. It is intensive work and must be undertaken at times that cause the least inconvenience to Members of both Houses.

We intend to draw up plans and agree them with both Houses before the Victoria Tower work is completed, so that the work on the interior courtyards can follow without a break. It will be expensive and will involve a good deal of disruption, so it may take a considerable time.

Youth Treatment Centres

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Speaker.

Mr. Speaker: Order. Let us hear the statement first; then I will call the hon. Members.

3.33 pm

The Secretary of State for Health (Mr. William Waldegrave): With permission, Mr. Speaker, I should like to make a statement on the result of an independent inquiry into complaints made by a young person about her treatment at the St. Charles youth treatment centre at Brentwood, and about management changes that I am making there today.

St. Charles is one of two Department of Health youth treatment centres. The other is the Glenthorne centre at Erdington, Birmingham. Between them, they cater for up to 70 young people convicted of very grave criminal offences, or with the most serious behavioural difficulties, whose needs cannot be met elsewhere in the child care system.

In January this year, through the formal complaints procedure available to residents in the centres, a young person made serious allegations about her treatment at St. Charles youth treatment centre, Brentwood. On instructions from my hon. Friend the Minister of Health, my Department immediately commissioned an independent professional inquiry convened by Mrs. Marian Preston, a consultant clinical psychologist. I am grateful to Mrs. Preston and to her colleagues for their scrupulous investigation. They found evidence to substantiate three of the complaints—the injection of sedative drugs without consent, and on some occasions under restraint; prolonged, and on some occasions unjustified, use of separation; and exclusion of the young person from proper participation in reviews held about her case at the centre.

A management review of the St. Charles centre by the social services inspectorate, done at the same time as the independent professional inquiry, suggests that the practices about which the independent inquiry expressed concern were not isolated. It suggests also poor management control at the centre and an inadequate discharge of its reporting obligations to my Department.

I have placed summaries of both reports in the Vote Office. Some details are excluded on grounds of medical and personal confidentiality, but the findings and recommendations are given in full.

To check whether those problems were present in the other centre, Glenthorne, which adopts a different treatment approach, I asked the social services inspectorate to scrutinise the relevant aspects of practice at that centre too. The SSI's scrutiny revealed no comparable weaknesses at Glenthorne.

The complaints inquiry team also expressed concern about the extent to which my Department had followed up the findings of an earlier 1988 SSI inspection, published in May 1989. A great many of the SSI's recommendations have been implemented, but I am arranging an urgent review to make sure that the Department acted with proper vigour and judgment.

Responsibility for the two centres is laid clearly by law on the Secretary of State for Health. I much regret that a young person had grounds for serious complaint about her treatment at one of them. I am therefore taking immediate steps to bring this specialised but important area of my responsibilities under better control, and to introduce more reliable and more open scrutiny—and am making this statement so that the House may know of those measures at once.

The House will understand that I needed to act swiftly. Uncertainty or speculation about management change would have undermined control and care, in a facility where continuity in both is imperative. The steps that I am taking are as follows. First, the director of St. Charles centre, his deputy, and another member of staff have today been suspended from their duties on full pay, pending disciplinary investigation. They have been replaced by a new management team seconded from the Glenthorne centre in Birmingham. Their prime task is to ensure the safety and the welfare of the young people.

Secondly, to ensure properly independent and open scrutiny of the care provided in both centres, I am establishing a special advisory group, which will watch over their care practices with particular regard to children's rights. Mrs. Winifred Tumim, until recently chairman of the Independent Living Fund, has agreed to chair the group, and I shall publish its periodic reports.

Thirdly, the investigations reinforce the Government's view, made public last year, that the two centres would benefit from a new and integrated management structure. That will include the appointment of a sole chief professional manager; better arrangements for advising him or her on relevant developments in the main stream of child care in conditions of security; and more explicit and reliable procedures for accountability to my hon. Friend the Minister for Health and me. That new management structure will be introduced from 1 April next year. I shall consult the new advisory group on its details, and will in due course give them to the House.

My first duty is the care of the young people in the centres, but I must consider also those directly responsible for providing that care. Their work is important and often very difficult. They must be given a stable environment in which to absorb those major changes. My hon. Friend the Minister and I therefore decided not to pursue for the time being the idea of amalgamating the two centres at the Birmingham site, even though from April next they will both be part of a unified youth treatment organisation, and both be subject to scrutiny by Mrs. Tumim's group, as soon as its other members are appointed.

I believe that the steps that I have taken represent a decisive response to problems uncovered initially by our own complaints procedure and by reports that the Department itself commissioned. I hope that they will be welcome to the House.

Mr. Jeff Rooker (Birmingham, Perry Barr): The Secretary of State's statement is wholly welcome. It is crucial that the young people at the centres and the staff who work there—and the families of the young people concerned—are confident that they are properly and effectively managed, and that that responsibility is scrupulously observed.

The 1988 report to which the Secretary of State referred made many criticisms of the St. Charles centre, and the right hon. Gentleman is right to order an urgent review of

[Mr. Jeff Rooker]

each and every one of the report's recommendations, to establish what has and what has not been done—and why. We should like it published. If there has been any interference with the implementation of those recommendations, those responsible should be identified.

Clearly, the Secretary of State has confidence in the operation of Glenthorne and the work carried out there, and that is a welcome reassurance for its staff, the young people and their families.

The young person who made the allegations in January has been named in the press, but as the right hon. Gentleman did not name her, I certainly will not. Did she make the allegations while she was still at St. Charles, or after she had gone to Glenthorne? The House would be interested to know whether she had the confidence to use the compliants procedure while she was still at St. Charles. If she had not made the allegations, would there have been an inquiry? Other young people must be involved. We assume that a director and a deputy director would not be suspended because of one individual case—although that may have been so in this case, because the allegations that have been proved were very serious.

We wholly concur with the action that the Secretary of State has announced today. His first decision was clearly required on the basis of what has been made public. His second decision was crucial, as there must be some independent overview of the management of such centres. I use the word "independent"—although the right hon. Gentleman did not use it—because a special advisory group, whose reports will be published, will provide the necessary element of independence, something that hitherto has been missing.

The Secretary of State's third decision was that those centres—which have a combined total population of only 70 young people—should have the same management approach. It is not right that those two centres should operate from a different philosophical standpoint. To outsiders and lay people, it is almost as though the two bunches of experts have been using young people as guinea pigs to find different ways of treatment, whether success or failure. There should be a commonality of overview.

The Secretary of State was right to make his statement, and even more important was the fact that he made it orally to the House.

Mr. Waldegrave: Not for the first time, the hon. Member for Birmingham, Perry Barr (Mr. Rooker) has hit the nail exactly on the head. I am grateful for his welcome for my statement. As I have said, the further reports on whether or not there were failings within my Department involve the protection of individuals in case there are any disciplinary aspects, but they will be published.

I understand that the hon. Gentleman has some knowledge about the Glenthorne unit, and I can confirm that it has not shown any signs of having the same sort of problems. Indeed, the inspectors' report cited examples of outstanding professional practice.

I cannot say that I would be certain that I would be standing here today if that young person had not made her allegations. However, I believe that, in the end, we would have realised that certain questions needed answers. The case is an example of the complaints procedure working. However, I must tell the hon. Gentleman, who makes a fair point—this is reflected in the report—that the young person made her complaints at Glenthorne, not at St. Charles. That raises further questions that need answering.

The hon. Gentleman was right to say that the independent overview would be well conducted by Mrs. Tumim. Those who know her, know her to be a person of independent judgment. Her reports, and those of her board, will be published.

I agree strongly with what the hon. Gentleman said at the end of his questions. We cannot have closed worlds competing with one another with different philosophies. All that should be open to proper review by my Department and by the House. In the phrase of the hon. Gentleman, it is not a proper area for experiments.

Sir Robert McCrindle (Brentwood and Ongar): While paying tribute to much of the work that has been done at St. Charles over the past 20 years, may I ask my right hon. Friend to accept that I commend and endorse his attitude, as outlined in his statement, and following the independent inquiry? He will be aware that there are some worrying aspects to the matter. Is he satisfied that, following the report, procedures for that most delicate of matters—the use of sedation against the will of the young person, sometimes under restraint—will not allow any repetition of that most disagreeable case at the St. Charles treatment centre?

Can the Secretary of State further confirm that, in future, all those young persons who will be detained at St. Charles will be made aware of their rights in the light of the fact that, it seems to me, the report implies: that the young person who complained was not made aware of her rights during the stay at St. Charles?

Finally to echo the point made by the hon. Member for Birmingham, Perry Barr (Mr. Rooker) will my right hon. Friend confirm that the complaints procedure, no matter what the differences may have been in the past, is now precisely the same as between St. Charles and Glenthorne? It is significant, is it not, that the young person concerned felt unable, for whatever reason, to make that complaint while at St. Charles and, on the face of it, appears to have had to wait for transfer to Glenthorne before making it? Will my right hon. Friend give the House reassurance that, as of this moment and before the very desirable changes that he announced are implemented, there will be equality in terms of the complaints procedure at both St. Charles and Glenthorne?

Mr. Waldegrave: I am very grateful to my hon. Friend, whose constituency includes St. Charles and who has paid close attention to these matters. Much good work has been done at St. Charles over the years. It is because of the prima facie evidence that things have been going wrong recently that I have taken decisive action swiftly today. The allegations are serious. It is also because my hon. Friend asked the question, and because it is clear from the report that we do not believe that the allegations were confined to this isolated case, that I have taken this action.

I am well aware that at St. Charles—I have the material with me—material was handed to the people going to that centre explaining what their rights were. However, it was for the new management there to make absolutely certain not only that the young people there had a formal right to complain but also that they had the capacity to do so and felt free to do so. Clearly they did at Glenthorne; in one sense, that is why I am standing here today.

Mr. Robin Corbett (Birmingham, Erdington): I thank the Secretary of State for his statement, and also my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) for his response. Can the Secretary of State tell the House when and why the young person who made the complaint that has led to this report was transferred to Glenthorne? As Glenthorne is in my constituency, may I ask the Secretary of State to assure the House that the practice, now properly condemned at St. Charles, has not formed and does not form any part of the regime at Glenthorne?

Will the right hon. Gentleman also undertake that the review at St. Charles—and, indeed, of his Department—will investigate why the reason for this apparent delay in implementing the recommendations of the social servicesinspectorate's report, published in September 1989? Finally, will the Secretary of State join me in paying tribute to the staff at both Glenthorne and St. Charles for their skill and devotion in dealing with some of the most difficult children that we ask others to handle on our behalf?

Mr. Waldegrave: To start at the end of the hon. Gentleman's questions, I join him in paying that tribute. These children are not comparable to those in a normal children's home. I am happy to say that this is a small number out of a population of 56 million. We are talking of between 50 and 70 children, many of whom have committed appalling crimes, while others have very severe behavioural difficulties. These are the most difficult children of all: that is why considerable resources are made available. We are talking about children's centres that cost about £2,000 per week per child. The staff ratio to child is about 3:1. It was the doctrines and the processes of reporting that went wrong.

To answer the hon. Gentleman's question, the person in question was transferred to Glenthorne because Glenthorne has an open unit as well as a closed unit. After discussion with the host local authority, it was thought right that she should be moved, as the next stage in what it is hoped will be her return to normality. That was in December, but it may have been late November, last year.

The hon. Member for Birmingham, Erdington (Mr. Corbett) mentioned unsatisfactory practices. Everything that I am saying is aimed at showing that we believe that Glenthorne rightly retains the confidence of the House, which is why we are transferring a management team from Glenthorne to St. Charles. The strict rules on sedation under restraint and separation, which existed at St. Charles but may not have been fully carried out—thereby hangs the problem—will be observed in future, and everything that I have said today is designed to produce a structure that will ensure no falling off from those standards.

Aspects of the original social services inspectorate report were not carried through properly. The delay and anxiety and the fact that recommendations were not carried through, despite instructions from the Department, have caused us the most concern. We must therefore ensure that communications were correct at both ends of the chain of command.

Mr. Tom Cox (Tooting): The House will welcome the frankness with which the Secretary of State has made his statement, but he will be aware that the nature of the offences that these youngsters have committed, and, sadly, their personal problems, sometimes mean that, although they are aware of complaints procedures, they do not always follow them. What independent involvement will there be with such homes to ensure that if, sadly, youngsters do not have the confidence to talk to staff, they can build up that confidence with someone independent of those who run the home?

Mr. Waldegrave: To achieve the legitimate objectives that the hon. Gentleman mentioned, we should first look to the original local authority, which stands in loco parentis and has responsibility; secondly, as the report says, we should take steps to ensure that children have an independent visitor or adviser. That is what the hon. Gentleman is recommending, and I agree with him. We must consider that recommendation to ensure that it is effectively carried through.

Mr. Donald Thompson (Calder Valley): Children from all our constituencies go to these schools and homes, and their parents will be reassured by the common-sense way in which those on the two Front Benches have approached this awful problem.

The hon. Member for Birmingham, Erdington (Mr. Corbett) mentioned the skill and devotion of the schools' staff. Will my right hon. Friend, and my right hon. Friend the Secretary of State for Education and Science, ensure that, in the next 18 months or two years, staff are not destabilised by the necessary physical alterations that have been made by the latest legislation?

Mr. Waldegrave: My hon. Friend makes a sensible point. I have made the statement on the day when we are making the changes to ensure that there is not a long period of speculation and argument, which would be intensely destabilising not only for those involved in this difficult work but, perhaps more important, for the youngsters in their care. That is why we have acted rather swiftly today.

My hon. Friend rightly referred to my right hon. Friend the Secretary of State for Education and Science. These schools are subject to Her Majesty's inspectorate of schools and many of the staff have professional teaching backgrounds. Everything that I have said today and our work in the forthcoming weeks is aimed at maintaining the best possible continuity of care for the children concerned.

Several hon. Members *rose*——

Mr. Speaker: Order. This is a narrow statement. I shall call the Liberal Democrats' health spokesman, and then we must move on.

Mr. Charles Kennedy (Ross, Cromarty and Skye): In echoing the welcome that has been given to the statement by the Secretary of State and the decisions that will follow from it, may I ask him to confirm that the key issue for the new management and the new structure which he envisages will be the effectiveness of the appeal system. Its effectiveness has been greatly bolstered by his statement, but there is still a small question mark—to which the right hon. Gentleman alluded—over the likelihood that an individual will appeal when he is in an institution which he believes treats him extremely unfavourably.

I wish to underscore the welcome that many others have given to the appointment of Mrs. Winifred Tumim.

[Mr. Charles Kennedy]

How long will it be before the right hon. Gentleman can say more about the composition of the advisory committee over which he will preside?

Mr. Waldegrave: I shall give the names of the other members of the advisory committee as soon as we have them—perhaps in a written answer, if that is agreeable to the House. I am grateful to the hon. Gentleman for his welcome to Mrs. Winifred Tumim, who is an independently minded person with relevant experience.

The efficacy of the complaints procedure has been demonstrated at Glenthorne, where this story came to light. I hope to be able to say to the House that I am equally confident that the procedure is operating properly at St. Charles. Requirements have been in place at St. Charles. One of the first requirements on the new management there will be to ensure that it is not just an empty right but that it is properly and practically exerciseable.

Points of Order

3.55 pm

Mr. Frank Dobson (Holborn and St. Pancras): On a point of order, Mr. Speaker. I wonder whether you can help us with our inquiries into the whereabouts of the Secretary of State for Energy. We expected him to be in the House to make a statement about the pay greed of directors of British Gas and of the privatised electricity companies, who are lining their pockets at the expense of the rest of the country. The Secretary of State told me in a letter at the beginning of this month that this was a matter for the shareholders, but the Government are still a shareholder in every one of the electricity companies, and they are a 40 per cent. shareholder in National Power and PowerGen.

Dame Elaine Kellett-Bowman (Lancaster): This is not a point of order.

Mr. Speaker: Order. How can I determine whether it is a point of order when the Lady shouts in that extraordinary manner from a sedentary position? She should not do that.

Mr. Dobson: I should like to know, Mr. Speaker, whether the Secretary of State for Energy has asked for your agreement to come to the House to make a statement about whether he intends to exercise his right as a shareholder to object to this bare-faced greed. Will the right hon. Gentleman take action to support the Prime Minister's call for pay restraint, or are these pay increases what the right hon. Gentleman promised those bosses before privatisation? Are these increases the pay-off that follows the sell-off? If they are not, the House is entitled to know what the Government intend to do. We are entitled to a statement——

Mr. Speaker: Order. The hon. Member has made his point. I have no idea where the Secretary of State is. He has not asked to make a statement on this matter. The hon. Member's points will have been heard by Government Front Benchers with responsibility in such matters. No doubt the request could be raised through the usual channels.

Mr. Dobson: Further to the point of order, Mr. Speaker.

Mr. Speaker: How can it be further to the point of order? It is not my responsibility.

Mr. Dobson: Further to the point of order, Mr. Speaker. It is crucial that the House should exercise its remaining powers over these privatised industries. The only reason that we are not being given an opportunity to find out is that the Secretary of State for Energy is hiding away from the scrutiny of the House. We want him here. He is responsible. He has the power to block most of the pay increases, if that is what the Government want.

Mr. Frank Haynes (Ashfield): Further to the point of order, Mr. Speaker.

Dame Elaine Kellett-Bowman: Further to the point of order, Mr. Speaker.

Mr. Robert Hayward (Kingswood): Further to the point of order, Mr. Speaker.

Mr. Speaker: Mr. Haynes first.

Mr. Haynes: I am trying to overcome the Conservative lot. Further to the point of order, Mr. Speaker. You should find out where the Secretary of State for Energy is and drag him here by the scruff of his neck.

Mr. Speaker: That is not my function.

Dame Elaine Kellett-Bowman: Further to the point of order, Mr. Speaker. Conservative Members believe that Labour Members are playing for time because they were short of their spokesman for the next debate. The hon. Member for Holborn and St. Pancras (Mr. Dobson) was not raising a point of order.

Mr. Speaker: I hope that nobody is playing for time, because this is a Supply day. I said that I would take a point of order from the hon. Member for Workington (Mr. Campbell-Savours).

Mr. D. N. Campbell-Savours (Workington): May I raise with you, Mr. Speaker, a point of order that I had intended to raise at the end of Question Time? The fact that hon. Members do not rise in their place during a statement does not necessarily mean that they do not wish to be called; they may wish to be called at the end, as I did.

I ask you, Sir, to reflect on what happened today. You will recall that, three weeks ago, there was a statement on pindown in Staffordshire, and that, during that statement, Labour councillors in Staffordshire were repeatedly attacked by a series of Conservative Members and, on one occasion, by a Minister. Will you contrast that with the reflective mood of my hon. Friends today, when, although there was clearly a Government responsibility, we did not seek to exploit it?

Mr. Speaker: I cannot be held responsible for the way in which hon. Members ask their questions. That is not a matter for me. It is only fair to the Chair for an hon. Member to show his interest in a particular statement by rising at the beginning. Today, the hon. Gentleman knew when we were coming to the end of Question Time; other Members began to rise, and he was one of them.

Mr. Barry Porter (Wirral, South): Further to that point of order, Mr. Speaker, which you ruled was not a point of order. We have now spent nearly 10 minutes on a spurious matter. Can that time be added to this afternoon's debate? Clearly, the Opposition do not want it to take place, and they certainly do not want to listen to the hon. Member for Liverpool, Broadgreen (Mr. Fields).

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker. On an issue that, tragically, might not be able to wait 48 hours until Foreign Office questions and on which I gave your office notice this morning——

Mr. Speaker: Order. I cannot allow the hon. Gentleman to pursue that matter in this way. Conversations that he has had at the weekend outside the House with others—no matter how distinguished—alleging certain things cannot be raised as a point of order. There will be opportunities for the hon. Gentleman to raise such issues during Foreign Office questions, as my office told him. He must not seek to evade my instructions by getting around them in this way.

Mr. Dalyell: It is not a matter of getting around them. In Kuwait, lives are at risk because of the actions being taken now by the Kuwaiti Government for whom we went to war. They are dumping stateless people at the mercy of those in southern Iraq, and they are doing so with the absolute certainty that those people might have their throats cut before Wednesday. It is a matter of considerable urgency that the people who built Kuwait are being taken—often at random—without anything that we would recognise as a trial, and dumped at the mercy of Saddam Hussein. Is it not up to the House to ask for at least a statement on what the United Nations or the British Government are doing about the people for whom we have at least some moral responsibility?

Mr. Speaker: It is one thing to ask for a statement, which the hon. Gentleman has now done, but it is another to use a point of order to seek an emergency debate.

Mr. Tony Banks (Newham, North-West): For the sake of the record, Mr. Speaker, will you make it publicly known that, should any ex-Prime Ministers wish to catch your eye in the debate on Wednesday, they will have no difficulty in doing so? I ask that because it seems that the Iron Maiden has yet to make her maiden speech as a Back Bencher.

Mr. Speaker: That is hypothetical. I call the hon. Member for Ashfield (Mr. Haynes). I thoroughly enjoyed my visit to the hon. Gentleman's constituency at the weekend, so I will hear him. *[Interruption.]*

Mr. Haynes: I am not abusing the Chair, Mr. Speaker. That is not fair.

My hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) referred to the fact that the Secretary of State for Energy holds shares on behalf of the nation. If we cannot have the Secretary of State here, will you organise a ballot in the House on behalf of the nation about the increase in salaries? Someone must decide, and it should be our responsibility to do so.

Mr. Speaker: I do not think that there is any precedent for the Speaker organising such a ballot.

STATUTORY INSTRUMENTS, &c.

Mr. Speaker: With permission, I will put together the next two motions on the Order Paper.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(3) (Standing Committee on Statutory Instruments, &c.).

HUMAN FERTILISATION

That the draft Human Fertilisation and Embryology (Special Exemptions) Regulations 1991 be referred to a Standing Committee on Statutory Instruments, &c.

NORTH HULL HOUSING ACTION TRUST

That the draft North Hull Housing Action Trust (Area and Constitution) Order 1991 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Patnick.]*

Question agreed to.

Opposition Day

[15TH ALLOTTED DAY]

Government of Liverpool

Mr. Speaker: I have selected the amendment in the name of the Prime Minister.

4.5 pm

Mr. David Alton (Liverpool, Mossley Hill): I beg to move,

That this House condemns the incompetence, intimidation, waste and subservience to trade union dictation which have characterised left wing administration in Liverpool, and have caused untold damage to the city and its people; calls for broadly based government in the city to restore basic services and to pursue policies of fiscal rectitude, decentralised administration, partnership with private enterprise and consultation with the people of Liverpool; and believes that such an administration should be given strong backing by Her Majesty's Government.

Although the motion describes the consequences of 10 long years of destructive confrontational politics, it is also forward-looking in calling for a new partnership between local politicians in a broadly-based administration, and for partnerships between the private and public sectors and local and central Government.

In the past few weeks the city of Liverpool has once again been the subject of close media attention, some of which has been a distorted media caricature. Although no one will pretend that Liverpool does not have serious problems, many of its own council's making, there are two tales to tell about the one city and I shall first say a word about Liverpool's success stories.

Away from the industrial disputes and the antediluvian attitudes of some of the city's political dinosaurs, Liverpool has plenty of achievements. Last year, 23 million tonnes of cargo moved over the quays of Liverpool —an increase of 14 per cent., despite the fact that 1989-90 was a year of recession. In addition, 3,000 ships per year use our north docks and more than 12 new shipping services, handling containers, timber and other trades, have come to Liverpool since 1989. Last year, the port of Liverpool turned in profits of almost £11 million—its highest ever—and our free port, which handles £500 million worth of goods, is the most successful free port in the United Kingdom.

Dame Elaine Kellett-Bowman (Lancaster): Does the hon. Gentleman agree that those very good figures are due to the slackening of the chains that had been imposed by the unions on the ports in Liverpool and to the removal of the dock labour scheme and, as a result, that Liverpool is now going great guns?

Mr. Alton: If the hon. Lady follows my speech, she will realise that there are two tales to tell—one is of a city that is prosperous and vibrant with a great, outward-looking and confident face, while the other is of the politics that have dragged the city down. There are two tales to tell.

The reality is a city where enterprise is confident and thriving. Strikes and poor performance at Liverpool's docks are a bitter memory, and the Mersey's strategic importance as a centre of national distribution is once again being recognised. The conventional wisdom is that Liverpool is strikebound, bankrupt, wasted and hopeless. A national newspaper prints a photograph of a bedraggled, half-naked child and says, "This is Liverpool." That is about as fair as printing a photograph of the squalor to be found within a mile of the City of London and saying, "This is London." The truth is that 98 per cent. of all companies on Merseyside have not had strikes of any kind since 1982. Net output is now consistently higher on Merseyside than the national average.

Mr. Robert Hayward (Kingswood): Is the hon. Gentleman surprised that, at the start of the debate on Liverpool, only half Liverpool's Members of Parliament are present and that two Labour Members who represent Liverpool are not even in the Chamber?

Mr. Alton: I am not entirely surprised, because none of them was present for last week's Adjournment debate on empty housing, but I am glad that at least some of them are present today.

There is a myth that companies are unhappy to come to Liverpool, but Ford invested £40 million in its Liverpool factory last year alone and British Aerospace has invested £19 million in Liverpool airport and is proposing a £2 billion expansion.

It is true that 13·4 per cent. of our work force are unemployed, but 86 per cent. are in work. In excess of 100,000 of those people are employed in our city centre, with the new office developments at Mercury court, Moorfield, Matthew street, Albert dock and the refurbished Liver and India buildings adding to the total.

I have been particularly involved in the development of Wavertree technology park, a 64 acre parkland development launched in 1989 through a joint private and public initiative to attract major manufacturing and commercial investment. Some 40 companies now operate in the park, employing nearly 1,500 people. That park and Liverpool free port demonstrate the dividends of a united political approach.

A city stuffed with 2,500 listed buildings, boasting a fine orchestra, well-respected educational institutions and a thriving cultural life deserves better than the partial and subjective character assassination to which it has been subjected. The city council may be inefficient, but the city itself is not. The council should make itself worthy of the city that it governs. Anyone who visits the city—6 million people visited the Albert dock alone last year—will testify that the reality of Liverpool life belies the gross distortion.

The Secretary of State for the Environment can take deserved credit from the knowledge that the 2 millionth visitor walked through the doors of the Tate gallery on 14 May. He knows the difference between the myths and the reality of Liverpool life and will agree that the comments of the Under-Secretary of State for the Environment, the hon. Member for Salisbury (Mr. Key), in the House last Friday amount to a defamation of a community and do nothing to build confidence in Liverpool. Having spent a decade telling unemployed people to get on their bikes and leave Liverpool, it is grossly irresponsible for a Minister to describe Liverpudlians as living on the "Costa del Dole" and to suggest that they contribute disproportionately to drugs, crime and prostitution. The Minister knows that he would be prosecuted under the race relations legislation if he used such slander against traditional targets. It has

become all too easy to scapegoat Liverpool and to blame the victims. I hope that the Secretary of State will dissociate himself from that calumny.

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert Key): I noticed that the hon. Gentleman was absent from our debate on Friday and that the hon. Member for Southport (Mr. Fearn) made no comment on that subject at the time. I make no apology for drawing attention to the difficulties caused by the abject failure of Liverpool local authority, as Liverpudlians in Bournemouth said over the weekend. Obviously, I do not castigate the entire Liverpudlian community, as the hon. Gentleman will hear if he finds time to stay in the Chamber for the rest of the debate.

Mr. Alton: I am grateful for the hon. Gentleman's clarification. However, as he well knows, only one Liberal Democrat Member is ever called in a debate. My hon. Friend the Member for Southport (Mr. Fearn), who also represents a Merseyside constituency, contributed to that debate. It is extraordinary that the Minister should have said:

> "I do not know whether that is true, but I have no reason to doubt that allegation."—[*Official Report*, 21 June 1991; Vol. 193, c. 641.]

Before a Minister makes such a damaging remark in the Chamber, he should take the trouble to find out if it is true. I am glad that the Minister has had the honour to withdraw his remarks today.

Those comments did nothing to help the city's image, but the city council has done a great deal to damage Liverpool in the past decade. Despite the exaggeration, there is no doubt that political excesses have impeded our development. Before anyone says, "Liverpool deserves what it gets—it voted for its council," I shall separate another fact from fiction.

Mr. Dennis Skinner (Bolsover): They kicked the Liberals out.

Mr. Alton: Despite the inverventions of the hon. Member for Bolsover (Mr. Skinner), the majority of people in Liverpool have never voted for those confrontational politics. In the local elections this year, 56,000 people voted for the Liberal Democrats, compared with only 52,000 people who voted Labour. Even at the height of its power, Militant-led Labour never won a majority of the city's votes. Yet despite the popular vote, at no time since 1971 have the Liberals had an overall majority on the city council. For 10 of the past 20 years, including the last eight, Labour has had an overall majority on the council. For 16 of the past 20 years, Labour has been the largest party on the council, although between 1979 and 1983 it refused to govern and plunged the city into chaos.

Mr. Barry Porter (Wirral, South): Is not the more important and significant point the fact that the vast majority of the citizens of Liverpool voted for no politician at all during that period, because they think so little of us?

Mr. Alton: The number of people voting in local elections increased throughout many of the years to which the hon. Gentleman refers, so his point is not entirely accurate. The turnouts in parliamentary elections in Liverpool are identical to those in the Wirral and elsewhere.

Labour has belatedly recognised the character of those wasted times by expelling a handful of those who were responsible. Some courage is now being shown by many who were silent during what the hon. Member for Liverpool, West Derby (Mr. Wareing) has called "the Stalinist years". None the less, that courage is to be commended.

Mr. Kenneth Hind (Lancashire, West): The point that the hon. Gentleman seeks to make is that the entrepreneurial spirit of Liverpool is alive and well but that we are concerned about the problems connected with the council. Will he confirm that the debate is not unassociated with the Liverpool, Walton by-election? If we extrapolate from the results of the 2 May council elections, we find that Labour polled 12,491 votes in the Walton constituency and the hon. Gentleman's party 10,687, giving Labour a narrow lead. Militant stood in only one ward and polled 1,626 votes to take Anfield. A divided party is in control of Liverpool council. That is the major problem that Liverpool faces.

Mr. Alton: I am grateful to the hon. Gentleman for his helpful intervention, which makes my case——

Mr. Skinner: It is a good job they did not have PR.

Mr. Alton: The hon. Member for Bolsover says that it was a good job that we did not have proportional representation. If we had had PR, Militant would never have been in control in the first place. If there had been a fair result, reflecting the will of the people of Liverpool in May, the city would not be in its present chaos.

Mr. Skinner: I have listened carefully to the hon. Gentleman's second speech. I guess that there was a different speech before the Church leaders made their pronouncement at the weekend. That is why we hear this Worlock speech. If the hon. Gentleman is in favour of PR, why did he complain five minutes ago that the Liberal Democrats did not get overall control? As they had control along with somebody else several years ago, why did they make such a mess of things, and why did they get kicked out?

Mr. Alton: My point is not that we demand overall control on a minority of votes. The point of the motion —the hon. Gentleman should read it—is that it seeks a broadly based partnership. That would probably not be with the hon. Member for Bolsover, I must admit, or with his part of the Labour party. I hope that there are members of the Labour party and members of the Conservative party who put the city's interests first who would be prepared to work with us. It would be fascinating to know which of the two candidates in the Walton by-election the hon. Member for Bolsover will support and campaign for.

Mr. D. N. Campbell-Savours (Workington): May I ask the hon. Gentleman for an answer that his hon. Friend the Member for Rochdale (Sir. C. Smith) promised viewers on "North Westminster" yesterday? He promised an explanation why, on six or seven occasions the Liberal Democrat group on the council has voted against the majority Labour position on the budget, after having entered into an agreement. I hope that, as a Liverpool Member, the hon. Member for Liverpool, Mossley Hill (Mr. Alton)—and not his hon. Friend the Member for Rochdale—will tell us why the Liberal Democrats have ducked out of the agreement.

Mr. Alton: I am grateful to the hon. Gentleman for raising that point as it is a canard that has been thrown around over the past few days. If the hon. Gentleman studies what happened in Liverpool last week, he will see that the points that had been agreed in advance between the Liberal Democrat group and moderate Labour members were held to in the council meeting. The Labour group tried to push through a further 94 redundancies involving housing maintenance workers, which had not been agreed in advance and which were slipped in after a closed meeting which did not involve members of my own party. As a result, the second part of the motion was opposed by my colleagues. It was opposed in a Liberal Democrat amendment, for which four members of the so-called moderate group, members of the far left group and one of the two Conservatives voted. As a result the democratic will of the majority of council members was carried.

Mr. David Blunkett (Sheffield, Brightside): The hon. Gentleman says that what he describes as the second budget decision arose directly from a decision that was encouraged by the Liberal group on Liverpool city council on 10 March to embark on a budget with £10 million of unspecified cuts. How does the hon. Gentleman square such cuts with not voting for them when the real position is known and decisions have to be taken?

Mr. Alton: As the hon. Gentleman knows, it had never been discussed at any stage. Given that 5,900 council-owned properties are empty in the city, the last group of workers that we thought should be reduced further were repair and maintenance staff. Last year, £4·5 million was lost in uncollected rents on those properties and that money would have come to the city coffers if the decision had not been implemented. Grievous bodily harm has been inflicted upon Liverpool as a direct result of decisions taken and the politics practised in the city over the past 20 years. I shall give some examples.

Mr. Campbell-Savours: Will the hon. Gentleman give way?

Mr. Alton: I shall give way towards the end of my speech.

Graham Dean, a gardener in one of our excellent city parks, once described to me how he went from looking after one of the world's best orchid collections to picking up, as he put it, "last night's fish and chips", because he refused to join industrial action he was sent to a leper colony, a local form of Siberia. When the law found in his favour, the council sent in the bulldozers to demolish the Harthill greenhouses so that men could not return to work there. The council subsequently told its employees to go home because it could not protect them from the intimidation which followed. *[Interruption.]* The headline in this morning's Liverpool *Daily Post* reads:

"Scab councillor faces death threat ordeal."

That is today's headline—not one from 10 years ago.

In addition to intimidation, planning laws have been used in a highly suspect way. An early-day motion which I tabled in 1986 called for a police inquiry into corruption and my colleague, Councillor Rosemary Cooper, called in the police to investigate the Finch lane planning application. In that case the council owned the freehold and the Merseyside passenger transport executive owned the leasehold. The council facilitated a multi-million-pound deal on the basis that planning permission would be forthcoming, either from the council or on appeal. Land worth £7 million commercially would have been sold for about £250,000 if the police had not intervened.

Payola planning still persists, and within the past month I have written to the Department of the Environment asking what it intends to do to separate the functions of property sales and planning. At present the burglar is far too closely identified with the watchdog and an independent mechanism is needed to examine applications where the council is the vendor. Nepotism has been combined with personal gain and bullying. Branch 5 of the GMB has become a byword for all the worst features of trade unionism.

Mr. Campbell-Savours: What about Mr. Heferon?

Mr. Alton: The hon. Gentleman will be interested to know that I raised that case in the first instance and, as a result, attempts were made to expel me—which is becoming quite common. As a result of my actions, that case was investigated and police action was taken.

A national union leader has called this the unacceptable face of British trade unionism. Branch 5 convener Ian Lowes administers a levy which brings in £10,000 per week. It is supposedly voluntary, but anyone who refuses to pay is unlikely to get overtime or perks. Ultimately, those who refuse to pay will find themselves in the leper colony to which Graham Dean was sent. Frances Kidd, a Labour councillor who voted for the redundancies announced last week, also works for the GMB. Since voting for the cuts, she has had to be locked in her office to protect her from union stewards calling her "scab" and she says that she has had death threats at her home. Even schoolchildren have been threatened. Pickets tried to stop children entering the Broadgreen comprehensive school. The headmaster, Ian Andain, said:

"It was thuggery masquerading as trade unionism."

The Labour party criticised the Liberal administrations of the 1970s, but those were golden days compared with what was to follow. The Labour left has presided over all this. I vividly recall the bitter attacks made on me and others for speaking out and challenging abuses of power. This is not the stuff of history. Within the past 12 months, Labour, led by the hon. Member for Liverpool, Broadgreen (Mr. Fields), told Liverpool people to break the law and not to pay the poll tax. As a result, every citizen, rich or poor, has received an additional bill for £70·99.

The *Liverpool Echo*, in an editorial last week, warned the leader of the Opposition that there still remain major questions to be confronted. For example, it asked:

"What about the role of the Broadgreen MP? Whose side is he on after the open split between Labour and the Broad Left? Expelling Militant councillors from the Labour party is one thing, but Mr. Kinnock must realise that the credibility of his party is damaged by some of his MPs."

Hon. Members may wonder what is the difference between Field and Fields. On Merseyside we have the answer. One constantly faces battles against deselection because he expounds moderate views and works with others across the political divide; the other sits with impunity within the parliamentary Labour party while espousing every cause of the Labour Militant Tendency.

Mr. Robert N. Wareing (Liverpool, West Derby): I was interested by the hon. Gentleman's mention of the Labour leader calling for non-payment of poll tax. The hon. Gentleman should know that not only did the leader of the

Labour party express opposition to breaking the law, but his policy was confirmed by an overwhelming majority at the Labour party conference.

Mr. Alton: I am grateful for the explanation from the hon. Member for West Derby. I am sure that the House would like to hear from the hon. Member for Broadgreen or, if they were here, the hon. Members for Liverpool, Garston (Mr. Loyden) and for Liverpool, Riverside (Mr. Parry).

The hon. Member for Broadgreen and his friends told the people of Liverpool that they would give all available resources to build houses. Instead, over that period, not a penny was spent on two thirds of the city's housing stock. As a result, 5,900 council properties are standing vacant and 12,000—on which there remain outstanding debts of £23 million—have been demolished in the past 10 years. Under the "spend now, pay later" policies, the city debt has risen to £800 million, on which the repayment of interest charges costs Liverpool people £10,000 every hour or £240,000 every day, and the Japanese and Swiss money-lenders have been the only beneficiaries.

The electorate were bribed with promises of £2 a week rent decreases that were never forthcoming, although rents were not increased for eight years. As a result, this year they have been increased by as much as £16 or £17 a week in some cases and on average by £8 a week. Meanwhile, rent arrears have reached £24 million.

Liverpool deserves much better. What should be done? Last year, with my colleague the then leader of the Liberal group on the city council, Councillor Paul Clark, I presented a charter for Liverpool which called for political partnership. Although it was then rejected by Councillor Harry Rimmer and the Labour party, it could still provide the basis for a constructive, broadly based administration.

The key points of the charter include recognition of the facts that it is disastrous for Liverpool to have a council in constant financial crisis, that population shift has led to serious under-funding by central Government; that, like Glasgow, we must make serious efforts to turn around our image; that empty properties must be better utilised; and that partnership at every level must be accelerated. The Liberal Democrats are prepared to play their part, on a formalised basis, in taking the difficult decisions and sharing the responsibility for the good government of the city, but not on the ad hoc take-it-or-leave-it basis offered by the city's minority leadership, which has recently led to informal relationships breaking down several times.

We want a formalised power-sharing partnership and a greater role for central Government, which must ensure that never again should local taxation allow a citizen to be charged for someone else's debt. I hope that the Government will be able to offer Liverpool people relief and redress. Bills of £70·99 for other people's debts are intolerable.

Mr. Andrew MacKay (Berkshire, East): I am sure that every reasonable Member will be appalled by the story that the hon. Gentleman is telling us. He has made it clear, that the hon. Member for Liverpool, Broadgreen Mr. Fields) is still a supporter of Militant. No doubt the hon. Member for Broadgreen will be supporting the Militant candidate in the Liverpool, Walton by-election. It will be up to the hon. Gentleman to catch your eye, Mr. Deputy Speaker, to confirm that.

Perhaps the hon. Member for Liverpool, Mossley Hill (Mr. Alton) can tell us which Labour candidate the hon. Members for Liverpool, Garston (Mr. Loyden) and for Liverpool, Riverside (Mr. Parry) are supporting. There have been suggestions in national and Liverpool newspapers that they will be supporting the Militant candidate. Can the hon. Gentleman confirm that neither of those Members has suggested that he is ill or abroad and thus unable to be present this afternoon? I can assure them that, if there were a debate about the area that I represent in part, or another area which is represented by other hon. Members, we would damned well be in our places to participate in it.

Mr. Alton: I find it extraordinary that the hon. Members for Garston and for Riverside are not here to speak in the debate. I have not been told that they are unable to attend, for whatever reason. No doubt other Labour Members will be able to explain who they will be supporting and why their two colleagues are not present.

With regard to the role of central Government, when the new local tax is drawn up by the Secretary of State for the Environment I hope that he will ensure that within the tax is a right of redress and a right of relief for residents of cities such as Liverpool. The people of Liverpool feel extremely aggrieved that an additional burden has been placed upon them this year.

Central Government should accept that under the Control of Pollution Act 1974 there is a need to organise contracts so that the backlog of uncollected refuse in Liverpool is cleared up and removed. Liverpool people are entitled to expect the basic services to be provided that they are called upon to fund. One of their fundamental complaints is that they are not getting value for money. The graphic photographs of Liverpool that have appeared in the press show hon. Members on both sides of the House what the people of Liverpool have to tolerate. I hope that a positive attempt will be made by the Secretary of State to assist the private company which is to be appointed to clear the debris.

In the long term, if Liverpool is to be resurgent we shall need flagship projects such as the proposed Mersey barrage, airport development, Channel 5 and a refurbished St. George's hall. In addition, the Secretary of State could immediately approve the housing corporation's vacant properties initiative and recognise the need to stimulate further housing co-operatives by reviewing housing association funding, which in Liverpool has been static again this year.

The present confrontational tactics—including rotting garbage, threats to close down cemeteries, redundancies which could have been achieved through natural wastage if policies of fiscal rectitude had been pursued, and the politics of Tammany hall—all combine to damage Liverpool. Instead of our city being used as a punchbag, as our bishops complained this weekend, it is entitled to expect from all its politicians a period of stable government and responsible leadership. That will require a formalised partnership based on good will and co-operation. Liverpool deserves fewer obituaries and a little help from its friends.

4.33 pm

The Secretary of State for the Environment (Mr. Michael Heseltine): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'reaffirms its belief in Liverpool as one of this country's great cities with a proud history and prospects for a secure future; condemns the incompetence, intimidation, waste and subservience to trade union dictation which have characterised successive administrations in Liverpool over the past decade and have caused untold damage to the City and its people; calls for better Government in the City to restore basic services and to pursue policies of fiscal rectitude, decentralised administration, partnership with central Government and private enterprise and consultation with the people of Liverpool; notes the steps taken by the present administration in response to the Government's compulsory competitive tendering legislation to put the interests of its residents first by contracting with a private sector firm for refuse collection; and commends the Leader of Her Majesty's Opposition for supporting the Conservative policy of fair and open competition in Liverpool, in the knowledge that it is right, but observes with dismay the Labour Party's opposition to it elsewhere in the country.'

I listened with great interest to what the hon. Member for Liverpool, Mossley Hill (Mr. Alton) had to say. I agree that the essence of the future of Liverpool requires an understanding of the significance of such a great provincial city, which is at the centre of a vital conurbation. It is perhaps the inheritor of one of our most dramatic pieces of municipal architecture and it is one of the most important cultural centres outside London. In my personal judgment, the Liverpool people are some of the most warm-hearted people to be found anywhere in the country. I say that after having spent many months—indeed, years—of my life associated with the city. There is a great deal of excellence and all too little of it features in the coverage that the city achieves.

I was interested in the list of attainments that the hon. Member for Mossley Hill provided. They are recent and they are significant, and almost all of them are the result of the inspiration and the leadership of the Conservative Government.

Despite the appalling circumstances that I will describe later, when the history of the 1980s is written, that will be seen as the point at which the revival of Liverpool's fortunes began.

There are some very imaginative large-scale projects now under way which will come to fruition during the remainder of this century. The Mersey basin campaign is the first attempt to clean, from the source to the sea, one of Britain's great rivers. The consequences of that campaign—the benefits to the people who live there and to the industries that will invest there—are incalculable. The scheme was begun 10 years ago under a Conservative adminstration.

The hon. Member for Mossley Hill referred to the 6 million people who visit Albert dock. That is a figure of some significance. When I first visited Liverpool, when the Liberals were in control, the docks were a stretch of mile after mile of rotting toxic waste. The Liberals did not have much of a solution for coping with that. The achievement of restoring the Albert docks and the Mersey banks was the responsibility of this Conservative Administration.

When the urban development corporation took over those vast tracts of the inner city, I do not remember its being welcomed enthusiastically by the local Liberal leaders of the time, and I vividly remember our being opposed hook and line by the Labour party whenever we suggested urban development corporations to clean things up.

The concept of BOOM-business opportunities on Merseyside—is a manifestation of the partnership that the Government sought to achieve within Liverpool and the wider conurbation. Today industrialists, commercial figures, companies, local authorities and the voluntary sector talk together. Why? It is because we refused to continue to distribute urban programme money unless they achieved a more harmonious relationship among themselves?

Painfully slowly, as a result of the reforms of the early 1980s, a new sense of confidence began to emerge. The hon. Member for Mossley Hill said that the Wavertree industrial park was launched in 1989, but he is about eight years behind the times. I launched that project in 1981 and without a shadow of doubt it is one of the most extraordinary——

Mr. Alton: I meant phase 2.

Mr. Heseltine: I am sorry; the hon. Gentleman is right. The concept was born in 1981; the triumphs were of the 1980s. The hon Gentleman may have attended upon the phase 2 extension of what the Government set up, but the idea that he played any part in achieving it is a flight of fancy of the most extreme Liberal sort. When the Liberals ran Liverpool the site consisted of 60 acres of rotting land owned, I believe, by British Rail, on the verge of land owned by a company—Plessey. We bought them together with Government money and created the concept of the Wavertree industrial park. It is one of the finest examples of how our inner cities can be regenerated, and it has nothing to do with the Liberal party.

Of course, we can look further. There are the remarkable co-operative endeavours associated with the Eldonians. I salute the men and women who have made the scheme possible. It was a pioneering example of a new approach to housing, born under a Conservative Administration.

I am the first to say that the opportunities are as yet only half percieved. The city council is today preparing its bids for City Challenge. It is looking for ways to build on the experiences that the Conservatives made possible in the 1980s and to regenerate, as it intends and hopes, substantial parts of the wider, older heritage parts of the city. Such ideas would have been inconceivable 10 years ago under the Liberals or Labour.

In essence, what has happened is that attitudes have changed because the Government were determined that there must be a new approach to urban renewal—a new context within which to manage a more successful capitalist economy.

I was fascinated, as the whole House will have been, to hear the hon. Member for Mossley Hill refer to the docks. Of course they are better. Why are they better? It is because the dock labour scheme has gone, as my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) pointed out. I do not remember the Liberals of Merseyside arguing that we should get rid of the dock labour scheme. [HON. MEMBERS: "We voted for it."] Of course, the Liberal party voted for the Bill in question when we introduced it, but what did the Liberals do when they were in a position to influence such matters?

The further one looks, the greater the sense of excitement one discovers. It is true that British Aerospace has taken a £19 million stake in Liverpool airport and has plans for a £2 billion programme of expansion. What was British Aerospace when the Government were elected? It was a Government Department—nationalised and quite incapable of seizing opportunities to take a stake in airports anywhere, let alone on Merseyside. One step after another has led to the revival of an enterprise culture, which Liverpool, with every other great city in the country, is beginning to embrace.

Mr. Alton: I am sure that, on grounds of fairness alone, the Secretary of State will concede that projects such as the Eldonians project—and, indeed, the whole concept of housing co-operatives—were conceived when I was chairman of the housing committee in Liverpool. The idea that no part was played by Liberals such as Sir Trevor Jones in many of the projects that the right hon. Gentleman has mentioned is preposterous. The right hon. Gentleman will be well aware that, as leader of the city council, Sir Trevor co-operated fully with him in trying to make such projects happen. It is precisely because we want to co-operate with the Government that I spoke in the terms that I did.

Mr. Heseltine: Sir Trevor, whom I know well, was known as "Jones the Vote" in the context of his management of Liverpool because he was perceived to be favouring Liberal parts of the city by moving public resources in their direction. Consequently, significant parts of the Labour party became increasingly indignant, reacting to what was regarded as the Liberal manipulation of the city's finances. Moreover, if all these ideas were brought into existence when the hon. Member for Mossley Hill was chairman of the housing committee, it is surprising that it was the middle of the 1980s before I was able to go and see the projects happening. Times had moved on by then. The fact is that, effectively, the ideas came to fruition under a Conservative Administration.

Sir Cyril Smith (Rochdale): I am bound to say to the Secretary of State that his speech does not do him justice. I am sorry to say that, but I had thought that the right hon. Gentleman would make a constructive contribution. The right hon. Gentleman says that the Conservative Government, and only the Conservative Government have done all these marvellous things for Liverpool. Can he tell me why the people of Liverpool do not believe him and why there are only two Conservative councillors in the whole of Liverpool?

Mr. Heseltine: The Conservative party holds seats all round the conurbation because people have witnessed the remarkable efforts that we have made for Liverpool. The fact that my right hon. Friend the Minister for Overseas Development holds her constituency of Wallasey can by no means be dissociated from the fact that the people there can see just how much we have done to help that area of Liverpool.

Mr. Jonathan Sayeed (Bristol, East): Is my right hon. Friend aware that in Bristol, too, hundreds of acres have lain derelict and semi-derelict for 20-plus years and that, when a development corporation has come in to do something about that, the Labour and Liberal parties have fought the proposals tooth and nail?

Mr. Heseltine: My hon. Friend is perfectly right. The characteristic posture of Labour and Liberal authorities has been to resist until they see Conservative schemes work, yet Opposition Members then stand up in the House and try to suggest that they should have come faster. We had a classic example from the hon. Member for Mossley Hill today. There were no signs of significant revival in Liverpool when the Liberals ran the city.

Matters got a lot worse under the Labour party, to which I shall come in a few minutes—I have never suggested that the Liberals were as bad as the Labour party. The Liberals are just halfway down the track, engaging in "me too-ism" and populism carried to extremes. As long as there is trouble to be made, the Liberals will make it, but if they think that there is gain to be had by appearing to support someone, they will do that instead.

Mr. Barry Field (Isle of Wight): My right hon. Friend referred to Trevor Jones. Would he be surprised to know that, just as Sir Trevor Jones was fighting for his very political existence on Liverpool city council against the Militants, the Liberal leader of Medina borough council was actively helping Militant Tendency on the Isle of Wight, whose members picketed my constituency association and my house? Today, that gentleman—who in 1987 helped the right hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel) with his campaign—is the assistant to the chief executive of Liverpool city council.

Mr. Heseltine: My hon. Friend asked me in the simplest language whether I would be surprised to know. Of course I would not, because that is exactly what one expects to find in the Labour party. If the Militants are an asset and a help—if there is not too much of a spotlight on their activities—there is no attempt to stop them. The only time when Militants are unwelcome in the Labour party is when there is a spotlight on their activities. Otherwise, they are gathered in, encouraged, nominated and pushed up the ladder of preferment and their endeavours are thoroughly welcomed. It is only when the going gets rough and the spotlight of public opinion is focused on them that the Labour party tries to bury them under the carpet or push them on to the sidelines. It will not fool anyone listening to the debate today, any more than it will fool the country at large.

The great argument behind which the hon. Member for Mossley Hill hid—I have not the slightest doubt that the Opposition Front-Bench spokesman will also seek to draw it to the attention of the House—is couched in the magic language of cuts. All the way through the 1980s, we heard that language. [HON. MEMBERS: "It has not been mentioned."] Perhaps not in today's debate, but in their general language, the Labour and Liberal parties in the city of Liverpool have implicitly argued for more money and asked, "Why are you cutting our resources?"

It is interesting to examine that assertion. I do not know how anybody can tell me that there have been cuts, given that in 1979, when the Liberals were in charge of Liverpool the transport and construction department employed 2,262 people, whereas today it employs 2,421. That does not sound to me like much of a cut. I do not remember the hon. Member for Mossley Hill mentioning any attempt that the Liberals had made to reduce the number of people directly employed by the council.

Mr. Alton: As a result of the policies pursued by my colleagues during the years when they were in control, not a single person was made compulsorily redundant but the number of jobs was reduced by 5,000 by natural wastage.

Mr. Heseltine: The hon. Gentleman would need to substantiate his assertion that 5,000 fewer people were employed by the city of Liverpool as a result of decisions taken by the Liberal administration. I have the figures here, and they make interesting reading. For example, 1,401 people employed in recreation in 1979 became 2,044 people under the present administration. The figure for refuse collection was 640 in 1979 but is now up to 747. All the figures relate to a period during which the population of Liverpool fell by 14·6 per cent. The general reduction in overall manpower employed by the authority was only 5·6 per cent. The dramatic reductions and cutting about which we have heard so much have simply not taken place.

The important point that has been revealed by the confrontation taking place in Liverpool is that there is another Conservative lesson to be learned. We said that cuts in service delivery were not necessary and that, by efficiency, it was possible to achieve the standards of service that were appropriate, and at a better price. We have said that year after year. When the contract for refuse collection was put out to tender the other day the outside private sector contract was for £3·9 million. The internal price quoted was £7·9 million. If one extrapolated from those figures across the equivalent departments within the city authority, something of the order of £10 million would be saved by putting the tasks out to the private sector. If the Liberals or Labour had done that in 1979, they would by now have saved the hapless citizens of Liverpool £50 million.

Let me give an example of the approach that is adopted. In 1989, 30 per cent. of the ground maintenance work was put out to tender. A contractor put in a bid for £1·5 million; the in-house bid was £3 million. The city council, this time under Labour, wanted to award the contract to the in-house team. It took a Conservative Government to step in and say, "No; if we are to have value for money, the contract must go to the private sector." The process now involves competition.

And so it goes on. If only Labour and the Liberals used the techniques that they admire occasionally and in retrospect, they would be able to make significant economies. Improvements could be made throughout the country: obvious advantages would be derived if some £2·5 billion-worth of work were put out to compulsory tender, as national economies amounting to perhaps £150 million could be made annually.

Mr. Wareing: I have listened with interest to what the right Gentleman has said about past administrations. Is he not aware that for 110 years Liverpool was run by the Conservatives? Why did not the Conservative authority that was in charge between 1967 and 1972 do all those marvellous things?

Mr. Heseltine: The hon. Gentleman will be only too well aware that the city council's employment figures were significantly lower in those days than they were later. Remorseless increases after that time led to the scale of overmanning that we are now discussing.

Mr. Alton: I do not want the Secretary of State to mislead the House unwittingly. Is he aware that my colleagues in Liverpool have consistently pursued a policy of allowing competitive tendering? A whole 10 years ago they sought to privatise the bin service; however, there was never a political majority. The electoral system that the right hon. Gentleman defends allowed a Militant administration to exercise power for a long time, although it had received a minority of the votes.

Mr. Heseltine: It is the old Liberal story: "We always tried, but we always failed"—except in the last few days. At last, the Labour authority has decided to try to achieve the necessary economies. We now see the Liberals and the broad left in the same lobby, voting down the Labour majority. There is a deficit of more than £1 million in the city's account. The Liberal party is facing both ways, always trying to win, regardless of the argument. The attitude taken by Liberal Members today is indefensible.

Mr. Chris Butler (Warrington, South): Does my right hon. Friend recall the occasion when, on 6 July 1987, the Liberals opposed compulsory competitive tendering during our debate on the Local Government Bill? Have they forgotten that?

Mr. Heseltine: I must be frank: I had forgotten it myself and I am extremely grateful to my hon. Friend for reminding me. I am not at all surprised; that is exactly what I would expect the Liberals to do. We have heard today how they tried to get the bin men to behave differently and to introduce compulsory competitive tendering. They would have loved to have kept the bills down, they say. But, when the Tories introduce legislation, they vote against it. That is the Liberal party for you.

I do not think that we need detain the House much longer by discussing the preposterous hypocrisy of the Liberal motion. Let me now say a word about the Labour party.

There is no doubt that—within the disciplines that we have long urged and the constraints that financial rectitude has forced us to impose—some interesting schemes are emerging in Liverpool city council, based on Tory philosophy and experience. The Government will consider those schemes seriously, because they are a response to our initiatives. They are designed to help the citizens of Liverpool and to restore its morale. We are confident that they are capable of succeeding, because we proved throughout the 1980s—with earlier experiments—that that was possible.

The Labour party's problem is historic: it is actually two separate parties, and always has been. [HON. MEMBERS: "What about Margaret and Ted?"] Hon. Gentlemen may be talking about two different views on a specific issue. I am talking about a party that is split from top to bottom. On one side is what, on its better days, is called the moderate wing; on the other is the extremist wing. That problem is illustrated most clearly in Liverpool, where councillors, Members of Parliament and members of the trade union movement—in fact, the whole edifice of the left—are encapsulated in the current divisive, bitter row.

Mr. David Winnick (Walsall, North) *rose*——

Mr. Tony Banks (Newham, North-West) *rose*——

Mr. Heseltine: No, I will not give way.

All that was to the immense detriment of the citizens of Liverpool. Those people are not concerned with services,

or with the quality of life that Liverpool's citizens are entitled to expect; the row is about the power base of those who have secured within the structure of the Labour party —and no protests were made as they climbed the ladder of opportunity—the ability to hold a society to ransom.

Every time that Labour secures power, that divide forces it to pay a price to its extreme wing. Everyone knows that, if the Labour party ever crossed the Floor of the House to sit on the Government Benches, there would be enough members of that extreme wing to extract the price that is now being extracted from the hapless citizens of Liverpool. It is because Liverpool has demonstrated that Labour is not fit to govern there, any more than it is fit to govern Lambeth or a dozen other authorities, that I urge my right hon. and hon. Friends to support the amendment.

4.54 pm

Mr. David Blunkett (Sheffield, Brightside): The Secretary of State, who proclaims his care and love for Liverpool, has made an amusing and combative speech, but has offered nothing to help the people of Liverpool in the years ahead. On what amounts to a tragic afternoon for Liverpool, the right hon. Gentleman has joined the hon. Member for Liverpool, Mossley Hill (Mr. Alton) in a knocking job—not lifting the morale of Liverpool or praising those who are tackling the real issues and problems, but engaging in a sordid and petty debate in which scoring points is much more important than putting the people of Liverpool first. [HON. MEMBERS: "What about Sheffield?"] This is an own goal for the Liberals. It is a tragic afternoon for the people of Sheffield— *[Laughter.]* I mean the people of Liverpool. I was distracted by Conservative Members shouting, "What about Sheffield?".

This is the difference between those baying Conservative Members and me: I have had to run a city and they have not. In Liverpool, we are supporting people who are trying to do their jobs. We are not criticising, carping and sniping from the sidelines; nor have we done what the hon. Member for Mossley Hill did—we have not raised the issue during The Prime Minister's Questions, enabling the Prime Minister to criticise the city and its leadership. We are trying to do something about the problems. The motion calls for the "broadly based government" that the Liberal party believes in. Liverpool had that between 1973 and 1983.

Mr. Hayward: The hon. Gentleman has just quoted from the Liberal motion. If he is so certain that Labour has the solution to Liverpool's problems—and, after all, it is in control of the city—why did not the Labour party table a motion or an amendment?

Mr. Blunkett: As the hon. Gentleman knows, it is traditional for the official Opposition not to table amendments in circumstances of this kind. He will see that if he looks at the record. The motion refers to the restoration of basic services. The only people who tried were members of the official Labour group leadership.

I will enlighten the Secretary of State about the positive contribution made by his colleagues, by recalling the disgraceful statement made yesterday by the Secretary of State for unemployment, who had the gall to call for legal action by Liverpool city council, knowing that the refuse collection workers were to meet this morning to consider returning to work. That act was one of inept irresponsibility, and was typical of the way that the Government have performed in recent weeks. Not a word of support, help or encouragement, or any suggestion of financial aid—only sniping and criticism.

Mr. Keith Mans (Wyre): If the present so-called moderate Labour leadership of Liverpool city council is so responsible, why did it take three weeks to do something about the rubbish? Why did it do nothing about the piles of refuse that piled up in the streets in the first place?

Mr. Blunkett: If the hon. Gentleman knew anything about what is happening in Liverpool, he would know that invitations to tender for the refuse collection service went out, and tenders were received, but that last Wednesday was the earliest opportuntiy that the council had to consider them.

Mr. Mans: That is not true.

Mr. Blunkett: It is true. I hope that any right hon. or hon. Member who contributes to the debate, either from a sedentary position or while standing in their place, will address themselves accurately and with some understanding to the issues confronting Liverpool.

The crisis faced by Liverpool is unprecedented in any major British or European urban area. Over the past 50 years, Liverpool has lost over half its population—[HON. MEMBERS: "Why?"] It appears that Conservative Members are not concerned about the quality of this debate or about any proper analysis, but only want to make carping, baying criticisms. That is not in the interests of the people of Liverpool, about whom the House should be concerned. Liverpool's population has dropped by over half in the past 50 years, due to a major decline in the commercial heart of the city and its trading position. We all know that.

In view of the silly remarks that have been made, I am minded to comment that the one thing that Liverpool and the Tory party have in common is that they both face away from Europe. That has been Liverpool's problem. In facing away from Europe, Liverpool suffered more substantial damage than any other British city. The decline of the port, the 50,000 jobs lost over the last 10 years, and the fall of 450,000 in Liverpool's population over the past 50 years all contributed significantly to the city council's problems during the last two or three decades.

The city bosses, for whom the Labour party does take responsibility, made their own contribution to that decline, because—as was said by my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing)— throughout the 1950s and 1960s, they failed to notice what was happening and to take appropriate action.

Mr. David Winnick (Walsall, North): Is it not interesting that the Secretary of State's empty rhetoric did not address the fact that there is not one Tory Liverpool Member of Parliament, and there has not been for some years? The Secretary of State knows as well as I do that the Tory candidate in the Walton by-election will get only a derisory vote. If the Labour party in Liverpool is so wicked, why do the Tories do so badly there?

Sir Cyril Smith: They have only two councillors out of 91.

Mr. Blunkett: The hon. Member for Rochdale (Sir C. Smith) chips in to point out that the Tories have only two councillors out of 91 in Liverpool, and my hon. Friend the

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Member for Walsall, North (Mr. Winnick) reminds us that they have no Members of Parliament there. The public vote for those whom they believe can do the job—and the people of Liverpool have certainly reached the conclusion that the Conservative party cannot do the job.

Dame Elaine Kellett-Bowman: Will the hon. Gentleman give way?

Mr. Blunkett: I will in a moment, but I want to make progress. I was about to get round to the Liberal party, and I would hate the hon. Member for Lancaster (Dame E. Kellett-Bowman) to intrude.

Until this afternoon, I had judged that the one thing that Militant and the Liberal party did not have in common was their organisation and their behaviour. However, the hon. Member for Mossley Hill told the House this afternoon that he was threatened with expulsion from the Liberal party—and, by implication, that he was intimidated—for taking a particular stand on an issue that he thought was important to the integrity of his area. I commend him for that. However, Militant and the Liberal party have more than that in common.

Mr. Robert G. Hughes (Harrow, West): They supported similar policies.

Mr. Blunkett: They did. They both practised populism, without winning, or having access to, the means to deliver the goods. They both failed to tackle the long-term problems of the restructuring of the city council, reorganisation of education, and the often inept management and industrial relations. They even failed to tackle refuse collection.

Mr. Alton: Will the hon. Gentleman confirm that, for the last eight years, Labour has enjoyed a majority on Liverpool city council, and that at no time during the past 20 years have the Liberals enjoyed a majority? At every turn, we have relied on co-operation—and the one thing that has never been on offer from the Labour group, which it rejected as recently as last year, is political partnership in the city. Is the hon. Gentleman saying that he now commits the Labour party in Liverpool to working with the Liberal Democrats?

Mr. Blunkett: It is very difficult to work with the Liberal Democrats on a positive basis, as we saw last Wednesday. The Secretary of State was right when he said that, on three separate occasions, in respect of major budgetary items, the Liberals decided not to go along with the reality of decisions for which they voted last March. It was not the first time, because, as I shall spell out in a moment, the Liberals' record when they had access to power does not bear close examination.

Someone who has a greater knowledge of Liverpool than I do, Michael Parkinson, director of the centre for urban studies at Liverpool university, contributed substantially—as the Secretary of State knows—to chapter 4 of the Widdicombe report. Anyone interested in the history of Liverpool should read his evidence to the committee, because it is very enlightening. I spent a wonderful weekend re-reading it.

Dame Elaine Kellett-Bowman: Will the hon. Gentleman give way now?

Mr. Blunkett: No, not at the moment.

Mr. Parkinson stated:

"The Liberals were never able to reorganise the inefficiency and poor management of the direct labour organisation . . . Similarly, the Liberals were unable to reorganise the expensive and inefficient refuse collection service."

I admit that the Liberals tried privatisation at one point, but they failed to ensure—as other councils throughout the country, including my own, did ensure—that the quality and delivery of services was at the top of their agenda, and that, instead of a service being exploited by the private sector, it could be exploited for the benefit of the people for whom it was designed. That is the record of Labour in power.

Mr. Robert G. Hughes: The hon. Gentleman explained why his party cannot work with the Liberals. Is that why, previously, he has consistently been against expelling Militant members from the Labour party—because he finds them easier and more convenient to work with?

Mr. Blunkett: Apart from the fact that the question is irrelevant, the hon. Gentleman is utterly wrong. I cannot be pilloried as the class traitor of the month in *Labour Briefing*, and then told that I have not expelled any Militants. I made a judgment according to the constitution of the Labour party and the evidence presented. In the case of Derek Hatton and Mr. Lowes, my view—it was not shared by everybody—was that they were members of Militant, so I voted to expel them from my party five and a half years ago. Next time that the hon. Gentleman feels like opening his mouth, I suggest that first he connects it to his brain.

Mr. Robert G. Hughes: On a point of order, Madam Deputy Speaker. The hon. Gentleman clearly said that I was making up my remarks about him being——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. That is a point of frustration, not a point of order.

Mr. Blunkett: I have been diverted from the central feature of the afternoon, which is the comparison between the Liberal Democrats and Militant. Both engage in deficit budgeting. In 1983, it was the Liberals, in their last effort at budgeting before there was an overall Labour majority in Liverpool, who left a £6 million deficit with unspecified cuts—exactly the position that they refused to face last Wednesday when dealing with this year's budget for Liverpool.

Dame Elaine Kellett-Bowman *rose*——

Mr. Blunkett: The hon. Lady, like the widow's mite, is so persistent that I think I shall let her have her say.

Dame Elaine Kellett-Bowman: Does the hon. Gentleman admit that Liverpool would have far fewer problems if it did not just bother about its rubbish—a bad enough problem—but collected its rent arrears, which amount to 26 per cent.? Is it not obvious to the ordinary unbiased voter that Labour in Liverpool is bribing people to vote for it by putting them in council houses and then saying that it will not collect the rents?

Mr. Blunkett: I am endeavouring to deal with the motion before us and the person who moved it—the hon. Member for Mossley Hill, a former chairman of housing in Liverpool. Between 1979 and 1983, the rent for a two-bedroomed high-rise flat rose by 130 per cent.—yet

the Liberals' only pledge was to dismantle council homes. They did not want to house people or to repair homes, as the hon. Gentleman earlier tried to pretend. The Liberals cut millions of pounds from the repair budget. They wanted to dismantle municipal housing and redistribute the social structure of Liverpool to gain votes for their party.

Mr. Alton: The hon. Gentleman has made an extraordinary comment. Was it not the Labour party in Liverpool which, in 1972, built a council estate called Neverley and which, 12 years later—having created those terrible municipal bantustans, ripped the heart out of the city of Liverpool and shanghaied people to places where they did not want to go—was the party responsible for the demolition of that estate, with 48 years of debt charges still to be paid? Will not the the people of Liverpool be paying those charges almost into perpetuity because of the Labour party's mistake?

Mr. Blunkett: I would be a great deal more sympathetic to the hon. Gentleman's view if, when he was chairman of housing, he had genuinely tackled the disrepair, the decay and the legacy of earlier years—but he did not.

Both Militant and the Liberal Democrats have one thing in common—their biggest and most important issue is not delivering services, but attacking the Labour party and its stand for honesty, decency, efficiency and quality of service for the people of Liverpool. That is what the Labour party is endeavouring to achieve.

Mr. Sayeed: It has clearly been shown that, when direct labour organisations are abolished and private contractors brought in to do house and other repairs, those repairs are done more efficiently and cheaply. Why is the Labour party against compulsory competitive tendering?

Mr. Blunkett: I do not accept the hon. Gentleman's assertion. Only 5 per cent. of public contracts won under competitive tendering have been challenged or have run into difficulties, whereas one in four private sector contracts have had major difficulties—including those in well-known left-wing boroughs such as Bromley and counties such as Norfolk, which have had to sack the private contractors cleaning schools because of their sheer incompetence.

I want to put on record the fact that Onyx and private sector refuse collection are on trial in Liverpool. Onyx had better deliver the goods for the people of Liverpool, because we shall judge it just as the Secretary of State has tried to judge municipal services—by the incompetence of the organisation undertaking the refuse collection. A comparison can be made, and we will be able to see what the private sector can or cannot achieve. Anybody can provide a cheaper service, but it is a different matter when it comes to delivering quality of service for the money paid. That is why we want not to knock Liverpool today, but to examine why it has found itself in this position.

Mr. Hind: The hon. Gentleman will no doubt have seen the article in *The Independent* on 28 July last year, in which Councillor Keva Coombes, then leader of Liverpool council, said:

> "No one has ever been sacked for not doing their job properly, but nor do they get promoted for doing it well. If you come in as an 18-year-old housing clerk in a housing department, you will retire as one."

That has been the mentality in Liverpool. No one was promoted for doing a good job and, as a consequence, there was no incentive, so the service was rotten. That is what is wrong with Labour in Liverpool.

Mr. Blunkett: I regret that Keva Coombes felt unable last Wednesday to support his official Labour colleagues in facing those difficulties. Jobs for life have applied under Conservative, Labour and Liberal authorities, and it is wrong that that was assumed to be right for the local people.

I want to take the House back to the 1970s, and to the last time that the then Labour Government had the opportunity directly to help Liverpool city council. In 1975, Liverpool's rate support grant was increased by a staggering £21 million, the biggest—*[Interruption.]* If Conservative Members think for a moment about the actual spending power of that money at that time, they will appreciate my argument. It was the largest ever increase —admittedly, consequent to the Houghton committee report—and part of a £46 million increase in rate support grant for Liverpool under the Labour Government between 1974 and 1979.

That £21 million was squandered by the Liberal leadership. Instead of investing it in services, improved competence and efficiency, in helping to restructure a city under pressure, and in helping with its economy, education and training, the Liberals that year cut the rate by 1p in the pound. Subsequently, they voted against Labour budgets by cutting the proposed rate increase by a half in 1977-78 and by a third in 1978-79.

Labour made only one budget between 1973 and 1983, and that was in 1980. It was a responsible budget but, ironically, an amendment was tabled to it and it was voted against by a councillor who was later to become infamous —a Mr. Derek Hatton. He and eight of his colleagues tabled an amendment for a deficit budget, a strategy that they pursued right up until 1985, when the Labour party took action against a policy to which it had never adhered. If the Labour party made a mistake, it was not to take action against him and his eight colleagues at the time for breaching Labour party policy.

The significance of the period 1973 to 1979 under the Liberals is that the incoming Conservative Government —the Secretary of State knows all about this—used the 1978-79 budget year as the baseline for both capital and revenue expenditure in terms of how much the city of Liverpool and other councils were to get. The Liberals had reduced expenditure by more than any other authority in Britain. They concentrated on reducing the rates and pushing up charges, but that was without the increases in efficiency which, we are told, are consequential when such measures are taken.

The Liberals tell us with pride that 5,000 council jobs were cut during the 10 years that they were in power. Apart from the fact that Liverpool city council suffered from the baseline being so low and the enormous rates increase in 1980, that placed Militant Tendency in an ideal position to take advantage of the circumstances—which it duly did.

Mr. Alton: The hon. Gentleman is again in danger of misleading the House, unless he admits that Liverpool has been controlled by the Labour party during the last eight years. It has had an absolute majority on the city council. If rents had been increased, instead of being kept down during the whole of that period, with ultimately disastrous

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consequences, and if natural wastage—the policy that he criticised a few moments ago—had been pursued throughout those years, does he not agree that the council would not have had to make a single person compulsorily redundant?

Mr. Blunkett: It is not a question of losing jobs but of using people effectively. To redeploy, retrain and redirect people, using their skills, is something that every hon. Member should be proud to do, instead of taking pride in cutting jobs. When facing necessity, one has no choice. To face reality—to have the courage to do things, if need be, that one does not wish to do—is exactly what the Labour party in Liverpool is doing. The hon. Gentleman attempts to divert my attention from what the Liberals did, and the fact that, in the 1980s, the city council faced that appalling situation.

The Labour party's first budget was in 1984. After years of brinkmanship, when rates had not been set until the very edge of the financial year, the rates were not made in 1984 until well into the new financial year. No agreement on a budget could be reached by 25 April. On 17 May, well into the financial year, the Secretary of State agreed to meet the leaders of Liverpool city council. This is crucial as to who is right and who is wrong about the Liverpool legacy.

Between 1973 and 1984, the Labour party prepared only one budget—in 1980—which was attacked by Militant Tendency. In 1984, the budget was eventually made in June, after agreement had been reached with the then Secretary of State for the Environment, after money had been allocated by the Department of the Environment for the housing and urban programme, after an investigation had taken place by civil servants into the city council's budget, and after the Department of the Environment had suggested a 37 to 71 per cent. rates increase. It was not a Militant budget. It was not even a Labour budget. It was an agreed Department of the Environment budget that saved the city from collapse in 1984.

In 1985, much against its will because it was still adhering to a deficit budget, the city council was involved in that delayed rate-making policy. Not surprisingly, people felt that, as the Government had given way the previous year all the way through till June, there was just a chance that the Secretary of State would give way again, provide resources and back off rate capping in 1985. We were wrong. The Secretary of State did not give way again. The miners' dispute collapsed. Liverpool city council was left under Militant's directon throughout the autumn of 1985. At that point, the Labour party nationally took a hand and intervened.—*[Interruption.]* A Conservative Member shouts, "Which you opposed." I shall return to that point in a minute. *[Interruption.]* I shall give way to the hon. Member.

Mr. Terry Dicks (Hayes and Harlington): Given that Eric Heffer was, if nothing else, a man of socialist principle, will the hon. Gentleman explain why Eric Heffer walked out of the Labour party conference when the leader of the Labour party was speaking? Was it because he believed that the Labour party in Liverpool—not Militant—was being badly treated by the present leadership? Is that why that man of principle walked out when his leader was speaking at the Labour party conference?

Mr. Blunkett: To refer to the actions of the former Member of Parliament for Liverpool, Walton is not in good taste; nor does it help this debate. We know why the former Member of Parliament for Walton did what he did —because he felt so upset about what was happening to his city.

I want to end by taking head on the remark of the Conservative Member who said that the Labour party nationally intervened against my will in 1985. As was the case with the Secretary of State, I was a visitor to Liverpool. I knew what the situation was, and I examined its budget. The decision was taken to instruct the Labour party in Liverpool to balance the books. My hon. Friend the Member for Copeland (Dr. Cunningham) and the then leader of the Association of Metropolitan Authorities, Sir John Layden, wrote to all members and enclosed a report that I had written, extracted from the Stonefrost committee's report.

I looked it up this weekend. That is why I am so interested in the silly and inept intervention by that Conservative Member. I said:

"A failure now to meet the responsibilities of the council to the people of Liverpool would not only be insane"—

I appreciate that these are strong words—

"but a deliberate sabotage of the whole Labour movement."

I do not know where that Conservative Member got the idea that I had not supported that effort, but he may well have to eat his words.

Last Thursday, an appeal was made by the three Church leaders in Liverpool—Archbishop Worlock, Bishop Sheppard and the Free Church Moderator, Dr. John Newton. They asked everyone to refrain from muck raking and pouring scorn on the people of Liverpool. They were asked on the Radio 4 "PM" programme whether they believed that they were saying "Support Labour". Archbishop Worlock said, "In this instance, it is one and the same thing." They were asked whether they were attacking the Prime Minister. Archbishop Worlock said, "Not just John Major, but Paddy Ashdown, the Liberal leader, who has been to Liverpool in the last few days and has done the same thing." They are sick and tired of people attacking their city. They want wholehearted support for those who are trying to sort out the city's problems. They want to promote the best interests of the people whom they serve.

Everyone should want to do that—to achieve a better future for the city, to pull together, to have a quality commission that can work directly with the management and councillors of Liverpool so that everything can be put on an even keel, to see that more resources are placed at the disposal of the city to help with its restructuring and to support it in ensuring that its services are delivered effectively. There is only one party that, during the last few months, has been doing that job—the official Labour party. The victory that we shall achieve on 4 July in Walton will provide an important milestone on the way to Liverpool's recovery.

Several Hon. Members *rose*——

Madam Deputy Speaker: Order. Before we make further progress, I must tell the House that there is much interest in the debate and that, unless hon. Members make brief speeches, 95 per cent. of them will be disappointed.

5.29 pm

Sir Fergus Montgomery (Altrincham and Sale): We have had a stimulating debate. I thought that my right hon. Friend the Secretary of State was in devastating form. It was amusing to see how the Labour Benches rocked with laughter when he turned his fire on the Liberal Democrats, yet when the boot was on the other foot and he was equally devastating about the Labour party, the Liberal Democrats found that funny. His extremely effective speech was a breath of spring, and he scored a bull's eye.

In the 1950s and 1960s, Liverpool was a great city. Like many of our sea ports, it had enormous atmosphere. Its buildings looked marvellous and were well maintained. Sadly, today, that once great city looks sad, dirty and neglected.

Many of Liverpool's problems were caused by the decline in industries such as cotton and in transatlantic shipping traffic. However, other parts of the country suffered from the same problems but managed to attract new industries. For example, Glasgow is a west coast port which faces away from the Common Market, as the hon. Member for Sheffield, Brightside (Mr. Blunkett) so disingenuously said of Liverpool. It has experienced the same problems, but it is now one of the jewels in the United Kingdom, showing what can be done if proper attitudes prevail.

Liverpool's industrial relations record is not good. Many employers must say, "I would like to move to Merseyside or Liverpool, but I will be at the behest of the unions, I will not be able to do the things that I want to do and I will not be able to stimulate new jobs and prosperity."

Contrary to what the hon. Member for Brightside suggested, Liverpool's failure is due entirely to the Labour council——

Mr. Eddie Loyden (Liverpool, Garston) *rose*——

Mr. Montgomery: I cannot give way. The hon. Gentleman was not present at the beginning of the debate.

It is essential that local government tries to ensure value for money, because the more effective a local council is the better value local residents receive for the money that they contribute. Waste and inefficiency, wherever they occur, are the enemies of good housekeeping. The seal of approval for good housekeeping could not be bestowed on Liverpool city council today. Instead, it has had the misfortune of being called the worst city council in British history. What a commendation that is.

For most of the past 20 years, Liverpool has been controlled by the Labour party. The Liberal Democrats have never had overall control and the Labour party has been in control. The period has been highlighted by mismanagement, chaos and, as one commentator said in a newspaper last week, corruption. Keva Coombes was leader of the council before being ousted last year by Harry Rimmer. My wife is active in housing circles in the north-west. She is chairman of a housing association, is on the housing corporation and has done much work and met many people in Liverpool. She has a high regard for Mr. Rimmer. She said, "He is a decent man, one of the old Labour school."

Mr. Rimmer has had a difficult time. I saw him on television recently in tears because he had been harassed and threatened by Militants. I wonder what he was doing while Militant flourished in Liverpool.

Mr. Wareing: I can answer the hon. Gentleman's question. Mr. Rimmer was not a Labour councillor until 1987; before then, he was deputy leader of Merseyside county council—and an excellent one, too.

Sir Fergus Montgomery: Other people now in the Labour moderate section sat back and allowed the Militants to take over.

Since his departure, Keva Coombes has made a series of devastating attacks on his comrades who now dominate Liverpool city council. In *Local Government Chronicle* on 27 July 1990, he said:

"We are the worst landlord in Liverpool, probably in the country. All the new building has taken place and been run by a central unit and all despite the housing department. It takes genius—voids gone up, rent arrears soared, [and] the breaking of the law on racial equality."

In *The Independent* on 20 July—my hon. Friend the Member for Lancashire, West (Mr. Hind) quoted from this article—Mr. Coombes said:

"The Council's problems are not down to resources. it costs four times more to pick up a piece of litter in Liverpool than it does in other areas. What's more, the people doing these jobs aren't well paid. There's a cycle of low pay, lousy morale and poor productivity."

On "Newsnight" on 10 August 1990, he said:

"Tenants get an appalling service, and they know that. I think probably the fundamental cause is, frankly, we've put the interests of the providers of the service, the workforce, above the interests of the tenants."

Mr. Coombes has also admitted that Liverpool has the highest proportion of empty council properties. I have a copy of the audited accounts for 1989-90, which show that there are almost 6,000 vacant council properties—9 per cent. of the total housing stock. What an indictment that is, and what a prospect for the people on the housing waiting list, most of whom are living in appalling conditions and are desperately anxious to get a home. Those 6,000 properties could be used to provide homes for those needy people. The accounts mention three key problems:

"the repair work needed prior to reletting; Council policies restricting the number of eligible tenants for certain types of property"

and the problems of letting certain "difficult to let" properties.

Revenue is lost by those houses being empty. If tenants were paying rent, that would be extra money into the central fund. I do not suppose that that causes the people who run Liverpool to lose too much sleep, because, as of 9 September 1990, current rent arrears were £16·786 million.

Mr. Dicks: This is not a Militant council, is it?

Sir Fergus Montgomery: No.

The hard-working, honest-to-God tenant will suffer, because the accounts say:

"This level of arrears is amongst the worst of all local authorities in England and Wales. What is more any further worsening in the level of rent arrears would lead directly to the need for a further rent increase to balance the Housing Revenue Account. Those tenants who are paying would be made to subsidise those who are not."

[Sir Fergus Montgomery]

Therefore, the hard-working, honest-to-God Liverpool tenant who is paying his dues and doing what is necessary will be penalised in order to bail out those who refuse to pay. In the spring recess, my wife and I went on a trip to Hong Kong—we paid our own way, through a package deal which appeared in the newspapers—whose Government are the largest landlord in the world. Their rent arrears account for 1 per cent. of the total rent due, which is a tremendous achievement. In Liverpool, the figure is 26 per cent. Perhaps Liverpool council should pay to send somebody to Hong Kong to discover the secret of its successful record. That would be money well spent.

Wherever one looks in Liverpool, the message is the same. Liverpool council has the worst performance of any metropolitan council in collecting the community charge. Although it is in the top 10 for education expenditure per pupil, it is in the bottom 10 for GCSE results. The crunch has come with the dustmen's strike—rubbish has piled up in the streets, reminiscent of Britain in 1979 during the last days of the Labour Government's winter of discontent. It is disgraceful that the system which has operated in Liverpool has meant that job nominations were given to unions completely dominated by Militant. People were allocated jobs by a trade union—what a way to run a city.

For the past four years, the so-called "moderate" Labour party has been running Liverpool. It left that corrupt system in place and did nothing about it. Is it any wonder that for the past 20 years Liverpool has been losing people at the rate of 10,000 per year? The hon. Member for Brightside referred to the drop in population, and I asked why it had occurred. The hon. Gentleman was scornful, but I believe that one reason for the drop is that people could not afford to stay in Liverpool. The cost of socialism was too much for many of them to endure, and the policies operated by the city administration were distasteful to them.

Liverpool is a socialist showpiece—rubbish piled up on the streets and boarded-up windows. The honest, decent Liverpudlian must despair at the thought that a once-proud city has been reduced to this. It is a vivid illustration of socialism in action.

5.40 pm

Mr. Terry Fields (Liverrpool, Broadgreen): I sat here throughout the introductory contributions. Despite provocation, I did not seek to intervene with questions to those who are not the protectors, but the assailants of Liverpool—the Captain Mainwarings, the ratbag Dad's Army on the Opposition Benches and the Conservative Members, whom we know and love. *[Interruption.]* I shall not give way. Others may make their speeches as time goes by.

In the motion and the amendment we are asked to behave with reasonableness and light and to come together, as those who tabled them believe, in the interests of the people of Liverpool. As always, we can expect a sideshow from the Liberals, deflecting attention from the enormous embarrassment of the Government's economic and social policies—all their policies, laid bare before the electorate. Of course, the clowns on the Liberal Benches come along and put up a smokescreen, attacking Liverpool and its city council, which are well used to that.

We take on all comers, and I do not say that in a conceited way. Conservative Members say, "I taught in Liverpool," or "I went through Liverpool on a bus," but we have lived there all our lives and have seen the conditions of our constituents. We do not need lessons from Tories representing the ruling class and the pink shadows and the blue shadows on the Liberal Benches—the Benches of a party which is also the party of capital—to tell us what is in our best interests.

Since 1983, in local and general elections, the people of Liverpool have consistently shown that the Tories have no place in Liverpool politics—that they are a back number and a dead letter. The Liberals cry out for proportional representation as a solution to the problems of Liverpool. They have no problems, as we have shown and seen in the past.

We are asked to attack the trade unions in Liverpool. We are being asked on all sides to sack workers in a city which, on everyone's evaluation, has been impoverished over decades. That has not happened since 1983—it is nothing to do with Hatton, Tony Byrne or any of our comrades. The impoverishment goes back decades and is due to neglect and lack of investment by people represented on the Conservative Benches. That is the reality of Liverpool.

Mr. David Sumberg (Bury, South): On a point of order, Madam Deputy Speaker. So that we may judge the quality of the debate, should not the hon. Member for Liverpool, Broadgreen (Mr. Fields) make it absolutely clear which party he will support in the by-election?

Madam Deputy Speaker: That is not a point of order for the Chair. There has been no breach of Standing Orders.

Mr. Fields: The so-called Liberals, so-called Democrats have made much of Labour being in control in Liverpool. Between 1974 and 1983, those people, in tandem with the Tories, were running the city, even though they did not have overall numerical control. There is no mistake about that. Today, the Liberals are crying out about the state of the streets and about the cleansing service. I shall deal in detail later with why the cleansing service is in such a state —*[Interruption.]*—because of the bizarre policies that they pursue.

Mr. Patrick Nicholls (Teignbridge): Will the hon. Gentleman give way?

Mr. Fields: The shuddering protestations of the hon. Member for Liverpool, Mossley Hill (Mr. Alton) about the cleansing service——

Mr. Nicholls: Will the hon. Gentleman give way?

Mr. Fields: I said that I would not give way. I shall carry on with my speech.

Mr. Nicholls *rose*——

Madam Deputy Speaker: Order. The House has heard the hon. Member for Liverpool, Broadgreen (Mr. Fields) say that he will not give way. Perhaps we can now proceed with the debate.

Mr. Nicholls: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. I hope that the hon. Member's point of order is not one of frustration and

annoyance. If it is something with which the Chair can deal, I shall listen to it; if not, the hon. Member must keep his seat.

Mr. Nicholls: On a point of order, Madam Deputy Speaker. I cannot hear because of the noise. The hon. Gentleman keeps referring to "they". I need to know whether he is referring to the two Labour parties or to the Liberal party.

Madam Deputy Speaker: I am sure that the hon. Member for Broadgreen will make that clear.

Mr. Fields: The man from the Liberal Democrats talks about the rubbish.

Mr. Loyden: I realise your difficulties, Madam Deputy Speaker, in dealing with the unruly mob on the Conservative Benches. The debate is supposed to be about the situation in Liverpool. The people of Liverpool are watching what is going on here, and it will confirm our views about Conservative Members. They are treating this debate with discourtesy and a lack of interest. They are making a fun day out of this important issue. I realise your difficulties, Madam Deputy Speaker, but will you please say——

Madam Deputy Speaker: Order. I shall ensure that whatever hon. Member is speaking, from whichever quarter, is heard. Mr. Terry Fields.

Mr. Andrew MacKay: On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. There is less than three quarters of an hour to go before the wind-up speeches. I hope that the hon. Member will not waste the time of the House.

Mr. MacKay: I shall be brief, Madam Deputy Speaker.

Madam Deputy Speaker: I hope so.

Mr. MacKay: Is it not the greatest discourtesy to the House that the hon. Member for Liverpool, Garston (Mr. Loyden) could not be bothered to turn up for the first part of the debate?

Mr. Loyden: Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. I think that we should cool matters down and get on with the debate. Let us deal with policies rather than personalities.

Mr. Loyden: On a point of order, Madam Deputy Speaker. I was delayed in Liverpool because I was attending meetings there, which have proved to me that they are much more important than the debate here today in terms of searching for a solution to Liverpool's problems.

Madam Deputy Speaker: Perhaps we may now make some progress.

Mr. Fields: The collusion about which I spoke is a two-way process—the Tories are deflecting attention from the hon. Member for Mossley Hill. They are screaming and shouting about the rubbish in the streets. Referring to the hon. Member for Mossley Hill, on 28 November 1987 *The Observer* reported:

"He threw himself into community action. David and his pals had this appalling old mattress which they'd dump in a jigger [a back alley], a fellow student, Mike Storey, recalls."

Mike Storey is also a Liberal on Liverpool city council. Quoting him, the article continued:

"'The residents would complain, and David would say, "We'll get on to the council for you." The council would remove the mattress, and the Liberals would get the credit. Then David would reclaim the mattress and dump it somewhere else.'"

Those are the people who have the cheek and gall to raise this matter. They are the people who have been spoiling the city of Liverpool.

Mr. Alton: Will the hon. Gentleman give way?

Mr. Fields: The Liberals took effective control——

Mr. Alton: Will the hon. Gentleman give way?

Madam Deputy Speaker: Order. I am sorry, but the hon. Member for Broadgreen has made it clear to the Chair that he would not give way.

Mr. Alton: On a point of order, Madam Deputy Speaker. So that the debate will not proceed further without this being pointed out, may I say that, if comments are made about an hon. Member that are certainly not true, it is normal for him to be given a chance at least to point that out?

Madam Deputy Speaker: All hon. Members understand that, but it is up to the hon. Member who has the Floor to decide whether to give way. I must make it clear that that has nothing to do with the Chair.

Mr. Fields: I do not believe in being—[HON. MEMBERS: "Democratic."]—disrespectful to you, Madam Deputy Speaker.

This is an important debate about conditions in a city about which half the people here know nothing, although they created those conditions and the chaos. People in my city are trying to resolve the problems, but all that we get is a pantomime from Conservative Members who have no cognisance of the conditions of our people.

The hon. Member for Altrincham and Sale (Sir F. Montgomery) spoke about the wonderful docks, but again that probably involved exploiting the working class in cities and the dockers. They do not know what they are talking about. My father was a docker; he lived and died on the docks. He worked like a horse and was treated like an animal in the pens by them and their class, so they should not tell us about the docks. They have starved the city of finance and they have created poverty, bad housing conditions and unemployment. Now, almost like voyeurs, they are coming back to the scene of the crime. At the weekend they castigated innocent Liverpool people who are leaving home to look for work in places such as Bournemouth because there is nothing for them in Liverpool.

The Conservatives boast about investment in Liverpool, but they have crippled the city. That is choice coming from a Government who, only today, are condemned in the financial pages for their running of the economy and the country. The trade gap has widened and two thirds of the Confederation of British Industry is pessimistic about the future because of the Government's economic policies. We can hear them mumbling because it

[Mr. Fields]

is getting through to them. They understand that I know what they are about and which class interests they represent.

I represent my class proudly, standing up to defend workers and the city of Liverpool. We have defended it against all comers. We fear none of you—you have done all you can—[HON. MEMBERS: "Oh!"] They have done all they can. I am sorry about the parliamentary courtesy, Madam Deputy Speaker, and I do not wish to be disrespectful to you, but when I see my class enemy face to face, I sometimes lose my cool. I have no intention of insulting you, Madam Deputy Speaker.

Investment is at an all-time low. Conservatives tell us that we should be pricing ourselves into jobs, but the very people who are dictating to us what we should be doing are getting 50 per cent., 60 per cent. or 70 per cent. increases in their wages and yet they tell us that we are pricing ourselves out of jobs. Our Front Bench had better be listening—[HON. MEMBERS: "Oh!"]—because one of these days I shall perhaps give a key to the solution of the problems of the inflated people who are sponging off and exploiting the working class and creating the conditions experienced by my constituents.

We live in a society in which, even today, 1 per cent. of the population owns 18 per cent. of the wealth, 10 per cent. of the population, represented by those people on the Conservative Benches, own 50 per cent. of the wealth, and 50 per cent. of the population, represented by members of the Opposition, own only 10 per cent. of the wealth. We shall not solve the problems of Liverpool in this bear garden or through the Liberals and Tories, but through a Labour Government implementing socialist policies with the same enthusiasm as the Prime Minister and his predecessor have represented their class, the money fellows in the City, the Saunderses and all those who are screwing my class. We shall never forgive you for it. *[Interruption.]* Not your class, Madam Deputy Speaker—you are on our side, I believe.

Hon. Members: Oh!

Madam Deputy Speaker: Order. The hon. Gentleman must not involve the Chair in this debate.

Mr. Fields: I do not seek to embarrass you, Madam Deputy Speaker.

The decline in the economy has had adverse effects on the city of Liverpool. That has been mentioned time and again. Even my good comrade, my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) said in *Labour Briefing* in 1984:

> "The difficulty with the Liverpool situation is that it is unique. Not simply in its financial position, taking over a Liberal budget with a Labour programme, having no reserves or back up funds to survive the coming year, but because Liverpool is a living tribute to private enterprise and Tory policy in the destruction of the economy and industry."

He went on to say that we should be looking for ways to support the Liverpool councillors in their struggle against the Government as part of an on-going programme by other Labour-controlled authorities to assist and to stand with Liverpool against the Tories.

I am glad to see that Tory Members are perhaps reading "Liverpool—A City that Dared to Fight", a wonderful example of what a city could do with £20 million from Patrick Jenkin, the then Secretary of State for the Environment, to prolong our house-building programme when the Government were attacking every Labour-controlled authority and stopping house-building programmes, just as the Liberal Democrats did in Liverpool during their reign.

The motion and the amendment attack the trade unions for holding the city to ransom. We live in a city where the council is the largest employer merely because there is no major industry. The docks may be tarted up, but one will not see many redundant dockers' launches lying there. It is the people who have benefited from the Government's economic policies——

Mr. Robert Hayward (Kingswood): On a point of order, Madam Deputy Speaker.

Madam Deputy Speaker: I have a point of order which I hope is genuine.

Mr. Hayward: Will you confirm, Madam Deputy Speaker, that the Labour Whips are so determined to silence the hon. Member for Liverpool, Broadgreen (Mr. Fields)——

Madam Deputy Speaker: Order. What the Whips do is nothing to do with the Chair. The hon. Gentleman is wasting the House's time.

Mr. Fields: We are told that Liverpool is a debt-ridden city because of the policies of Militant and the extremists. That is not true. I take as my source the municipal year book, which compares 1980 and 1990. In fact, Liverpool's debt is less than Manchester's; it is almost equal to that of Leeds and is exceeded by Coventry's. Liverpool's debt is no more or less than that of the majority of local authorities. In an article in the press last week, it was explained clearly that the city treasury is not in hock to the banks—as some people would have us believe—any more than most other local authorities.

If we are looking for criticism, we do not need the Tories to tell us how to run a sound economy in our city because they bankrupted the country and continue to do so with their economic policies. As comrades who have served on Sefton and other local authorities will confirm, debt is part and parcel of local authorities.

Redundancies are a crisis for Liverpool. I do not believe that it is right—I say this publicly, as I have already said in Liverpool—that a Labour authority should make people redundant when there are jobs to be done for the council. The reality is that, in Liverpool, there are unfilled vacancies on the work list. Other vacancies are coming up because of natural wastage, and 500 jobs will be found because Liverpool has a licence for cable television and could employ those workers if it wanted to. Unfortunately, we are not getting those jobs—there is support for a programme of redundancies over and above those caused by privatisation of the cleansing services to which, I believe, the Labour party is wholly opposed.

As I said initially, we are being attacked from all sides, but we shall certainly do our best to defend ourselves. The motion will do nothing to resolve Liverpool's problems. We need a Labour Government elected at the next general election—the sooner the better—as a starting point to regenerate inner-city areas. We must give notice to the incoming Labour Government not to follow the path of the Wilson or Callaghan Administrations, which had to face, on the one hand, the demand of big business and the

International Monetary Fund and, on the other, the hopes and aspirations of working people which had built up after 13 nightmarish years of Toryism.

If we are to make any deals, they will not be with those in the City. Let us have our discussions with the working class, the disfranchised, the homeless, the poor, with those who are crippled by the mortgage interest rate and with those small business people who cannot afford to run their factories or to maintain innovative measures. Those people are our wonderful constituency, but we will not control what we do not own. Conservative Members understand that point.

Our programme for the future is the nationalisation of the commanding heights of the economy, with workers controlling the management and planning for need, not greed. That is the only solution to Liverpool's problems. It is the only solution to the problems of the working class. The clowns on the Conservative Benches have nothing to offer us that would help to solve our problems.

6 pm

Mr. Robert G. Hughes (Harrow, West): If anybody had been under the misapprehension that the Militant Tendency had been driven out of the Labour party, the speech of the hon. Member for Liverpool, Broadgreen (Mr. Fields) has nailed that lie once and for all. The first thing that one noticed was that the hon. Gentleman did not bother to tell us which Labour candidate he supports in the Walton by-election. That is not surprising, because a whole chapter of the book, "Liverpool—A City that Dared to Fight", by Peter Taaffe and Tony Mulhearn, is devoted to a tribute to the hon. Gentleman. The book quotes the *Liverpool Echo* of 10 June 1983, which stated:

"The election of Terry Fields is an embarrassment to members of Labour's National Executive who have tried for months to throw Militant supporters out of the party."

People from outside Liverpool can learn from that book that the platform on which the hon. Gentleman stood in that election and which he has outlined to the House tonight is exactly the same political programme as is being used now by Lesley Mahmood, the Militant candidate in the by-election—so much so that the slogan that was used by the hon. Member for Broadgreen—"A workers' MP on a worker's wage"—is now being used by Lesley Mahmood on every piece of her campaign literature. It is therefore clear where the hon. Gentleman's sympathies lie and why he did not say who he is supporting.

However, what is also clear now is why the hon. Member for Sheffield, Brightside (Mr. Blunkett) reacted with such anger when I told him that he had previously been against Militants being thrown out of the Labour party. He may like to play the indiarubber man in this debate but, unfortunately for him, these things are on the public record. *The Guardian* of 2 January 1986 referred to an article that the hon. Gentleman wrote for *Tribune*, in which he stated:

"wholesale purges will either destroy us all or suck a broad swathe of the party into a very authoritarian and rigid mould."

The article continued by stating that Labour should

"cease the purge mentality which is currently sweeping through the party."

The hon. Member for Brightside may well have changed his mind, but when it counted—when Militant had to be faced up to—he would not do it, and that is why he was so angry——

Mr. Blunkett *rose*——

Mr. Hughes: I shall not do what I would normally do, Madam Deputy Speaker, and show the hon. Gentleman the courtesy of giving way to him, because he would not do that to me. *[Interruption.]* He can call names, but he cannot give way—and neither shall I.

It is four years—[HON. MEMBERS: "Give way."] If name calling is not good enough for the hon. Member for Brightside, he should have given way when I asked him to do so.

Mr. Blunkett: I did.

Mr. Hughes: It is now four years since the openly avowed Militant Tendency Labour council in Liverpool was forced out—and what has changed? After 100 days, the *Liverpool Echo* carried out a survey of what had been achieved, concluding that, although there had been some progress, much work remained to be done. In 1989—in fact, almost exactly two years ago today—a report to the finance and strategy committee of Liverpool city council stated:

"Every effort must be made to ensure committee budgets are contained within the estimates approved."

It listed all the things that needed to be done to keep the budget under control.

Four years later, so little has changed that we are still hearing the same rhetoric from the Labour party—"We will improve if you give us time." But what is the record? One thing about which there has been deep concern in Liverpool is the army of thugs known as "Hatton's private army". We have seen them on "GBH", which is not simply a piece of drama or rhetoric; it shows what actually happened. Has Hatton's private army been abolished? No, it has not. Admittedly, it is on strike, but it still exists in the city. City property is now unprotected, and £5 million-worth of property has either been stolen or destroyed as a consequence.

As we have heard, Liverpool's debt burden has increased. The council has delayed and agonised over every decision facing it. When the gardening and parks contract was fiddled in an attempt to give it to the direct service organisation—although that would have cost £1 million more—what did the Labour party under Harry Rimmer do? Did it apologise and say, "We will not do this again"? No. It took a deputation to the Secretary of State for the Environment saying, "Can we do the same thing again next year? Can we give the contract to the direct service organisation?"

Liverpool city council employs more workers per 1,000 population than the authorities in Manchester, Birmingham or Leeds, and, even under its present plans, it intends to continue that trend. The street cleaning contract is due to be reconsidered next January. A paper from the chief executive relating to the policy and resources meeting of 18 June this year stated:

"The City Council needs to move away from a culture of short termism, crisis management and ad hocery".

However, the street cleaning contract will have to go out to tender. In a report for a meeting this week, the council states:

"To date, no formal report has been considered by a City Council Committee on the level of efficiency by the street cleansing DSO, and the likelihood of that DSO being able to successfully compete for its work." Considering the difficulties that the council has encountered when putting the rubbish collecting contract out to tender and the agony and pain for

[Mr. Hughes]

the people of Liverpool, one would have thought that, if the Labour party cared at all about the people of Liverpool, it would have started those discussions already.

The city council has failed to claim Government grants. We have heard a lot from the hon. Member for Brightside about money that should have been given to the council, but if the council cared about such matters, why has it been so incompetent that it has failed to claim the grant that was available to the city? That is incompetence on a big scale.

I should like to highlight one thing that I noticed when I visited Liverpool a week ago which shows the attitude of Liverpool's current Labour administration. I refer to the Merseyside trade union, community and unemployed resource centre at 24 Hardman street. It was initially set up by the Trades Union Congress, with TUC funds. However, when the city council—the post-Hatton council that the hon. Member for Brightside tells us is so responsible—had a £51 million deficit in December 1987, it decided to give that centre £0·25 million. The then finance committee chairman, Keith Hackett, an acolyte of Keva Coombes—they both voted last week against contracting out Liverpool's rubbish services—gave assurances that the money would not be used for party or propaganda purposes. The co-ordinator of the centre, Kevin Coyne, who is now a Kinnockite Labour councillor, said:

"the centre is non party political".

I invite the press who are covering the Walton by-election in large numbers to visit that centre. Anyone who does so can see that its main or probably sole purpose is the propagation of Labour party policy. It is a propaganda organ of the Labour party in Liverpool. Any visitor would know that, and I sometimes wonder whether the hon. Member for Liverpool, West Derby (Mr. Wareing) has visited the centre.

Its library is almost entirely devoted to Labour politics and includes a press cutting section entitled "Thatcher's demise". The language and content of the centre's newsletter, called "Dole Drums", are anti-Tory and pro-Labour. An article about the centre's resident theatre group, the Network, is headed "The Network acting for Socialism"—the centre is meant to be non-political and non-propaganda—and invites a response from

"people who are talking your sort of politics, or would like to become actively involved in using theatre in the struggle for political change".

The representatives of the city council on the management committee who approve of what is going on in the centre are Kinnockite Labour Councillors Concepcion and Edwards. The facilities at the centre, which is a large imposing building, are lavish. It has a conference room for 200, a family lounge, a well-equipped theatre and a bar entitled "The Flying Picket". The walls of the centre are covered in socialist memorabilia, including plaques thanking it for supplying pickets for strikes as far away as Dover, and huge displays of material from the miners' strike. A collection in a glass case, with a photograph of Arthur Scargill being arrested, is set out like a religious shrine. Political banners often hang outside. One said "Repeal the 1986 Social Security Act". However, a Conservative councillor—I accept that he was one of only two—put an enforcement order on it and had it removed.

A job advertisement on one of the notice boards proves that the Labour party in Liverpool still likes to break the law. It is for a part-time vacancy at a left-wing bookshop called "News from Nowhere" and advertises for a black woman. That offends against the Race Relations Act 1976, and the Labour party knows it.

That centre for the unemployed is clearly part of the Labour party's organisation in Liverpool. It is clear throughout Merseyside that such centres are part of that organisation. In Wallasey, the Labour party's campaign at the last election was run from just such a centre.

Not only Liverpool is infected by Militant, which is alive and thriving. Just two years ago, a £10,000 grant was given to the Anti-Poll Tax Union, a Militant front organisation, voted for by the Labour party. As we have already heard in this debate, there are Militant-supporting Labour Members of Parliament. The mayor of the Wirral was hounded out of the Labour group for supporting ordinary Labour party policy against that of Militant and socialist organisers. That is the so-called cleansed Labour party on Merseyside.

LIverpool city council has recently made moves to act sensibly, as in the issuing of a rubbish collection contract last week. It issued that contract not because it believed in it, but because it was forced to do so by the district auditor in his damning letter to the council in January. The council has applied to become a housing action trust, which I welcome as it would bring extra resources to the people of Liverpool.

However, as was confirmed this morning by the hon. Member for Kingston upon Hull, East (Mr. Prescott) speaking for the Labour candidate in Liverpool, Walton, the Labour party has promised to repeal all those laws. The district auditor's service of the audit commission, competitive tendering laws, housing action trusts—consistently opposed by the Labour party—would all be repealed by a Labour Government. So much for the cleansed Labour party in Liverpool. Labour Members do not mean what they say but simply want the heat to go away, so that Militant can rule again inside the Labour party in Liverpool.

6.14 pm

Mr. Robert M. Wareing (Liverpool, West Derby): I am pleased to take part in this debate, because I am proud of the fact that I was born and bred in Liverpool. I am proud because Liverpool has been, is and will be in the future a great city.

However, I am surprised at the temerity of the Liberal Democrats in tabling the motion. It is as though all Liverpool's problems stem from the so-called "Hatton period" of Liverpool city council. Liverpool's problems far predate that period.

I have often referred to the period between 1973 and 1983 as Liverpool city council's sterile years. During those years, the Labour party could not pass a single budget without the support or abstention of one of the opposition parties. Although the Liberals did not have an absolute majority, in 1973, for example, they had 48 of the 99 seats—as near as damn it a majority on the council. The Labour party was in power for most of the time in which the Liberals dominated the city council. Between 1974 and 1979, the Labour Government increased the rate support grant from £63 million to £109 million. One would have expected an improvement and expansion in the services and an improvement in the maintenance of the housing

stock. Not a bit of it. The increase in rate support grant was used not to extend or even maintain services, but to keep down the rates.

In 1975-76, when inflation was at 27 per cent., the Liberal party on the city council managed to introduce a 1 per cent. or 1p cut in the rates. What do hon. Members suppose would happen to services if inflation were running at 27 per cent. and revenue were cut by 1 per cent.? The answer is perfectly obvious—the services are held back or cut.

For example, between 1974 and 1978 housing repairs and maintenance in the city of Liverpool were cut by £2·75 million. Grants to voluntary organisations were slashed. They were cut for the Childs Wooton adult education centre, which catered largely for the black population in Toxteth, and for the Vauxhall law centre. Liberals always tell us about community policies, but they cut the grant to the Neighbourhood Projects group in Liverpool. They closed the Croxteth Lodge old people's home, despite the fact that there was a long waiting list for such accommodation.

To find the money, they introduced a £4 charge for pensioners' bus passes. Funnily enough, in their propaganda the Liberals said that they did not do that. The "Focus" pamphlet that was pushed through people's doors in the Tuebrook ward in the late 1970s said:

"Bus pass disgrace. Liberals were horrified when they heard of the proposal to reduce the Rates Increase by asking our Senior Citizens to pay for their Bus Passes."

They introduced the measure but were horrified. Another "Focus" leaflet that was pushed through people's doors stated:

"David Alton kicks £4 pass into touch. Moves were recently made to charge pensioners for their bus passes. David Alton was against this move and persuaded Councillors to drop the idea."

What it did not say was that the idea came from the Liberals on Liverpool city council.

Mr. Alton: I hope that we are not about to rerun our debates during the Liverpool, Edge Hill by-election, when the hon. Gentleman was my opponent. However, I am sure that the hon. Gentleman will agree that there are times when we disagree with policies within our own party. Surely he should congratulate me on having been successful on that occasion.

Mr. Wareing: I am glad that the hon. Gentleman was in a minority of one or two in his party. The fact is that his party introduced the idea, and the Labour party and even the Tory party opposed it.

Mr. Alton: Will the hon. Gentleman give way?

Mr. Wareing: No, because I have a lot more to say first.

We have heard about the drop in population in Liverpool and people have made snide comments about people leaving Liverpool because they want to get away from the Labour-run council. Merseyside has a population of 1·25 million people. Many people live outside the boundaries of Liverpool city and are part of the overspill population in places such as Kirkby, Knowsley and Crosby. Some live on the other side of the River Mersey. In almost all the great cities there is a movement away from the centre to the outskirts.

I am sorry that the Liberal Democrat party has sought to be party political about Liverpool. I am sure that if there were not a by-election in Liverpool, Walton, we should not have had this debate now and the Liberal Democrats would not have chosen the same subject. The Archbishop of Liverpool and the Bishop of Liverpool have written to

"encourage all our fellow-citizens, who have the good of Liverpool and its people at heart . . . to support the efforts of the City Council to put our house in order."

They also say:

"All political parties over the years have had a share in the long decline of Liverpool's prosperity."

I do not disagree with them. We have all had some responsibility. Why do we not have the humility to accept that there is responsibility on all our shoulders? For God's sake, we must get away from the argument that it is one party's fault.

The housing problems in Liverpool did not start in the 1980s. On 10 August 1978, when a Labour Government were in power and a Liberal administration ran the city, an article in the *Liverpool Echo* said:

"Liverpool 'like a bomb zone' . . . An all-party delegation of Glasgow District Councillors is 'shocked and Horrified' at Liverpool's council housing."

Who was chairman of Liverpool's housing committee at the time? None other than the hon. Member for Liverpool, Mossley Hill (Mr. Alton). For goodness' sake, let us get away from the idea that the Liberal Democrats have no responsibility.

The hon. Member for Mossley Hill also talked about dismantling the municipal empire. Some 80,000 council houses were to be sold. That was referred to by Ian Craig in the *Liverpool Echo* as the "sale of the century". A stop was put to council house building in 1979. That was at a time when 16,000 people were on the housing waiting list and 13,000 other people were in inadquate housing in Liverpool. At that time, the Liberal council stopped building council houses. Most of those people were not rich; they were relatively poor and some were very poor. The Liberals stopped building council houses although they built houses for sale. My hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) referred to that earlier. The low expenditure levels were used by the Secretary of State for the Environment to hold down the assistance given to Liverpool later.

The Liberal Democrats' hypocrisy continues. Time and again on the city council, they voted with Militant Tendency. Last Wednesday, having voted for Labour's budget, the Liberal Democrats moved a motion negating its proper implementation. They proposed to restore 94 jobs in the housing administration at a cost of £1·25 million, but they did not say how that would be paid for. As a result of Government policies, the housing revenue account is now ring-fenced and cannot be subsidised out of the poll tax. The motion went through on a combined Liberal Democrat and Militant vote. That is the real reason why we had difficulty last week on Liverpool city council.

The Tories must not think that all was marvellous during Conservative periods of office. I refer to the open letter to the right hon. Member for Old Bexley and Sidcup (Mr. Heath), who was then Prime Minister, in the Liverpool *Daily Post* of 11 February 1972. The letter concerned conditions in Liverpool during the last year in which the Tories had control of the city council.

Mr. David Shaw (Dover): They did not have control.

Mr. Wareing: Yes, they did. They were in the majority in 1972.

[Mr. Wareing]

Since 1979, £650 million has been cut from the revenue support grant to Liverpool. The housing investment programme is now far lower than the real value of HIP in 1979. The poll tax-capping threat is one of the immediate causes of the present budget crisis.

The Secretary of State for the Environment has held the post before. When he talks about partnership, we must ask how much partnership we have had from the Tory Government. What on earth have we had? In 1981, the present Secretary of State came to Liverpool. Many people in Liverpool regard him rather more highly than they do the average Tory Minister, because he saw the city before and after the Toxteth riots. After the riots, he wrote a report for the Cabinet and because somebody said that it took a riot to get him to Toxteth, he entitled the report "It took a riot".

Before one could say "Jack Robinson", the right hon. Member for Finchley (Mrs. Thatcher), the previous Prime Minister, arranged a meeting at which the right hon. and learned Member for Surrey, East (Sir G. Howe) was ordered to stop the report and to stop its implementation. The right hon. and learned Gentleman met the Secretary of State at a restaurant in Marsham street and "It took a riot" never saw the light of day. Instead, the right hon. and learned Member for Surrey, East advised the Prime Minister that they should manage the decline of Liverpool. He called for a "managed decline" of Liverpool.

It is wrong to say that no council in the Liverpool area was willing to do something. Merseyside county council was abolished by the Government because it had a Labour majority. Conservatives, Liberals and Labour members of the council opposed the abolition. The Merseyside chamber of commerce opposed the abolition. The bishop and the archbishop were opposed to the abolition. The Tory Government have been as extreme as the Hattons of this world. In the past 10 years, Liverpool has suffered from extremism. Thatcherite extremism and Hatton extremism are two sides of the same evil coin. Our city wants no more of it, and that will be the message from the people of Walton on 4 July.

I deplore the speeches made in the House last Friday by the hon. Member for Stroud (Mr. Knapman) and by the hon. Member for Salisbury (Mr. Key), the Parliamentary Under-Secretary of State for the Environment. How on earth can a Minister, using such prejudiced ideas and making such irrational statements, hold office? I have today written a letter of complaint to the Prime Minister because everyone in Liverpool—Tories, Socialists and Liberals—deplores what the Minister said. He simply regurgitated gossip. He is not fit to remain a Minister, and I have asked the Prime Minister to do what is right. It is disgraceful that a man who expresses such prejudices should be asked to adjudicate in a few days' time on Liverpool's bid. How can he be capable of reasoned thought about what Liverpool proposes when he holds such prejudices?

Some of us share the responsibility for believing some people on the left wing of the Labour party who said that they were democratic socialists. People in Liverpool have suffered as a result of Militant using Hatton as a recruiting sergeant for its cause. I shed no tears for the beginning of the end of the static security force and the intimidation and problems faced by Liverpool's people.

Harry Rimmer was my agent when I was first elected in 1983. He is an honest, decent man, and the people who are trying to solve Liverpool's problems are genuine, good people. Heaven knows, they are courageous. They have more guts in their little fingers than the Under-Secretary of State for the Environment and the hon. Member for Stroud have in their entire being. The people of Liverpool are in the front line of the battle against extremism.

Tories tell us that we should get rid of our extremists, but they should take action against the extremists who have determined their policies. The right hon. Members for Cirencester and Tewkesbury (Mr. Ridley) and for Finchley (Mrs. Thatcher), who is now earning her living from making speeches in the United States rather than in the House, are extremists.

Liverpool has had many achievements to its name over the past few years. I agreed with the first part of the speech by the hon. Member for Mossley Hill. However, the improvement at the port predates the abolition of the dock labour scheme. The Mersey barrage started life as an idea when I entered the county council and became chairman of the economic development committee. One of my first actions was to tell my officers that I wanted to see some action on the Dee barrage. They said that that could be difficult because two other county councils were involved. The result was the Mersey barrage.

Liverpool is proud of itself and it disowns both Thatcherite and Hatton extremists. It has certainly got rid of the Thatcherite extremists because not a single Tory Member represents a Liverpool constituency—nor is there likely to be one. The Hatton period has gone for ever, as the people of Walton will demonstrate on 4 July. If the Tory candidate in Walton wants to save his deposit he must dissociate himself from the speech on Friday by the hon. Member for Salisbury.

6.33 pm

Sir Cyril Smith (Rochdale): We have had some good speeches in an interesting debate, which was opened superbly by my hon. Friend the Member for Liverpool, Mossley Hill (Mr. Alton), who for many years has been the only hon. Member in Liverpool fighting against Militant Tendency. I welcome the views of the hon. Member for Liverpool, West Derby (Mr. Wareing), but it has taken him 20 years to come to them. He made a constructive speech, about which I shall shortly say more. My hon. Friend the Member for Mossley Hill, who lives in Liverpool, has been tabling motions and has been subjected to phone calls and all sorts of pressure. He has shown great courage in standing up for the people of Liverpool when people in the Labour party were not prepared to do so.

Mr. Hind: It is important to remember that Militant came to power in Liverpool council via the Labour party. In the autumn of 1985, the hon. Member for Sheffield, Brightside (Mr. Blunkett) prepared a report dictating what should be done, but it has taken Labour six years to come to its senses and do anything about that. It is to the credit of other parties rather than Labour itself that Labour Members have been brought to their senses.

Sir Cyril Smith: There is a great deal in what the hon. Gentleman says.

Many of the quotes used by the hon. Member for West Derby were from the 1970s. When the Government turn

on the official Opposition, Labour Members say that they have not been in power since 1979 and cannot be blamed for what is happening. However, in arguing against the Liberal Democrats, Labour Members have quoted what happened 19 or 20 years ago.

I urge the hon. Member for Liverpool, Broadgreen (Mr. Fields) to play a full part in the Walton by-election. He will have problems about the part that he should play and deciding which candidate to support. Yesterday, in a television programme in which I took part, an Opposition Member said that any Labour Member who did not support the official Labour candidate would be expelled and dealt with by the national executive. The people of Broadgreen will have to look for another candidate if the hon. Member for Broadgreen does not avoid the cameras that are in place throughout Walton to photograph Labour people who are assisting the wrong candidates so that evidence can be produced at the right time. He will have to shove his leaflets through doors at midnight if he is to survive the pre-selection process.

I shall not say much about the speech by the hon. Member for Brightside, because there is not much to say about it. It was blurred, and was certainly not the best speech that he has made in the House. The same applies to the disappointing speech by the Secretary of State, much of which dealt with the past. He told us that Tories were marvellous, but failed to say that only Governments have the power to initiative legislation. He asked why we did not introduce legislation, but for years we have not been in a position to do that. His speech did not rise to the occasion.

My hon. Friend the Member for Altrincham and Sale delivered a superb, constructive and helpful speech. Undoubtedly, housing, the main point with which my hon. Friend dealt, is a major problem on Merseyside. Perhaps that will allow me to say a word on the vote that took place last Wednesday, about which there has been so much comment.

The first point that I must make clear is that the 94 jobs involved were not included in the budget agreed with the Liberal Democrat councillors on 10 March. The redundancies were added to the programme at a private meeting attended by five Labour Members, and the two Liberal Democrat members objected to them.

Are we seriously to be criticised for objecting to the fact that the 94 jobs that were to go included 15 bricklayers, 10 plasterers, 30 plumbers, 24 electricians and 15 painters, at a time when there are 5,000 empty houses in Liverpool, many of which are waiting for repairs? The solution dreamed up by the Labour party was the sacking of the 94 people employed to repair them, most of whom were skilled craftsmen. What sense is there in that?

It may then be said that that takes £1 million from the budget, but if one quarter of the empty houses in Liverpool were let as a result of the repairs being done, the council would be able to collect in rent the £1 million that would be needed to pay the craftsmen. So I believe that the Liberal Democrat councillors were right on Wednesday. That is why they were supported by the Conservative councillors and by four moderate councillors, as well as by the Militant Tendency.

The debate has shown the rottenness not only of Militant but of the voting system. I shall not make a long speech about proportional representation, but let me repeat what my hon. Friend the Member for Mossley Hill said earlier. In 1991, 56,000 people voted for the Liberal Democrats in Liverpool, and 52,000 voted for Labour. As with central Government, the council has been elected on a minority vote, and the consequence is plain for all to see.

What is the consequence? Never mind 1970 or 1980, what about 1991? What about those kids—I gather in the constituency of the hon. Member for West Derby——

Mr. Wareing: Not in my constituency.

Sir Cyril Smith: All right, not in the hon. Gentleman's constituency, but in Liverpool, these kids were barred from school by glue being put on the gates. Six bully boys were outside trying to stop them going to school. What about the report in this morning's paper about a Labour councillor in Liverpool whose job and person were threatened and who had to lock herself in her office, simply because she voted with the moderate Labour group? All these things happened not in 1973 or 1983 but in 1991.

We want to know what the Labour group in Liverpool and the Labour party nationally are going to do. What will the trade union movement do? What action will trade union national officers take about situations in which people, under the guise of responsible trade unionists, can threaten people's jobs and try to stop children going to school by putting glue on gates?

Let me tell the House something else about 1991. It was not the Liberals who borrowed £800 million and are now paying interest charges to Japan, Switzerland and other countries. That was done by Labour councillors, while the national party sat and never said a flipping word to stop it. That is what is wrong with Liverpool today.

When hon. Members asked my hon. Friend the Member for Mossley Hill about housing, they said nothing, although the Secretary of State did, about the 35,000 houses in Liverpool that were repaired through general improvement grants while the Liberals had some influence in the city. It may be true that we built more houses for sale than for rent but we gave priority to sitting council tenants, and we paid removal expenses and solicitors fees. While it may be true that we did not build as many as we would have liked, it is equally true that, instead of demolishing houses, as your lot were constantly doing, we repaired them—35,000 of them.

Mr. Wareing: On a point of order, Mr. Deputy Speaker. I am sure that you were not responsible for what the hon. Member for Rochdale (Sir C. Smith) was talking about. I wish that he would refer to real cases.

Mr. Deputy Speaker (Sir Paul Dean): I am sure that the hon. Member for Rochdale (Sir C. Smith) was not referring to me.

Sir C. Smith: I apologise, Mr. Deputy Speaker. I should have said "the hon. Member for West Derby". I realise that he is smarting because he never got over my hon. Friend the Member for Mossley Hill licking him in the by-election in Edge Hill.

There is rottenness in the city of Liverpool. The cancer is still eating away at it. We desperately need a new approach. If the Archbishop and the bishops and the people of the country are as concerned about the city as I believe they are, they should know that the average person in Liverpool is a good, decent, honest hard-working person, who is fed up to the back teeth. If parliamentary conventions did not preclude it, Iwould tell the House what was said to me when I knocked on the door of a house in Walton [HON. MEMBERS: "Go on."] I will go this

[Sir C. Smith]

far. The man who answered my knock told me that he had always voted Labour. I asked him. "What do you think about what is happening in Liverpool today?" and he said, "I'm something off." The word began with "P". Actually, it meant that as well. That is indicative of the attitude of the people of Liverpool: they want peace and progress.

I hope that the archbishop, the bishops, the moderate Labour party, the Liberal Democrats, the Confederation of British Industry, the trade union leaders and many others in Liverpool can come together around a table to try to get a consensus of opinion on how to make progress. It behoves the Government to encourage that initiative and financially to induce it. That is the only way forward in the long term, as it is the only way that Militant will be defeated, as it deserves to be.

6.48 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Robert Key): It is a pleasure to follow the hon. Member for Rochdale (Sir C. Smith), not least because of his lightness of touch and depth of experience, which have added a dimension that would otherwise have been lacking in the debate. I found this a deeply depressing debate. It is not just that it has been an intrusion on private grief, on the squabble between the Liberal and Labour parties. It is far more important than that. We have seen exhibited tonight a deep malaise in the body politic of Liverpool.

It is my duty and privilege to spend a great deal of time with inner-city communities—communities which represent the rich multiplicity of culture, aspirations and frustrations. I meet many people who have street cred in their communities. They tell me that they know their communities, and they do. They tell me that they represent the views of their communities, and so they do, if sometimes partially. What most of those good people have in common is that they do not belong to political parties and they are not elected councillors. It is the tragedy of many of our inner cities and part of the tragedy of Liverpool.

In the many years during which I have been involved in politics, and long before I became a Member of this place —certainly when I was fighting the constituency of Holborn and St. Pancras, as it is now described, against the hon. Member who now represents that constituency —I have never been accused by anyone, as far as I am aware, of prejudice. I accept that I have been accused of many other things. That being so, I shall respond to some of the comments that were taken up in the debate last Friday. What a pity that it was such a thinly attended debate.

If anyone reads my speech in *Hansard* rather than relying on other sources, he or she might have taken a different view of my remarks. I have responded already to the hon. Member for Liverpool, Mossley Hill (Mr. Alton), but I remind hon. Members on both sides of the House of the words of a Liverpudlian who is living in Bournemouth, as reported in *The Daily Mail*. Apparently, he said:

"A hell of a lot more people would live in Liverpool if it hadn't been for the Militant council."

I accept that that is true. Someone else said:

"Liverpool is the Third World of England. Who wants to live in a place like that?"

I believe that the person who said that is entirely wrong. I believe that Liverpool, like so many other great northern cities, has turned the corner. I agree strongly with my right hon. Friend the Secretary of State that, when the history of the 1980s is written, it will be seen to be the decade of turning for Liverpool.

It is our ambition in government, in partnership with responsible councils, to ensure, through education, training, jobs and quality of life that people do not want to leave our inner cities, and that those who have left them want to return, especially in the north of England. We hope that many others will be attracted to join us and others in building a bright new future for the ancient communities of the inner cities.

Mr. Wareing: How can the comments that the Minister made during a long speech last Friday help the aim of attracting more investment to Liverpool and more people to live in an extremely good city?

Mr. Key: As the hon. Gentleman says, my comments were made during a long and serious debate. I was drawing attention to the dismal failure of a council in Liverpool —what I am about to say has been borne out by a quote from the *Daily Mail*—which has led to people feeling that they were driven out of the city.

Dame Elaine Kellett-Bowman: I have read my hon. Friend's speech. He said categorically in column 639 that Liverpool is "still a great city". What is wrong with that?

Mr. Key: I am grateful to my hon. Friend for that intervention. She is not such a partial observer as Opposition Members.

I have not enjoyed the nauseous piety of the Liberal Democrats this afternoon and evening. I accept, of course, that the arguments advanced by the hon. Member for Mossley Hill reflect long experience of Liverpool, but I believe that the Liberal Democrats are a big part of the problem in the city. It is no good the hon. Member for Mossley Hill blaming everything on the Labour party when we remember the period when the Liberal party, as it then was, was in control of the city, when little happened for so long.

I welcome the words of Archbishop Worlock, Bishop Sheppard and Dr. Newton. I think that they expressed what was genuinely meant, and that the Churches in Liverpool are playing an extremely positive role in seeking to bring communities together. I hope that the people of Liverpool will respond to the words of the Church leaders.

The hon. Member for Sheffield, Brightside (Mr. Blunkett) said that Liverpool has been offered no help or hope and has received nothing but carping and baying criticism. He talked of the problem caused by lack of money. I wish to tackle some of the hon. Gentleman's allegations, but first, it must be said that if the Labour party is preparing for government, the hon. Gentleman's defence from the Opposition Front Bench demonstrated what we might expect from a Labour Administration. What a tragedy. It was the worst defence by an Opposition Front-Bench spokesman of the Labour party in opposition that I have witnessed.

The claim that Liverpool has been starved of resources is a bit thin. The city has received almost £2 billion of support in the past 13 years. During the same period Manchester has received £1·5 billion. That is a city with a

slightly smaller population. Birmingham, with a population almost twice that of Liverpool's, has received support of about £3 billion over the same period. Proportionately, Liverpool has received a very good deal.

My hon. Friend the Member for Altrincham and Sale (Sir F. Montgomery) made a remarkable speech, and I am grateful to him. He put into perspective many of Liverpool's problems. He was, however, partial in quoting Liverpool's problems. He failed to mention the arrears of rates, including business rates, which amount to £37 million. If we add community charge arrears, we reach a grand total of £65 million of arrears. That is entirely due to inefficiency. Think what the grand total of arrears could have achieved, if collected, in helping to regenerate Liverpool.

The hon. Member for Liverpool, Broadgreen (Mr. Fields) made a brave speech. It was the sort of speech that I heard when I was a parliamentary candidate and came to the House to listen to debates. I suppose that, 10 years ago, many speeches were made of the sort that the hon. Gentleman delivered today. I only hope that it falls on stony ground in Liverpool in coming years. I do not believe that the hon. Gentleman's approach is any longer appropriate, if it ever was, to the politics of a free society.

My hon. Friend the Member for Harrow, West (Mr. Hughes) took us down the harsh road of the reality of politics in Liverpool. I am grateful to him for his robust contribution. Rent arrears, which have been referred to by several hon. Members, increased the community charge by about £30. That is the consequence if rents are not efficiently collected.

Housing has featured prominently in the debate. I was pleased to hear that Liverpool city council's housing committee has agreed to the recommendations that appear in two reports. Its acceptance this morning of those recommendations gives us real hope for the future. First, it has agreed that the council's multi-storey tower blocks are potentially suitable for a housing action trust. Who would have thought two years ago that Liverpool would be talking about an HAT? A more detailed feasibility study that includes tenant consultation should now begin. Secondly, it has been agreed that a joint report on identifying the scope for disposal of empty council stock to housing associations and house builders should go forward to my hon. Friend the Minister for Housing and Planning. I understand that the city council and the chairman of the housing corporation will be processing this development. That is good news on the housing front.

As my right hon. Friend the Secretary of State said, many of the achievements that we have seen in Liverpool are due almost entirely to the Government's policies. Liverpool is one of 15 authorities that have been invited to bid for City Challenge. It has sketched out its initial proposals to my right hon. Friend. My hon. Friend the Minister of State and I will be visiting Liverpool in the coming weeks to take that further.

The government of Liverpool is crucial to the future success of the city. It has been through a long period of decline, but that is coming to an end. The initiatives that were launched at the beginning of the 1980s by my right hon. Friend the Secretary of State show how success can come to the city. For example, Albert dock attracts over 6 million visitors a year. There has been the creation of the Wavertree technology park and the developments round the Anglican cathedral, which I have seen for myself.

Despite the successes, progress in rebuilding is not recognised by those outside Liverpool. The city has not yet been able to take advantage of the substantial investments that have been made by the Government.

The people of Liverpool should look to their history. I tell them this: "You have a great history but you can also have a great future. Your city voted overwhelmingly Conservative in its heyday. What have you gained from years of socialist rule, whether it has been Liberal, Labour or Militant by name? What have you gained but depression and decline over all those years?" All that has gone wrong must be laid at the doors of successive Labour and Liberal administrations. In sharp contrast, so much of what has gone right has been generated by this Conservative Government. Labour is still in hock to the Militants. It is still the party of protest, not the party of government.

About once a quarter, the Leader of the Opposition stamps his foot. He then tells us that Liverpool is under control. Why should we believe him this time? His party in Liverpool has told us where it stands. The hon. Members for Broadgreen, Liverpool, Garston (Mr. Loyden) and for Liverpool, Riverside (Mr. Parry) are too busy to campaign for the official Labour candidate. They are totally united —solid for socialism, mummers for Militant.

The people of Liverpool are doing a good job. The teachers of Liverpool——

Mr. James Wallace (Orkney and Shetland) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 18, Noes 210.

Division No. 185] **[6.59 pm**

AYES

Alton, David	Maclennan, Robert
Barnes, Mrs Rosie *(Greenwich)*	Michie, Mrs Ray *(Arg'l & Bute)*
Beith, A. J.	Owen, Rt Hon Dr David
Bellotti, David	Smith, Sir Cyril *(Rochdale)*
Bruce, Malcolm *(Gordon)*	Steel, Rt Hon Sir David
Carlile, Alex *(Mont'g)*	Taylor, Matthew *(Truro)*
Carr, Michael	Wigley, Dafydd
Fearn, Ronald	
Howells, Geraint	**Tellers for the Ayes:**
Hughes, Simon *(Southwark)*	Mr. James Wallace and
Kennedy, Charles	Mr. Archy Kirkwood

NOES

Alexander, Richard	Boscawen, Hon Robert
Alison, Rt Hon Michael	Boswell, Tim
Allason, Rupert	Bottomley, Peter
Amess, David	Bowden, Gerald *(Dulwich)*
Amos, Alan	Bowis, John
Arbuthnot, James	Braine, Rt Hon Sir Bernard
Arnold, Jacques *(Gravesham)*	Brazier, Julian
Arnold, Sir Thomas	Bright, Graham
Ashby, David	Brown, Michael *(Brigg & Cl't's)*
Aspinwall, Jack	Buck, Sir Antony
Atkins, Robert	Budgen, Nicholas
Baker, Rt Hon K. *(Mole Valley)*	Burt, Alistair
Baker, Nicholas *(Dorset N)*	Butler, Chris
Baldry, Tony	Carlisle, John, *(Luton N)*
Batiste, Spencer	Carlisle, Kenneth *(Lincoln)*
Beaumont-Dark, Anthony	Carrington, Matthew
Benn, Rt Hon Tony	Cartiss, Michael
Bennett, Nicholas *(Pembroke)*	Chalker, Rt Hon Mrs Lynda
Benyon, W.	Channon, Rt Hon Paul
Bevan, David Gilroy	Chapman, Sydney
Blackburn, Dr John G.	Clark, Rt Hon Alan *(Plymouth)*
Bonsor, Sir Nicholas	Clark, Rt Hon Sir William

Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Cryer, Bob
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Fields, Terry *(L'pool B G'n)*
Fishburn, John Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lawrence, Ivan
Lester, Jim *(Broxtowe)*
Loyden, Eddie
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Madden, Max
Mans, Keith
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Sir Gerrard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Redwood, John
Rhodes James, Sir Robert
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Rt Hon Sir Wyn
Ryder, Rt Hon Richard
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Skinner, Dennis
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Trotter, Neville
Twinn, Dr Ian
Walker, Bill *(T'side North)*
Waller, Gary
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Timothy Kirkhope and Mr. David Davis.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments):—*

The House divided: Ayes 186, Noes 23.

Division No. 186] **[7.12 pm**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blackburn, Dr John G.
Boscawen, Hon Robert
Bottomley, Peter
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Buck, Sir Antony
Budgen, Nicholas
Burt, Alistair
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Hague, William
Hamilton, Rt Hon Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Knight, Greg *(Derby North)*
Latham, Michael
Lawrence, Ivan
Lester, Jim *(Broxtowe)*
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Mans, Keith
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Sir Gerrard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick

Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
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Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
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Raffan, Keith
Redwood, John
Rhodes James, Sir Robert
Riddick, Graham
Rifkind, Rt Hon Malcolm
Ryder, Rt Hon Richard
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
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Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
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Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
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Taylor, Sir Teddy
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Trotter, Neville
Twinn, Dr Ian
Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Waller, Gary
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Wood, Timothy

Tellers for the Ayes:
Mr. Tim Boswell and
Mr. Timothy Kirkhope.

NOES

Alton, David
Barnes, Mrs Rosie *(Greenwich)*
Beith, A. J.
Bellotti, David
Benn, Rt Hon Tony
Bruce, Malcolm *(Gordon)*
Carr, Michael
Fearn, Ronald
Fields, Terry *(L'pool B G'n)*
Howells, Geraint
Hughes, Simon *(Southwark)*
Kennedy, Charles
Kirkwood, Archy
Loyden, Eddie
Maclennan, Robert
Madden, Max
Michie, Mrs Ray *(Arg'l & Bute)*
Owen, Rt Hon Dr David
Smith, Sir Cyril *(Rochdale)*
Steel, Rt Hon Sir David
Taylor, Matthew *(Truro)*
Wallace, James
Wigley, Dafydd

Tellers for the Noes:
Mr. Dennis Skinner and
Mr. Bob Cryer.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House reaffirms its belief in Liverpool as one of this country's great cities with a proud history and prospects for a secure future; condemns the incompetence, intimidation, waste and subservience to trade union dictation which have characterised successive administrations in Liverpool over the past decade and have caused untold damage to the City and its people; calls for better Government in the City to restore basic services and to pursue policies of fiscal rectitude, decentralised administration, partnership with central Government and private enterprise and consultation with the people of Liverpool; notes the steps taken by the present administration in response to the Government's compulsory competitive tendering legislation to put the interests of its residents first by contracting with a private sector firm for refuse collection; and commends the Leader of Her Majesty's Opposition for supporting the Conservative policy of fair and open competition in Liverpool, in the knowledge that it is right, but observes with dismay the Labour Party's opposition to it elsewhere in the country.

London Underground Bill

Order read for consideration of Bill, as amended.

Question, That the Bill be now considered, *put and agreed to.*

New clause 1

FOR PROTECTION OF JUBILEE GARDENS

'For the protection of the local community, the tourist industry, the wider community and the public interest the following provisions shall apply and have effect—

(1) In this section—

"Jubilee Gardens" means so much of the lands adjoining the River Thames and known as Jubilee Gardens as is shown as part of the land numbered 6 in the London Borough of Lambeth on the deposited plans and shown edged green on the signed plan;

"the London Residuary Body" means the London Residuary Body established under the provisions of section 57 of the Local Government Act 1985 and includes its successors in title;

"The Queen's Walk" means so much of the embankment walkway of the River Thames as is shown as part of the land numbered 6 in the London Borough of Lambeth on the deposited plans and shown edged blue on the signed plan;

"the riverside building" means the building situated on the land shown edged yellow on the signed plan; and

"the signed plan" means the plan of which five copies were signed by Sir Michael Nuebert, the Chairman of the committee of the House of Commons to whom the Bill for this Act was referred, and deposited respectively—

(a) in the office of the Clerk of Parliaments, House of Lords;

(b) in the Private Bill Office of the House of Commons;

(c) at the registered office of the Company;

(d) at the registered office of the Corporation; and

(e) with the proper officer of the council of the London Borough of Lambeth.

(2) Notwithstanding the provisions of section 25 (Temporary possession of land) of this Act the Company shall only enter upon or take possession of that part of Jubilee Gardens hatched black on the signed plan with the exception of that part of Jubilee Gardens hatched black on the signed plan which forms part of the central grass area denoted as Jubilee Gardens and surrounded by a dashed line on the signed plan.

(3) If the London Residuary Body shall at any time have disposed of Jubilee Gardens or any part thereof, the Queen's Walk or any part thereof or the riverside building or any part thereof the expression "successors in title" shall, for the purposes of this section, mean the owner for the time being of the Queen's Walk or any such part thereof and the owner for the time being of the riverside building or any such part thereof.

(4) In exercising the powers conferred upon them by this Act the Company shall keep to a minimum the extent and period of their possession and use of the remaining part of Jubilee Gardens and shall not in any event, without the consent of the London Residuary Body (such consent not to be unreasonably withheld), remain in possession of Jubilee Gardens for longer than 54 months.

(5) Before entering upon and taking possession temporarily of Jubilee Gardens the Company shall at their own expense remove all structures thereon (including all architectural, aesthetic and recreational features) to such alternative locations as the London Residuary Body may reasonably require and shall before relinquishing possession of Jubilee Gardens at their own expense ensure that the same items are returned to Jubilee Gardens and reinstated to the London Residuary Body's reasonable satisfaction.

(6) The Company's reinstatement of Jubilee Gardens shall be carried out to a similar standard to that existing prior to their possession of it, subject to the London Residuary Body's specification and their reasonable direction and approval.

(7) Notwithstanding the provisions of section 25 (Temporary possession of land) of this Act, the Company shall not enter upon or take possession of any part of the Queen's Walk except so much of the airspace over the Queen's Walk as may be required for the provision of an overhead conveyor.

(8) Any difference arising between the Company and the London Residuary Body under this section (other than a difference as to the meaning or construction of this section) shall be referred to and settled by arbitration.'. *[Miss Hoey.]*

Brought up, and read the First time.

7.24 pm

Miss Kate Hoey (Vauxhall): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this we may take amendment No. 2: in page 22, line 18, leave out clause 33.

Miss Hoey: Let me apologise in advance: I shall probably have to speak for slightly longer than I am accustomed to. Normally, I make a point of speaking briefly, but I feel that the case should be put as fully as possible and placed on record, so that the House of Lords considers the Bill seriously.

A few things have changed since Second Reading last October. I said then that some of the most significant opposition to the Jubilee line extension was coming from the Waterloo area. As I made clear, however, despite the principled objections that some people advanced to the priority given to that line, a Bill to introduce it had already been decided on, and it was therefore necessary to support the construction of the extension—and to require the construction to take place as quickly as possible, for the benefit of all Londoners.

I do not think that anyone living in the Waterloo area opposes the Bill as such. What no one seems to have taken into account—although some, including London Underground, have given it more consideration than others—is the effect on the Waterloo area and, in particular, the loss of a unique and special open space in Jubilee gardens.

Since last October, Jubilee gardens has been declared metropolitan open land—which means, in effect, that it is a green belt. That status will come into effect when the new borough plan is approved next year. It was supported by the London Planning Advisory Committee—a statutory body—by the Royal Fine Art Commission and by a number of other bodies.

I may not always be regarded as especially knowledgeable about the arts, but I quote from the Royal Fine Art Commission, which says in its letter:

"the Commission also wishes to encourage London Underground to move the work site required for the Jubilee Line extension back to the southern end of the site."

I shall explain the details in a moment.

There has been another change. The Queen's Walk Park Society now has planning permission for the creation of an extended park. That, too, has been supported by the Royal Fine Art Commission, which wrote to the London borough of Lambeth suggesting that this should happen.

The Department of the Environment's own planning guidance note asked boroughs to identify areas of open space with a view to designating them metropolitan open land. The note clearly stated the necessary criteria. First, the area should

"contribute to the physical structure or character of London by providing attractive breaks in the built up area".

Surely Jubilee gardens, which is just across the river, falls precisely within that definition.

Secondly, the area should

"include open air facilities (especially for leisure, recreation and sport) for the people of the whole or part of London".

The area marks the end point of the London marathon. Unfortunately, since the London residuary body assumed responsibility, it has been less and less involved in the many riverside events in which thousands of Londoners have been able to participate in the past.

Thirdly, the area should

"contain features or landscape of historic, recreational, nature conservation or scientific interest worthy of protection on account of their value nationally or to the whole or part of London. The presumption against development in the Green Belt applies equally to metropolitan open land."

Jubilee gardens has now been defined as metropolitan open land, following the Department's expressed wish that we should identify such sites.

I am sorry that the Minister for Local Government and Inner Cities is not present. I am not accusing him of staying away deliberately, but I feel that the problem of Jubilee gardens, Waterloo and the underground system is very much in the hands of the Department of the Environment. At this stage, I am not blaming the Department, which wants to see the line built as quickly as possible. The argument of those who want to protect Jubilee gardens is that that can be done without ruining the gardens.

7.30 pm

It is not a case of Waterloo residents taking a NIMBY attitude and not wanting any development—they have already seen enormous changes in Waterloo in the form of developments that have affected the whole area, and which have not necessarily been beneficial. One of the arguments made for the Bill, to placate the people of Waterloo, is that it will benefit them—that the new local tube station to be built at Southwark would provide them with a more convenient alternative to Waterloo station. However, many residents already use Waterloo. That facility already exists.

In common with the hon. Member for Southwark and Bermondsey (Mr. Hughes), who supports me on this issue, I do not oppose the extension or the station at Southwark, but the people of Waterloo have already seen the channel tunnel terminus steamrollered through. No matter how hard British Rail tried to minimise the chaos that work brought to the area, that was difficult to achieve. Work on the Waterloo viaduct has also affected local residents, and the construction of Southwark station will affect the residents of Roupell street and Hatfields.

Earlier this year, I received this letter from one of my constituents:

"I live in a street that has been designated as forming the route of the Channel tunnel into Waterloo station. My street has become a building site with holes and heavy machinery everywhere. The pavement on both sides of the road is being dug up, so that my wife and two children have to walk down the middle of an increasingly busy road. This is a disgrace. British Rail have managed to get my narrow street, normally one-way traffic, designated two-way to suit their purposes, and I am genuinely frightened for the safety of my and other local children."

At least that resident and others have somewhere relatively near—Jubilee gardens—where their children can play, and where their families can have some respite from the chaos in that area. But that alternative will no longer be available if London Underground uses that site.

A sequence of planning decisions in the Waterloo area have gradually eroded the area of free space while increasing traffic and the other problems that confront an inner city area when large new office blocks are built. The threatened development of the south bank may look very pretty on the drawing board, but it will create huge problems for residents during its construction. There are also new office blocks planned for Waterloo road, Hercules road and Baylis road. Every road in the Waterloo area is being affected in one way or another. Residents now risk their last piece of green space by the river being turned into what can only be described as an urban slag heap for six years—perhaps less—and that is something that they will fight to the very end.

From the plan—it is a pity that right hon. and hon. Members cannot all have a copy—it is clear that London Underground wanted to take the spoil from the site that we want it to have. There is no disagreement between me and other hon. Members who support the clause and London Underground over that point. The project manager, Russell Black, may hate to be quoted again, but he clearly said that, if the development of county hall did not go ahead, London Underground would prefer that site, which would be in the public interest. None of the calculations has been challenged, and they show that it would cost London Underground £1 million less to use that site. Such a saving may be tiny in comparison with the overall budget, but it would be another advantage of locating the spoil site right up against county hall.

That site, which is currently used as a small car park, takes only a tiny part of Jubilee gardens. The London residuary body did not want that site to be used because it wished to protect its development plans, at the time when the County Hall Development Group was presenting grandiose proposals to build a hotel, offices, and houses with private gardens—which would also have encroached on Jubilee gardens. That scheme went the rounds of public consultation, but eventually the development company went into liquidation. That is the current terminology, but perhaps "bankruptcy" would be a better word.

Unless any right hon. or hon. Member has more up-to-date information, my understanding is that no one has put in another bid for county hall, and that it is owned only by the LRB, which is a public body. I understand also that no planning permission has been granted because the last public inquiry has not yet reported. I presume that the inspector's report is now with the Secretary of State for the Environment.

It was clear from the public inquiry that people did not want the county hall site to be developed into a hotel. Also, my own party and the Liberal Democrats want county hall to be returned to public use at some time—and that commitment will be realised when there is next a Labour Government.

Meanwhile, if the Secretary of State sees fit to grant planning permission for such a horrendous development, could he not do so on condition that for the first five years the developers allow London Underground access to the site? That seems perfectly reasonable. I hope that the inspector put that option to the Secretary of State for the Environment, and, if so, that will be considered.

The London residuary body managed to get a protection clause accepted at Committee stage. It not only says, "No way will anyone be allowed near our little bit of county hall, because we want that for our development," but it fails to protect the well-designed playground in the middle of Jubilee gardens—which, despite London Underground's willingness to relocate it, would otherwise be lost. That is why I am keen to see that protection clause deleted—if not today, when the Bill is considered in another place. As soon as the LRB sells the site, the new owner will have the right to get rid of the playground. We need to insert clauses into the Bill to bind a future developer, should there be one, to allowing London Underground access to the site.

The key to the whole issue is money. London Underground would save £1 million by moving to the site next to county hall. The LRB says that if it is not allowed access to the site for five years it cannot sell county hall for as much money and it would therefore sue London Underground—it said it would take London Underground to the cleaners—for between £50 million and £100 million.

The building is on sale for £150 million. The LRB is saying that it has a £1 billion scheme, and that if it does not have access to that site it cannot build a car park for 100 cars. I remind the House that at present there is no buyer for county hall. Even if all went well—putting aside questions of a general election, planning permission, the economy and the fact that there are not many developers wanting to buy county hall—no one could live in that riverside building for at least five years. Indeed, the original developers said that no one could live there for at least four years from the day they had access to the site.

That time scale would fit very neatly with the time scale envisaged in the Bill—which is likely to receive Royal Assent early next year—of four and a half years. Indeed, with no prospective buyers, the redevelopment of county hall may be some time away, if it ever happens. As no developer is currently interested in county hall, none of the original agreements, such as access to Jubilee gardens, can be upheld.

The question of compensation needs careful consideration. I do not believe the figures suggested by the LRB; it has not done its homework. Indeed, it appears that the Department of the Environment has not really considered the matter. I may be naive, but I feel that as the Department of the Environment, the Department of Transport and the LRB are public bodies, we are merely talking about the passing of money from one public body to another. It is the LRB's argument that, under our proposal, it would obtain less money for county hall, which would be a cost to the public purse. I do not think that that cost, which is only a book-keeping exercise, would be as high as the LRB maintains—but in any case, we must weigh up that cost against the cost of the loss of a valuable amenity.

I have already stressed the difficulties for the people of Waterloo, but it goes further than that. Jubilee gardens is one of the last remaining green riverside sites in London. The loss of such a valuable amenity has not been properly considered—and that is without taking into account the saving of £1 million for London Underground. We must remember that it was Londoners who paid for county hall and Jubilee gardens. If there is to be a small loss to the

public purse so that Jubilee gardens can be kept in public use for six years, I consider that price to be well worth paying.

7.45 pm

There were two inquiries into the future of county hall, and I remind the House that the proposed developers at that time no longer exist. Of course, the LRB says that whoever buys county hall will have to adhere exactly to the plans of the original developer. I have not met many developers, but I have yet to meet one—or even an architect—who takes over a project and does not want to make changes. At the inquiries, it was stated that the housing aspect of the county hall development was not financially essential to the scheme. That shows that the LRB, if it gets planning permission, could go ahead with the hotel and the office projects, and not lose any money.

Everyone involved in the issue—London Underground, the Department of Transport, the people of Waterloo, the Waterloo community development group, the River Thames Society, the Open Spaces Society, the London River Authority and the Ramblers Association —have bent over backwards to be helpful. The only body to come out of the mess really badly is the LRB—yet it is a public body which is supposed to be acting in the interests of Londoners. It is appalling even to think of allowing Jubilee gardens to be bulldozed simply because Government bodies cannot get together to find a solution.

I am grateful to the Minister for coming recently to look at the site that we support and I am sure that he would agree that all logic and sense point to that being the best site for London Underground. Hon. Members are meant to be working for the interests of the public, and if we cannot find a solution to the problem we will not meet the expectations of those who elected us. I remember a debate when hon. Members on both sides of the House spent hours complaining that their working conditions and other aspects of their lives at Westminster would not be acceptable if the Bill were passed in its original form because of the works in Westminster. London Underground found a way to ensure that the interests of Members of Parliament were not jeopardised, but the people of Waterloo do not have the same ability as Members of Parliament to lobby, pester and throw power punches.

I urge hon. Members to save Jubilee gardens and thus allow the Bill to proceed as quickly as possible. I have great faith in what will happen in the other place. It will examine wider issues than were considered in the Committee. The Bill will return here in a different form. I hope that this House will adopt a sensible way forward so that petitions will not have to be submitted again. I hope, too, that the Minister will say that he intends to sort something out with the Department of the Environment so that the London residuary body cannot threaten us with a form of blackmail. Public money is involved and the London residuary body is a public body.

I shall listen to what the Minister has to say before deciding whether to press the new clause to a Division. The House has the opportunity to prevent a repetition of some of the appalling things that have happened in the Waterloo area. We must preserve this green space for Londoners and show that Members of Parliament can make a difference when common sense and reality demonstrate what is the right use for the site.

Mr. Simon Hughes (Southwark and Bermondsey): I support what has been said by the hon. Member for Vauxhall (Miss Hoey), who represents the bulk of the Waterloo area. I have an interest in only a small part of it —Southwark and Bermondsey.

I have two simple and straightforward points to make. First—this is a paradox—the Government believe that it is important for the people of London to walk alongside the river in central London. Tomorrow morning, the Secretary of State for the Environment is coming to my constituency to unveil a plaque to commemorate another part of the Jubilee walkway in London bridge city, just by Tower bridge. Part of the Jubilee walkway passes through Jubilee gardens and goes along that part of the Thames which provides the largest amount of currently available green space adjacent to the river.

In central London—unlike many other European cities —there is very little green space immediately adjacent to the river. One of the great joys of urban life is the conjunction of green space, open space and water. That is why the Serpentine in Hyde park is so popular. Parks are fine, but parks with water are better. A river is wonderful, but a river with adjacent space where it can be enjoyed at leisure is even better.

It would be ridiculous if, due to a set of public policy decisions, the people of London had to suffer an intrusion into the largest pocket of remaining green space in central London that is available for the public to enjoy. To suffer that intrusion for a limited period—although for several years—while the work is done and then to be unable to make the maximum use of that space would be madness. If it is impossible, with all the brains, intelligence, public finance and commitment to the railway line, to reconcile the proper interests of the line and public transport, which I support, with the equally proper interests of the environment for those who live, work and wish to spend their leisure time by the river on the Lambeth-Southwark boundary, just opposite the Palace of Westminster, there is something wrong with this nation's decision-making process.

My second point is linked to the first. In recent years, we have experienced a ridiculous set of events connected with the conjunction of timing of decisions. No better evidence can be found than at Waterloo. We are debating in this House, after which it will go to another place, the timetable for building the Jubilee line—digging holes, taking out the spoil, and so on. At the same time, the London residuary body, which took over the functions of the Greater London council after the Conservative Government decided to abolish it, is planning for the future of county hall. Opposition Members do not agree with its plans.

As the hon. Member for Vauxhall said, we believe that county hall should be retained for the government of London. We are convinced that, sooner or later, there will be government of London at regional level. In the meantime, however, another public body has charge of that building. It has tried to obtain approval for a development plan. However, the ridiculous illogicality is that the developer has gone. Therefore this public body is seeking planning approval for a plan for a developer who has disappeared.

Even if we accept the bizarre nature of there being a planning application on behalf of a non-existent developer, what is even more illogical is that we are having a debate about Jubilee gardens into which is intruding the

concern of a non-elected body—the London residuary body—at a time when we do not know what decision will be taken about LRB's planning application for that building. That is madness, too. It is mad that the House of Commons should have to decide what powers to give the promoters—London Underground—when we do not know what the success or failure will be of the latest planning application in relation to LRB's plans for county hall.

I do not know when the Secretary of State will make his decision. A different Secretary of State—the Secretary of State for the Environment—is in charge. What a way to proceed. It is complete nonsense that the planning of London's transport, its use of open space, its buildings and architecture and its public land use cannot be joined together so that logical decisions can be taken. It will be even bigger nonsense if, despite our efforts, decisions about the Jubilee line and Jubilee gardens have to be taken before we know the outcome of the planning application that has gone for decision, after public inquiry, to the Secretary of State in relation to county hall.

We in this House may be unable to alter the fact that we shall have to make a decision before the result of the planning application is known. I suspect that any other option is no longer available to us. However, as the hon. Member for Vauxhall rightly said, hon. Members, who are democratically elected to represent people with very real concerns, look now—another paradox of the system—to the unelected members in the other place to protect them. In the meantime, we must just hope that the Secretary of State for the Environment will be able to make his decision about county hall in a way that coincides with the decision-making process in relation to the Jubilee line Bill.

As the hon. Lady said, she and I, her council in Lambeth and mine in Southwark are the representatives of the communities in those boroughs. We want an underground line, but we do not want one if the current proposal means that a muddle will still have to be sorted out. The job of this House is to flag the remaining issues that are still in a muddle and to say to the promoters and to the Government, "For heaven's sake, while trying to regenerate south London by building this useful new line, please do not ruin many other things along its route." One of the most precious things is Jubilee gardens. We must make sure that we do not mess it up for this and future generations.

Mr. Tom Cox (Tooting): I support the new clause that has been moved by my hon. Friend the Member for Vauxhall (Miss Hoey). Both she and the hon. Member for Southwark and Bermondsey (Mr. Hughes) made the point that all of us with London constituencies—certainly those who represent constituencies in south London, as I do—know how much pleasure Jubilee gardens brings to our constituents and their families. It is a very pleasant area, both during the day and in the evening. We need to preserve such areas. Hon. Members who have been in the House for a while know that, unless we begin to voice our concerns and to receive guarantees about the future of Jubilee gardens, things may happen that neither we nor the people of London would want or support.

8 pm

My hon. Friend the Member for Vauxhall is to be congratulated on moving new clause 1. Subsection (4)—my hon. Friend or the hon. Member for Ilford, South (Mr. Thorne) may develop this later—refers to Jubilee gardens not remaining in the possession of, I assume, the developers for "longer than 54 months". That is four and a half years, which is a long time. We are entitled to be told the extent of disruption in the area for four and a half years. Are we right in assuming that workings will continue for seven days a week and, if not on a 24-hour, day-by-day basis, will begin early in the morning and continue until late evening?

What would be the result of such disruption in the area? We already know that Waterloo is a busy area; there is much traffic in the rush hour and throughout the day. How much further disruption would there be as heavy lorries moved the spoil and as other lorries delivered supplies?

There are a number of shops in the area. What will happen to people who are trying to run a business? Have they been consulted and asked for their views? I remember speaking in the House months ago on the development of Victoria station. Hon. Members asked how much consultation there had been, and it became clear that there had been little. People had not been made aware that workings would continue for a long time, which would disrupt business in the area.

I should like to know a little more about the cost of the development. My hon. Friend the Member for Vauxhall referred to county hall. I realise that this is not the time to discuss county hall, but the way in which that proposed development has been handled has been a disgrace, and it has fizzled out into nothing. As my hon. Friend said, the Department of the Environment is more involved in the future of county hall than the Department of Transport, but it is time that Members of Parliament, especially those representing London constituencies, were informed of the position and were allowed, in Government time, to make their views known on the future development of county hall.

I should be interested to hear, if not from the sponsor possibly from the Minister, about the cost not only of compensating prospective developers of county hall but of all the works. Will the costs be borne solely by London Transport, by London Transport and a percentage grant from the Department of Transport or, as we see so often, by a little bit of each, with increased fares that commuters must pay? We are entitled to know something about that.

My hon. Friend the Member for Vauxhall was right to move the new clause. As she said, she spoke not only for her constituents and people living in the area adjacent to Waterloo but for the people of London, who have enjoyed and who wish to continue to enjoy Jubilee gardens. I am delighted to have the opportunity to support her.

Mr. Neil Thorne (Ilford, South): I congratulate the hon. Member for Vauxhall (Miss Hoey) on eloquently putting the case for Jubilee gardens on behalf of her constituents. We are all concerned about open space in London, and the majority of us sympathise with people who must live near the centre and therefore suffer from continuous building works. I know a little about that because, living over the road during the week, I find that, as soon as scaffolding is taken down, more is erected, and banging and crashing starts at 8 am.

We are concerned to ensure, first, that constituents are not inconvenienced any more than necessary and, secondly, that open space is protected. We particularly appreciate the point that the hon. Lady made about metropolitan open land.

[Mr. Neil Thorne]

The hon. Member for Vauxhall asked about the cost. She rightly said that it would be cheaper for the promoters to use the working space that is closer to county hall. She also said that they would run the risk of incurring considerable extra costs in compensation for the subsequent development of county hall. She said that the cost of that could be between £50 million and £100 million. I have also heard that figure, which I believe to be true. That was one of the main reasons why the Committee that considered the Bill was concerned about the possible additional cost to the project.

The Committee required an undertaking that the area close to county hall be grassed for as long as that land was not required. As the hon. Member for Vauxhall said, that may be for the duration of the contract—54 months—and the promoters have given the London residuary body an undertaking that the children's playground will be retained. Everybody appreciates the value of that playground and the open space. The hon. Lady's point is taken.

Ms. Joan Ruddock (Lewisham, Deptford): I did not expect the hon. Gentleman to move on quite so quickly, so I hope that he will accept this brief intervention. I do not think that, in the circumstances that he described, he meant to imply that the London residuary body was obliged to sue. I understand from my hon. Friend the Member for Vauxhall that there is no reason to believe that the costs of £50 million or £100 million would accrue.

We are talking about several public authorities. Surely we are trying to balance the interests of the public and the convenience of Londoners and their recreational facilities with the other interests. Will the hon. Gentleman make it clear whether he foresees an absolute risk of this happening, or whether, as my hon. Friend suggested, it could be set aside by the LRB?

Mr. Thorne: If I may, I shall leave that point for the moment, but I promise to return to it.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) suggested that this matter should not be considered before the future of county hall has been determined. The Committee considered that aspect in detail. Most hon. Members would welcome the construction of the Jubilee line, and it would be wrong to delay the work unnecessarily by insisting that no progress was made until a final decison was taken.

Mr. Simon Hughes: I hope that the hon. Gentleman did not mean to imply that I argued that we should not wait for a decision. I tried to say clearly that, because the Bill has to go to the other place and because we are waiting for a decision by the Secretary of State on another matter, a decision on the planning matter and consideration in detail in the other place could coincide. Before the Bill completes its passage, those two aspects may coincide, and there may be some logic in planning for Jubilee gardens and Waterloo.

Mr. Thorne: That matter is not in my hands. I do not want to imply that the promoters would be happy if the Department did not make a decision before the Bill reached the other place and if work was therefore held up. I accept that it would be to everyone's advantge to know about the future of county hall before a final decision was taken, but I am afraid that no undertaking can be given.

The hon. Member for Tooting (Mr. Cox) voiced concern about the future of Jubilee gardens. We want Jubilee gardens to return as quickly as possible to the important role that it now plays. It has a reputation as an excellent space in the centre of the metropolis, and we all regret the need to disturb it. The Committee listened carefully to the arguments and to the proposed alternatives, but in the circumstances we must look forward to the work being carried out as quickly as possible.

The work will go on around the clock, for five and a half days a week. According to the latest figures, the total cost of the project will be about £1·3 billion. Part of the funding will come from some of those who will benefit from the stations constructed along the route. Negotiations are still taking place. It is difficult to tell the hon. Member for Tooting precisely what the ultimate figure will be, but I assure him that the public Exchequer will do its best to ensure that those who benefit from their property will pay their full share towards the total cost of the project.

I fully accept that county hall is owned by the public at large. I do not agree with the hon. Member for Vauxhall that, because it is owned by the public, we can play fast and loose with the funds. I am sure that the hon. Lady did not mean to imply that that is what we should do. It is important to try to keep the public cost as low as possible. If we can sensibly arrange construction by preserving for the public as much of their investment as possible, we should do so.

There is no requirement on the LRB to demand between £50 million and £100 million, but we must appreciate that it would be fully entitled to do so and that many people would consider that it was its responsibility to do so if the money were owned by the wider public rather than the passengers who will use that section of the route. The residuary body would have that responsibility, and therefore may be pressed to exercise it.

Miss Hoey: Is not LRB under an obligation to dispose of county hall at what is quoted as the best price that may be "practicably" obtained? I ask the hon. Gentleman to return to the question of who does the cost-benefit analysis? Who is weighing up the costs of the loss of Jubilee gardens over that period?

8.15 pm

Mr. Thorne: The total costs involved in the project were taken into account over three days by the Committee. Arguments were made, and the Committee went into the matter in great detail. It unanimously agreed that the right solution was that which had been proposed, with an undertaking that the promoters should do their best to provide an alternative to Jubilee gardens for the benefit of the local community. The costings and the detailed cost-benefit analysis were considered in detail over three days. It was an in-depth study. It would not be right for us again to go over the ground that the Committee covered, with the benefit of counsel's opinion. For that reason, the promoters hope that they can rely on the House to maintain the Committee's opinion and to reject the new clause.

Ms. Ruddock: I find it difficult to follow the hon. Gentleman's argument. There is a legalistic argument about how, theoretically, the LRB may forgo some moneys because of these works which may, theoretically, affect some sale. As my hon. Friend the Member for Vauxhall (Miss. Hoey) said, there is no sale—there is no buyer, and no planning permission has been given. It is a theoretical and legalistic argument.

It will be clear to Londoners and to those who are used to using Jubilee gardens, walking by the river and enjoying those amenities, what the loss will be if plans go ahead. One is not comparing like with like. The hon. Gentleman acknowledges that the public at large own the area. They will quickly and directly see the loss they will suffer if they lose those amenities. I do not believe that they see the loss that they "may" theoretically suffer by forgoing the moneys that "may" be made on the site if it "were" sold to a developer, who does not exist.

Mr. Thorne: I am grateful to the hon. Lady for her comments, but she is misguided in believing that the residents in the area will not have the benefit of their riverside walk. They will still have a riverside walk on the remaining land, although it will not be as large a piece. Whichever half is taken, they will still have the same problem—they will still have less than they have now. They will still, nevertheless, have a garden which has a similar proximity to the river as the present area. On that basis, the House should allow the promoters to go ahead.

Miss Hoey: I must correct the hon. Gentleman. It is not fair or right to talk about halves. We are talking about a much smaller part of the area that is predominantly not grassed over, which is seen by London Underground as offering the most sensible use of the land. The other part that London Underground will be forced to use by the non-elected LRB is a substantial chunk which takes the heart out of Jubilee gardens. I should be happy for the promoter of the Bill to walk around the gardens with me next week as the Minister did, because we are talking about the heart of Jubilee gardens, not half.

Mr. Thorne: I am sorry, but I am looking at the map, and the hatched area is larger than that which is left unhatched. Therefore, I do not understand the hon. Lady's argument. Moreover, neither of the areas go down to the river frontage, so I do not understand the argument about people being unable to gain access to the river. Neither of the areas goes right up to the river wall; both are set back, at about 20m, I would guess. Therefore, uninhibited passage along the river frontage will still be available. In Committee, the promoters gave an undertaking that they would grass the area if it was not required, so I do not understand the problem.

The Committee discussed the issue in detail, so I ask the House to reject the new clause and to accept the Committee's proposals.

The Minister for Public Transport (Mr. Roger Freeman): I shall make one or two points on behalf of the Departments of the Environment and of Transport. My hon. Friend the Member for Ilford, South (Mr. Thorne) has again ably and comprehensively sought to answer the issues that have been raised, and what I have to say is in addition to his comments.

I am very pleased that the hon. Member for Vauxhall (Miss Hoey) will support the Bill. This is not a party political issue, and there is a broad consensus among all parties, including the Liberal Democrats, that the Bill will be good for London. I appreciate that there will be inconvenience to the residents of Vauxhall. As my hon. Friend the Member for Ilford, South said, there is no question but that there will be four and a half years of inconvenience—as fairly sketched by the hon. Member for Vauxhall—on the northern part of the site and possibly another two years on the southern portion of the site if a car park is dug. Either way, there is inconvenience and that is part of the loss of amenity which the hon. Lady said should be weighed. I shall seek to answer that point on behalf of the Government.

As part of the loss my hon. Friend the Member for Ilford, South fairly cited the £1 million additional cost of tunnelling from a site further away than the running tunnel. In addition, there would be some loss of amenity.

On the gain side, there is clearly a risk that, if county hall is sold for a use that involves a car park, the potential loss to London Regional Transport could be substantial. The risks have been set out in Committee, and it cannot be denied that there is a risk that the taxpayer would have to find a substantial sum of money. That is the distinction. The taxpayer funds London Regional Transport and the underground, but the charge payer—as my hon. Friend rightly said—is the beneficiary from the sale of county hall by the London residuary body. Therefore, although both are part of the public sector—I say this as the Minister accountable to the House for the funding of London Regional Transport—the taxpayer would end up compensating the charge payers of London for the loss of receipts because the car park could not be constructed.

The hon. Member for Vauxhall mentioned two issues on which I can perhaps reassure her on behalf of the Government. My hon. Friend the Minister with responsibility for inner cities and I have a joint responsibility for ensuring that two things happen, and I give the hon. Lady these assurances. First, I have seen the children's playground, and I assure her that the Government will ensure that all reasonable steps are taken to move the playground and to find a new site and that the cost of so moving it will be met so that that amenity will not be lost.

Secondly, on removal of soil, the London Residuary Body and London Regional Transport will work together to ensure that the streets of Vauxhall and of south London in general will, if at all possible, not be burdened with heavy goods vehicles transporting soil from the excavation for the car park and that the soil will be disposed of by barge using the same system as London Regional Transport. I hope that the hon. Lady will accept those assurances in the spirit in which they are offered.

Miss Hoey: I welcome the assurances about the children's playground. To be fair to London Underground, it has been extremely helpful in discussing the spoil and how to minimise it. However, I am disappointed that the Minister has been unable to give me the feeling that anyone has been sent to find a way around the financial difficulty of two public bodies, given that the Minister accepts—although he did not say so, it would have been nice if he had—that the best site was that which we wanted. I should have liked the Minister to say that he would sit around a table with officials from the

[Miss Hoey]

Department of the Environment to find a way around the problem. The cost-benefit analysis has not been carried out satisfactorily.

The sponsor of the Bill talked a lot about the Committee. I spent some time in that Committee and I genuinely wish—perhaps I should not say this—that the detail and depth mentioned by the sponsor had in fact emerged. However, I do not feel that I could honestly say to my constituents that the members of the Committee —I intend no insult to them—examined the cost as I should have liked them to.

The legal opinion given to the Waterloo Community Development Group was exactly the opposite of that given by the Committee. More work needs to be done in the House of Lords or "another place", as I believe that it is called. In view of the Minister's assurance on the other issue I shall not press the motion to a vote now, but I hope that, when the Bill returns from another place, we shall have found a way forward which will be in the interests of the people of London as a whole, not just those of my constituents. I beg to ask leave to withdraw the amendment.

Motion and clause, by leave, withdrawn.

New clause 2

CONTROL OF NOISE

'In the execution of any works, the Company shall ensure that noise levels associated with construction during the period from dawn until dusk do not exceed 35 decibels, and that outside this time noise levels do not exceed 30 decibels.'. —*[Mr. Simon Hughes.]*

Brought up, and read the First time.

Mr. Simon Hughes: I beg to move, That the clause be read a Second time.

We are moving gradually along the track. The new clause is principally about noise. If there is one issue that concerns all my constituents—I remind the House if it will be tolerant that Southwark and Bermondsey contains the largest portion of the line, so many of my constituents are affected—it is the prospect of the noise that the construction works especially will produce. There is the secondary issue of the noise when the trains run.

This is an admission that Back-Benchers often have to make, but I accept that the new clause could have been better drafted and I apologise to the House. It deals expressly with construction, although other issues could have been covered to make it clear that my constituents are also concerned about the operational noise once the line has been built.

The new clause seeks to minimise the noise to 35 decibels between dawn and dusk. I propose a lower level at night time, when noise is heard more clearly. The argument for a lower limit at night is generally accepted. The House has had an unusual year in that we have had two debates about the problems of noise, arising on a private Member's motion and as an Adjournment debate. I say with gratitude that it is good to know that the Government take this issue seriously. There are many forms of noise nuisance and noise pollution. When I spoke briefly during the general debate on a private Member's motion, among other things I alluded to the noise caused by railways, and especially by underground railways, as a sort of trailer to today's debate.

8.30 pm

I should like to make some general points first and then site-specify them, because it is the site-specific concerns that have prompted the new clause. I shall be grateful for two responses; the first being for the promoters and the Government to say, "We understand your concerns and will seek to ensure that they are allayed." The second response should highlight the most vulnerable parts of the line in terms of where people will be most affected——

Ms. Mildred Gordon (Bow and Poplar): Although my constituents welcome the fact that the Jubilee line will run through the constituency with a station at Canary Wharf, we are concerned because we have had so much disturbance, noise pollution and discomfort already. I hope that while the works are in progress the lives of the people in the neighbourhood will not deteriorate further. I refer not only to the future noise of underground trains and to the noise of the building works and to the lorries that will take away the spoil. The interests of the community must be taken into account. It has suffered enough.

Mr. Hughes: I agree with the hon. Lady. I know that part of her constituency well. No area has been uprooted, built upon, rumbled over and diverted in recent years to the same extent. To be fair to the hon. Lady's constituents, I believe that they have had an even worse experience than my constituents. Those of the hon. Member for Newham, South (Mr. Spearing) have been in the same predicament. Our constituents need protection against a further six years of noise, dust, dirt, disruption and traffic diversions. I am sure that that is understood.

For the avoidance of doubt, I repeat that all of us support the idea of the line. However, during the early stages of the Bill's passage, it appeared that the House was concentrating more on the disruption to Parliament square, where nobody lives, than on that in the areas of London where many people live, such as Southwark, Bermondsey, the Isle of Dogs and Newham. We should have been most concerned about those areas. However, be that as it may, it is water under the bridge—or it might be more appropriate to say that it is water underground.

I turn now to the Government's White Paper on the environment. I appreciate that that is not the responsibility of the Minister for Public Transport, but my questions are relevant to this debate. I should be grateful to know whether two of the proposals in the White Paper will come to the aid of the people. My first point relates to page 25 of the summary document, which refers to the proposal "to extend noise insulation schemes to limit exposure to noise from new rail lines."

I hope that, where appropriate, such schemes will be extended to those suffering noise pollution from underground railway lines.

Secondly, I refer to the proposal to make it easier for local authorities to set up noise control zones and to encourage consistent local authority practice on noise. Progress on both proposals would be welcome and helpful.

I understand that, in general terms, the remedy—in so far as there is one—can be found in the Control of Pollution Act 1974, although I have been advised by the Library that there is no precedent. Local authorities can serve notices on how works can be carried out in the best and most practicable manner to minimise noise. I know that my local authority of Southwark, and others, are conscious of their responsibilities and that they have been

working hard to ensure that the interests of their residents are looked after. As on previous occasions, I pay tribute to those in the development division of Southwark council who have been assiduous in looking after the interests of my constituents.

I trust that the British standard code of practice will be adhered to. I understand that in the worst circumstances there is also the remote opportunity of selling one's property and thus, in a sense, getting some compensation. However, most people do not want to sell their property. They want to stay in it and live there and to have their environment improved instead of being forced out because of the noise pollution.

On the site-specific details, I am talking principally about the area from London bridge to the river at the end of Surrey docks downtown, beyond the Canada Water estate, by Durands wharf, although the first sector that directly concerns my constituency is that from Waterloo to London bridge. I am grateful for the fact that the problem has been recognised. Page 14 of the environmental assessment states:

"Many properties close to the proposed sites already experience day time average noise levels in the 70 to 75 decibel range but special noise problems could arise close to the sites"—

which are then identified as Joan street, the Cut, Newer street, Old Jamaica road, Major road, John Roll way, Canada Water and Durands Wharf, and one in the constituency of the hon. Member for Bow and Poplar (Ms. Gordon), at Blackwall way—

"because of the need for 24 hour working. Special precautions may be needed at these sites to prevent night-time disturbance."

On advice, I have five proposals about the best ways of meeting the concerns that have been raised. The first is that there should be more stringent noise and vibration standards at the many work sites that are located in sensitive residential areas. The environmental assessment makes quite a good read if one is interested in the detailed topography, population breakdown and history of south London. The assessment is helpful and sets out the risk areas in terms of the noise and vibration that will result from the post-construction operation.

Just to show how proper it is that we are concerned about this matter, I shall summarise what the assessment states about the first area. Approximately 120 residential buildings have been estimated to lie within the corridor in this section, including Roupell street and Ospringe house, Wootton street in the constituency of the hon. Member for Vauxhall and Scoresby street, Union street, Whites Ground estate and Druid street in Southwark. One church will also be affected—the Most Precious Blood—as will part of Guy's hospital.

The environmental assessment then makes it clear that

"in view of the potential for noise disturbance above the tunnel, it is recommended that a programme be set up to design a resilient track form to reduce noise to acceptable levels."

The promoters have therefore identified the fact that action needs to be taken and have given a list of the exact locations.

I turn now to the next section and repeat that I am dealing with operational noise, not with the noise before the works have been completed. It is estimated that approximately 300 residential buildings, some of which will house many people, lie within that corridor, including those in Druid street, Sweeney crescent, the Arnold estate, Old Jamaica road, Marine street, Keetons road, Perryn road, Drummond road, the Kirby estate, Neptune street and Renforth street. St. James's church will also be affected. It has recently been beautifully restored with the help of English Heritage and the London Docklands development corporation. The proposal will also involve St. James's school in Bermondsey, of which I have just become a governor, and St. Olave's hospital, which is the subject of a redevelopment proposal. It suffered an arson attack last night, although happily nobody was injured and the fire was put out by the local fire brigade. Again, it is proposed that a programme should be set up to design a resilient track form to reduce noise to acceptable levels.

Many people are affected. The Minister for Public Transport has been assiduous in acquainting himself with the details of the area and he knows that we are talking about blocks of council flats, pubs, schools and play areas. The report says:

"Background daytime noise levels at Old Jamaica Road are currently about 51 dB(A). During construction, noise levels at Giles House will be typically 62-71 dB(A), possibly reaching 77 d(B)A. This is expected to cause annoyance in comparison with existing conditions and mitigation measures to reduce construction noise will be required to prevent both daytime and night-time disturbance. Noise levels at St. James's School will also result in disturbance unless such measures are taken."

The report makes similar comments about Canada Water and the Canada estate, Ben Smith way—it says that night-time working should be avoided, if possible—and Southwark park, here mentioning Rotherhithe Free Church.

I apologise to the House for setting out those areas, but I want to ensure that the places where people will be affected are noted. At the Surrey Docks end of the line, 55 buildings within the corridor—Holyoak court, Rotherhithe street, Timbrell road and Downtown road —will be affected. The report says that in Durands wharf

"current daytime noise levels in the area are relatively low . . . construction noise levels of 64-72 dB(A), possibly reaching 79 dB(A) . . . would cause annoyance at the nearest dwellings. Special measures may therefore be required to reduce noise, particularly at night and during piling."

The prospective consequences are substantial and therefore the most stringent noise and vibration standards are required at the work site. It appears—I may be wrong and I am simply being inquisitive—that undertakings were given by the promoters in November last year that the code of construction would be based on local circumstances after background noise surveys, which would determine the noise abatement activity. I understand that there will now be uniform standards rather than better and tighter standards in the areas that I have identified as having problems. If that is so, it is not good enough. Where people live and work, and where there are schools and churches, close to the site standards must be tougher. All those areas should be protected during the work, and resilient track should be laid.

Working hours must respect local sensitivities. No work should be done except between the hours of 8 am and 6 pm on weekdays. I heard the reply of the hon. Member for Ilford, South (Mr. Thorne) to the hon. Member for Tooting (Mr. Cox) when he said that five and a half days a week would be worked. In some ways, Saturday mornings are acceptable, because it is better to have the work concentrated for a shorter time. However, we do not want a repetition of the problems caused when

[Mr. Hughes]

construction work on Surrey quays was carried out around the clock and those living nearby were permanently aggravated.

The criteria for London Underground's providing double glazing to protect residents from noise must not be set so high that they never qualify. The Minister for Public Transport replied to a debate on the Channel tunnel recently when the Planning and Compensation Bill was being debated and the triggering of the protection of the law in terms of compensation was discussed. The hon. Member for Lewisham, Deptford (Ms Ruddock) and other colleagues have had a persistent interest in that subject. We must ensure that we are not creating exceptional opportunities for double glazing, of which no one can avail themselves. If people are to be blighted by noise that could be mitigated or removed by double glazing, they must be entitled to it. I wish to know on behalf of my constituents on the Canada estate that they will be protected. They have been disrupted enough already.

8.45 pm

Mr. John Bowis (Battersea): At the beginning of his speech, the hon. Gentleman said that his new clause was defective because it did not deal with both the operation and the construction of the line. His comments on double glazing appear to apply to the effects on the neighbourhood of the line once it is built. I understand that, but will the hon. Gentleman also explain the decibel levels in the new clause, because they seem quite low? I do not see how the same decibels can apply to construction as to operation.

Mr. Hughes: I was about to deal with decibel levels, so the hon. Gentleman's intervention was timely. I apologise to the House, but the new clause is a probing rather than a concrete one. A better defined new clause could have dealt separately with construction and operation noise. Those living in local blocks, will suffer a higher level of noise during construction than during operation. The real debate among accoustic engineers is between the 40 decibel lobby and the 35 decibel lobby. It is accepted—not only in this country but elsewhere—that the lowest decibel level acceptable is 35.

I am no expert, but if environmental protection officers or experts aware of the debate in London Underground were here, I guess they would tell us that the present ambient noise level in the Chamber is now about 50 or 55 decibels. Decibel noises are quite high and low decibel levels require extremely quiet periods. The 35 to 40 decibel apply to operation noise once the line is built and the difference is between noticeable noise—noises that one hears at night when the world is relatively quiet—and the noise that one does not hear.

We should have the best standards that are achievable as we have the technology to achieve them. We must reduce noise levels to 35 decibels when the track will be under people's homes, churches and other buildings. It is accepted that there will be 35 decibel limits under sensitive buildings. I accept that resilient track is more expensive, but it will benefit not only buildings like Henry Wood hall in Trinity Church square in my constituency, where there is a rehearsal and recording studio, or the laboratories in Guy's hospital, which have sensitive equipment, but equally residential accommodation. I do not argue that noise should be reduced below a level at which people do not notice it anyway, but only where that noise constitutes a problem. Although 35 decibels is quiet, it is noticeable, so that should be the operational limit.

The hon. Member for Battersea (Mr. Bowis) is right to say that the limit for construction is higher and the environmental assessment made that clear. In that case, the site-specific protection measures should include the ability to have double glazing as early as possible because it will be more useful to protect against the noise of construction than of operation. Double glazing will be needed in places such as the Isle of Dogs, the Royal docks or Surrey docks to stop not only the dust but the noise of the piling, the cranes and the lorries taking away the loads. Therefore, I hope that double glazing will be installed this winter or next spring rather than in six years' time.

There was evidence in Committee that what is called "floating slab track" would substantially reduce the noise. That track is far more noise-resilient, and could be used in sensitive locations. I hope that, as with my plea for double glazing, the definition of where such track will be used is not so limited as to be hardly ever used and that it can be used more frequently.

In terms of noise, it is better environmentally to have top-down construction than bottom-up construction. The original idea was to use the cut-and-cover technique, by which the hole is dug and then covered over. I understand that the preferred method of construction—and it is logical—is to build the top and then to work underneath so that the noise does not then rise up through an empty space. I hope that there will be top-down construction for all the works at Canada Water station. The greatest concern expressed to me and, no doubt, to hon. Members who were members of the Committee, was by the residents of the Canada estate. They have had a hard time already. They are right on the edge of the proposal for large works. Above all, they hope that construction can be done in a way that minimises the noise disturbance to them.

I am grateful for the opportunity to set out various concerns. Noise will be the principal concern of people living along the route in Southwark and Bermondsey. They are concerned about dust and other matters as well, but if we could ensure that they are not affected by noise or if we keep the noise to a minimum, the line will run into far less trouble as it is being built. If they are not given that protection, sadly, I anticipate that those responsible for building the line will face a hard time from equally noisy constituents and residents—and deservedly noisy ones, because their environment must be looked after once the line is built.

Mr. Cox: It is a pleasure to speak in support of the new clause. The hon. Member for Southwark and Bermondsey (Mr. Hughes) cited the levels of noise as 35 decibels from dawn to dusk and as 30 decibels outside those hours. In reply to questions by myself and other hon. Members, the hon. Member for Ilford, South (Mr. Thorne) properly told us that the project would involve round-the-clock working —24 hours a day—for five and a half days a week. That means construction work in all forms—not only the work on site, but the movements involved in supplying materials and in the removal of soil and other material from the site.

At present, a development is taking place on the south side of Vauxhall bridge. I travel along that road every day as I come to the House. I repeatedly see huge lorries either

entering or leaving the site, either delivering or having delivered materials. That causes the most enormous traffic hold-ups.

I make that point because the Minister said that he hoped that as much as possible of the site working movements, whether including spoil from the site or the supply of materials, would be by barge. I welcome that. However, in the case of the development on the south side of Vauxhall bridge, one sees few barge movements. I agree that that is a smaller development than the one proposed in the Bill, but hon. Members, and especially those whom we try to represent, would have greater confidence if the Minister or the hon. Member for Ilford, South, the sponsor of the Bill, were able to say that the provisions of the new clause would be incorporated into any contracts awarded.

We know that, with all the good will in the world, the contracts between London Transport and the building companies—from what we have heard this evening, some movement for the development could be done by barge along the River Thames—will lead to a great volume of lorries. We have not been told about the estimated number of lorries travelling to and from the site in the course of the round-the-clock working. One can assume only that the number of lorries would be substantial and would bring increasing noise. We all know that the lorries would be the largest that are allowed to use our roads and that there would not be one or two, but 100 or more a day. They would travel through residential areas, adding to the noise and pollution, and causing great environmental damage.

I am sure that all of us warmly welcome the Minister's comments on barges, but many of us would like the assurance that, for those awarded the contracts, there should be written into the contract a clear obligation that they should have to—not just be expected to—keep to the suggested noise levels in the course of the contract. If that happened, the problem would be eased.

The hon. Member for Southwark and Bermondsey has outlined the problems that would exist in the form of continual noise for many of the residents who live in the area. As Members of Parliament for London, we have the right to use this opportunity to bring home forcefully to the Minister and to the sponsor the issues that must be considered and agreed on now. Later on, it will be far too late. That is why action should be taken now.

Mr. Nigel Spearing (Newham, South): Does my hon. Friend agree that his suggestion could be taken one step further? My hon. Friend and the promoters have spoken about the removal of spoil by barge, which is an historic method in the construction of London tubes. In the construction of Canary wharf, a wharf was set aside, downstream from which suppliers collected materials and took them to the site by barge. The construction of an underground railway calls for large quantities of cement and sections of tunnel, and even in the cause of economy the promoters might care to consider that sort of arrangement.

Mr. Cox: My hon. Friend makes an extremely valuable point. I hope that the Minister and the promoters will act upon it.

The work will last for four and a half years. If we do not seek to include in the contract the arrangements that I and my hon. Friend the Member for Newham, South (Mr. Spearing) have suggested, people living in the vicinity of the work will suffer anguish for a long time. Our duty is to try to see that such suffering is avoided.

9 pm

Mr. Thorne: All hon. Members share the concern about noise expressed by the hon. Members for Southwark and Bermondsey (Mr. Hughes) and for Tooting (Mr. Cox). Noise is one of the problems that people have to face nowadays, but frequently we are asked to put up with far too much of it. It is right that we should do all that we can to mitigate the problem.

If the amendment is accepted, we shall have no Jubilee line at all, because the proposal that the work should generate fewer than 35 decibels during the day and fewer than 30 at night would mean that no work at all could be carried out. The hon. Member for Southwark and Bermondsey seems to have been badly advised on his figures. He may be confusing the noise levels in his amendment with the levels that are acceptable on the surface from underground working.

The hon. Gentleman said that his amendment was intended to be probing and that it provided an opportunity to discuss the matter of noise. The noise level experienced in a residential street in inner London is about 50 decibels, while in Parliament square the level reaches 70 decibels. Those are logarithmic scales, from which it will be realised that 70 decibels is a much higher noise level than double 35 decibels. A noise level of 35 decibels is what someone standing in the middle of Hyde park late at night would expect to hear from traffic some distance away.

The amendment must be seen purely and simply as a probing amendment and not one that the hon. Gentleman would wish to press to a vote, because, if accepted, it would not allow the railway to be constructed, and I do not think that the hon. Gentleman wants that. I think that he is quite enthusiastic about the railway. The normal expectation is a limit of 75 decibels during the day, 65 in the evening and 55 at night.

The hon. Member for Tooting spoke about the duration of the work. This is a major construction, and if work were limited to 12 hours a day from 8 am to 8 pm over five and a half days a week, the project would take much longer than four and a half years to complete and, of course, that would have its disadvantages. A vast amount of the work will take place underground. The underground work in extending the docklands light railway from Tower gateway to Bank has not been causing annoyance and disturbance to people on the surface, and that work has been continuing day and night.

The construction near the surface of, for example, Canada Water station would be carried out over six days a week from 7 am to 7 pm. Work would not be carried out for 24 hours a day, although such a programme would be used for the tunnels. Clearly, that is a different operation and would take much longer. Double glazing has been mentioned.

Ms. Ruddock: The hon. Gentleman has spoken about the hours of work and the noise bans within those hours. Will he define what he means by daytime, evening and night-time? He has said that there would be different noise levels, but he has not said at what point one would move from one level to the next.

Mr. Thorne: The daytime workings at Canada Water will be between 7 am and 7 pm. I am not absolutely certain, but I would assume that night-time surface working would be in the hours outside those hours. I would have to take further advice on what is meant by evening working, and I will let the hon. Lady know the answer.

Mr. Simon Hughes: I think that I am right in saying that the proposal that the Canada Water works be carried out on a six-day rather than a five-and-a-half-day week has not been accepted or agreed, local residents, their representatives or the local authority. I doubt whether they would find acceptable the proposal that the work immediately adjacent to the Canada estate be done on that timetable. I hope that that will be reconsidered.

Mr. Thorne: To the best of my knowledge, these are the hours that were given in Committee, but I am sure that this will be further explored in another place when it goes through the Committee there. If the hon. Gentleman has any specific points to make, I am sure that they will be taken account of there.

There is a universal policy for double glazing, based on decibel requirement, as the hon. Member for Southwark and Bermondsey said. He was concerned that a high decibel count had to be achieved, but each site will be taken on its merits, and there will be some grounds for negotiations. The further consideration of the Bill in the other place will be the right time to raise that point, particularly where it concerns residential properties. Further information can be obtained on that matter at that time.

Mr. Hughes: If the hon. Gentleman cannot deal with my next point now, perhaps he will deal with it in another way. As I understood it, the original intention was that the site-specific areas—the areas with the greatest risk of noise nuisance—would have higher standards imposed during construction, but as I understand it now, a general standard will be imposed along the route. Has there been a resiling from the original position? If so, will that too be considered, so that we can get back to the original proposal that the more work, the better the protection?

Mr. Thorne: I do not believe that there has been any resiling, but I shall write to the hon. Gentleman on that point so that, before the Bill reaches the other place, he will be fully aware of the situation.

The hon. Gentleman mentioned the extra cost involved in reducing the decibel level of noise from underground from 35 to 30 decibels. Such a reduction is already required in sensitive areas. We have to be reasonable and acknowledge that it is twice as expensive to construct track that reduces the decibel level to 30 from 35. Therefore, it is not appropriate to do this in all places. Noise is not considered to be a difficult problem generally and in many places, the depth of the tunnels will solve the problem anyway.

Mr. Hughes: I am sorry to intervene again, but I should like the hon. Gentleman to deal with all these points. I asked about cut-and-cover as opposed to top-down construction of stations. If the hon. Gentleman can answer now, I shall be grateful, but if not, I should like to know that the construction of stations such as Bermondsey or Canada Water will be by top-down rather than cut-and-cover, as that is environmentally accepted to be the far quieter option.

Mr. Thorne: I accept that it is quieter. I cannot give the hon. Gentleman an answer, but I will write to him.

The hon. Member for Tooting (Mr. Cox) asked about the number of vehicles that are likely to go around. There will be 50 a day at the Parliament street site, which is not as many as the hon. Gentleman feared. As that is the largest and most difficult of the sites, it seems that any problems should be scaled down considerably.

I trust that the new clause can be regarded as a probing motion and that the hon. Member for Southwark and Bermondsey will withdraw it.

Mr. Simon Hughes: The new clause has suffered from being compacted, and I take full responsibility for that. Construction should have been separate from noise levels in the course of operation. The decibel levels in the new clause are operational options and do not relate to construction. The hon. Member for Ilford, South (Mr. Thorne) is right: even in a perfect world, it would not be possible to relate the decibels that are set out in the clause to construction. None the less, the issue is germane, and the debate has been useful. I am sure that its importance will have been registered and that those in another place will take up the matter.

Originally, we were told that there would be disruption on site for a year. We are told now that there will be disruption for four years. That is four years at Ben Smith way, four years at Downtown road and four years at Culling road. Given the number of decibels, that is a long time. The issue needs to be considered, and in the hope that it will be, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 4

POWER TO MAKE WORKS

Mr. Spearing: I beg to move amendment No. 1, in page 5, line 22, at end insert—

'(3A) Before completion of Work No. 3A, the promoters shall ensure that any station which may be constructed at Canning Town shall provide the most convenient interchange obtainable between the Jubilee Line and the existing lines of the Docklands Light Railway and the British Railways Board.'.

The words "existing lines" are technically correct now because the lines have been laid, but no docklands light railway trains yet run.

Probing amendments are in fashion this evening, and this is no exception. Amendment No. 4 has not been selected, but I think that it would be in order to quote it as it expands the intention behind amendment No. 1. Amendment No. 4 states that the station

"shall provide optimum convenience of interchange for passengers, as may be obtained within the physical and statutory limitations of the work, and which may incorporate necessary arrangements or agreements for sharing, leasing or exchange of land, track or other facilities".

I put that on the record because it could conceivably add a solution to a somewhat knotty problem.

I do not expect the hon. Member for Ilford, South (Mr. Thorne) to reach a verdict on the proposition that I am putting before the House or to respond in detail this evening, except on matters of fact and preliminary comment. I merely ask him to consider the case that I shall make on behalf of the people of Newham and Beckton especially, as well as on behalf of future travellers on any of the three lines involved. I say that, too, to the Minister

for Public Transport who is gracing our proceedings this evening. In answer to a question, he stated that he was not yet persuaded of the need for extra expenditure for an interchange at Canning Town. I am grateful to the hon. Gentleman for his customary courtesy. His reply shows that his mind is still open. I must thank the hon. Gentleman also for his courtesy in visiting several sites. He must think that my hon. Friend the Member for Bow and Poplar (Ms. Gordon) and I have been haunting him for the past few weeks. As he will know, however, many transport investments in the areas we represent are causing concern.

Canning Town is a nodal part of east London, and it is no accident that that is so. It is the lowest bridging point of the River Lea. On the east-west alignment we have the continuation of the well-known artery of Commercial road, the A13, which bifurcates at Canning Town, one route proceeding to Barking while the other is a dual carriageway to Tilbury. North and south there is a 19th-century railway that once had four tracks but is now to be used by the Jubilee line, too. Ten years ago there was no electrification there, but now, fortunately, the British Rail lines have been electrified, thanks to a grant from the Greater London council before that body was terminated. The docklands light railway and the Jubilee line come that way, too, so we shall have three high-capacity urban railway lines as well as important bus interchanges, with a bus station planned next to those important stations.

9.15 pm

Ironically, the instruction to the Committee about the regeneration of the area happens to be relevant to the site of the proposed station. The station will be next to the Thames ironworks, where the well-known warship Warrior—now, happily, preserved at Portsmouth—was built, as were dreadnoughts at the turn of the century.

Unfortunately, some of the new buildings such as the booking office and the adjacent bus station will require the demolition of one of the last remaining engineering works in the area—Messrs. J. and J. Downey. I place it on the record that the defects in our procedures led to Mr. Downey's being presented with an estimate of £70,000 for pursuing a petition that he had laid at the Committee stage—I have seen the letter. I pointed out to him that the work could be done for less—but who, for the sake of preserving his business, would not want what he considered the best representation available?

I realise that proposals before the House for changing our procedures on private Bills might mean public inquiries for railway Bills. That would be an improvement, provided that Parliament had the last word. I am not keen on giving any Secretary of State, even the most enlightened, the final power of decision on matters that, as tonight's debate shows, could be discussed and in the end decided by a Committee of one of the Houses of Parliament.

Canning Town station is not only a nodal point—for the first few years at least it will be an important interchange serving the royal docks area. That area will be served by the British Rail line that I mentioned—the north London link to north Woolwich—and the docklands light railway to Beckton, which will serve a large area of housing as well as the north sides of the Victoria and Albert docks.

If people are coming to that area from the Jubilee line, as many of them will, they will have to change at Canning Town. Unlike the well-known arrangements for changing trains at Mile End, for instance, where one can walk across the platform to catch another train going in the same direction, the dominant flows at Canning Town station—at least in the early stages—will mean catching a train going in the opposite direction. As well as that unusual feature, the restraints caused by the physical nature of the area mean that the ideal solution—a transposition of the tracks—would be very expensive, if not impossible.

Unfortunately, in my view and in that of the London borough of Newham, the promoters' plans for the station are defective. The British Rail station would be left about 300 m north of the proposed docklands light railway and Jubilee line station, and the two stations would be connected by a subway running under not only a flyover but slip roads some eight traffic lanes wide. No subway is to the liking of interchange passengers, and this one is especially disliked. The journey will not only involve going along a narrow subway—even if it were widened a little, it would still be narrow—but going up or down a number of stairways. In other words, for most people, it will be a human assault course.

Ms. Gordon: I am glad that my hon. Friend has raised the question of the subway. As he may realise, many women are very much afraid of using such subways, especially given the poor manning of railway stations that we are witnessing these days. Some years ago, I taught in a school on Hendon way—right on the dual carriageway. There was an underpass leading to the school, which was certainly much shorter than the proposed tunnel, but there were a number of cases of muggings, flashers and so on. In the end, the police came to the school and warned parents and children to go considerably further down the road to the traffic lights—a long walk with small children—and not to use the underpass because it was unsafe and a policeman could not be stationed there all the time. The safety of passengers using such underpasses should be taken into account before any such proposal is envisaged.

Mr. Spearing: My hon. Friend has given a graphic example of what many London women know. For such an underpass to be incorporated afresh into what is to be virtually a new station—new, if we have our way as to where the platforms will be—would be a retrograde step on which hon. Members who might otherwise support the provisions should consult their wives and families.

We are talking not only about gender but about people who are disabled or elderly, people with luggage, and women with young children and pushchairs. I am not saying that we can do without steps and escalators altogether, as the House will see. Nevertheless, one wishes to minimise such difficulties where that is physically possible. In relation to the position of the two stations in question, such disadvantages will be built in. That is certainly not good enough for Canning Town, and I imagine that it will not be tolerated in Westminster in relation to one or two other stations that are to be built.

The problem is compounded because, at present, the joint docklands light railway and Jubilee line platforms will be alongside each other, with no crossing of the tracks. If the platforms were built on a double deck, instead of going up and down two stairways or two escalators, one would have to negotiate only one stairway or one escalator at the dominant interchanges.

[Mr. Spearing]

It is clear that there is no ideal solution in respect of the proposed site, but there is certainly a better solution than the one proposed—namely, a double-decker station, with one of the lines above the other, and with escalators between the platforms to give the maximum facility for interchange. If the British Rail line were alongside, with the island platform lay-out, we should avoid the long trek to which my hon. Friend the Member for Bow and Poplar and I have referred.

That was recognised on day 16 of the Committee's sittings. Mr. Bayliss, a renowned transport planner, was brought in to give evidence for the promoters. I have known Mr. Bayliss for many years. He was with the GLC for many years and we are glad to see that, in the last birthday honours list, he received the OBE. He admitted that the arrangements proposed by the promoters were less than perfect and agreed that the borough's proposals would be "easier for passengers".

What I did not realise until relatively recently was the agreed volume of passengers involved. We all know from our own experience that the number of people using subways and crossing from platform to platform at integrated stations is considerable. I understand that the promoters and the borough of Newham have arrived at an agreed estimate of the likely number of passengers interchanging between the docklands light railway and the Jubilee line—about 6,000 per hour at peak periods, I am told.

I suspect that that figure may be what is envisaged for the turn of the century or a bit later. But we must bear in mind the fact that we are building not just for the beginning of the century but well beyond. I suspect that the figure may therefore increase. The figure relating to the interchange between the British Rail line and one of the other two lines is at present much lower, but it, too, could increase considerably if the docklands development goes ahead. The hon. Member for Ilford, South (Mr. Thorne) will probably agree with the general estimate that the interchange could involve up to 10,250 boarding movements per hour.

I understand that the promoters and the petitioner—the London borough of Newham—have gone further in their agreement. Those of us who have observed road construction, and transport planning and economics, know something of cost benefit analysis. I confess that I have been critical of cost benefit analysis in the past, and I still do not adopt such methods. The idea is that, if progress is X mph faster or there are so many more cars on the road, a certain amount of time is deemed to have been saved. The next step is to cost the figures; eventually, a sum is arrived at that favours the construction of the road. The process is ingenious and, up to a point, legitimate.

I understand that that process has been applied to the subway that we are discussing, and to the two sets of stairs. Apparently, an agreement between the promoters and the petitioners provides that, over a period, the time saved by the borough's plans—as opposed to those of the promoters—will lead to a saving of £1·8 million. Capitalised, that will apparently amount to £20 million over the borrowing period, or whatever period is usually used for such calculations.

I stress that I do not use such calculations myself; but, if they are to be adopted by the promoters and the borough, so be it. A strong case seems to have been advanced from the borough's point of view. The extra cost, for a proper station, will be about £8·2 million more than the existing estimates. I say "about" because it could be a bit less, and I suppose that it could be a bit more.

That sounds a huge sum, and indeed it is; but it is additional to the £31 million cost of the construction of the length of railway reaching from the end of the tunnel—where it comes up from the Greenwich peninsula under the Thames—some way towards West Ham to the north. We are talking about an increase of roughly 25 per cent. in the cost of the whole length, including that of the probably quite complex civil engineering works that will be necessary to construct the new subway under the elevated station.

That is a fairly strong case in itself. Given that the work is part of a huge project, the mind boggles at the additional sums that will be spent in Parliament square on, for instance, the engineering works that will be needed for the Waterloo interchange involving the existing railways. I asked the promoters whether they could give me an idea of the cost of other stations, but, understandably, they were unable to do so. I do not complain about that, because I know that contracts and commercial confidentiality are involved.

Hon. Members may not know about the other investment being put into other modes of transport. I do not underestimate the importance of the station that we are discussing. I do not vouch for the correctness of this information, although I believe that it is more or less correct: I understand that, when it is completed, the capacity of the docklands light railway will be about 10,000 people per hour. The capacity of the Jubilee line, at its maximum, will be about 20,000, and that of British Rail will be 2,500, or perhaps a bit more with luck. That means that up to 30,000 people an hour could be passing through the station, perhaps more in the next century.

Once the trains are running, it will not be possible—or, at any rate, it will be very expensive—to make changes which might be considered urgent in 50 years' time. I refer to the kind of complaints made about the Central line and others that were built around the turn of the century.

Interchange is not the sole prerogative of public transport although we always think in those terms. Every time we jump into a car and reach a major intersection or roundabout, we are at an interchange. That is true whether one is on two feet, four tyres, or two tyres.

9.30 pm

I mentioned earlier the other investment being made in the area. Within one mile of the site of the Canning Town underground station and bus interchange, a number of remarkable works are under way. On the A13, there is the intersection with Prince Regent's lane, where, happily, there is at last to be an underpass. Consultations have improved the design and perhaps the construction of that development, which I understand will cost around £45 million.

The Canning Town flyover is to be widened, and the works associated with that important river crossing, according to a borough estimate—I understand that we do not yet have a final figure from the Department, probably because surveys are still being made—will cost at least £20 million. That work is immediately adjacent to the station. The Leamouth interchange with Abbots road and Leamouth road, which is currently the location of interim

works, will eventually cost £8 million. That work will comprise just a few slip roads and other roads close to the new station.

Also under construction is a new tunnel and underpass bang through the middle of what was the East India dock. A feature of that work is a listed wall, which will remain above the tunnel—and the cost of that will be around £35 million. A little further to the west there is the Preston road flyover, costing £10 million. Those works together will cost in the region of £117 million.

My hon. Friend the Member for Newham, North-East (Mr. Leighton) may ask about the lower Lea crossing. That will provide a duplicate for the A13. I have not included it in the figure of £117 million, for it will cost just a modest £25 million. Therefore, in and around the location of the new station, investment in roads of about £120 million is to be made. Expenditure of £8 million, more or less, to provide a decent station must be viewed in relation to that figure.

The docklands light railway will serve my constituency, other parts of Newham, the Beckton area, the custom house area, and, if some people have their way, it might even extend across the river to Thamesmead, which would be sensible. Even without an extension to Thamesmead or Barking, the importance of the interchange with the Jubilee line and with Canning Town cannot be doubted. The same is true of the interchange with the north London link towards Highbury, Islington, and all stations to Watford and further north.

I only ask that the promoters have further discussions with the borough about the facts that I have mentioned, all of which I hope are correct, and will give an undertaking to consider those matters further. Although I have suggested two amendments, it may be that none is required.

My understanding is that undertakings will be given and agreements reached that will enable the matter to proceed without any formal petitioning, questioning or long days before a Committee in the other place. That would be a happy solution. Despite some aspects of the Bill's introduction and purpose, about which some of us have reservations, I do not think that anybody would wish it to be delayed. Therefore, those undertakings could contribute to the speed of its passage. It is in that spirit that I commend my thoughts to the promoter and to the Government.

Mr. Ron Leighton (Newham, North-East): I wish briefly to support the eloquent case put by my hon. Friend the Member for Newham, South (Mr. Spearing). I hope that the Minister, with what was described as his open mind, will have found my hon. Friend's case as persuasive as I did.

Historically, the east end of London has always had second best. It has always been the poor relation. It has been what I might describe as the backside of London. It was the place where London put its sewage works, gas works, chemical works and noxious industries. It has always had the sticky end of the stick. Whether in housing, health, educational achievement, leisure facilities, employment, income, life opportunities or transport, the east end has always had the worst of the deal.

I view my job as one of trying to even up the position between the east end and the west end, and of ensuring that people in the east end have opportunities and choices as good as those available to people in the west end. It is now becoming possible, perhaps for the first time, to make some progress. London's centre of gravity is now moving towards the east. The proposed new railway line is an example of that. I say "new", but the idea of the railway line is not new. It was first proposed a long time ago, and then again by the Greater London council. There was a time when it was called the Fleet line. We have been waiting for it for a long time.

What is new is the influence that the developers have brought to bear. They built Canary wharf and other developments, but then found that there was no transport infrastructure and no planning, so no one could get to their developments. They brought great pressure to bear—perhaps much more than Members of Parliament representing the east end could bring to bear. They also brought their cheque books to bear—perhaps only to a limited extent, but it helped.

I and my hon. Friends welcome the new line; it is better late than never. We are interested in what happens to the line when it goes past Canary wharf and in particular when it reaches Canning Town. As my hon. Friend explained, that is the junction of three lines—British Rail, the docklands light railway and the Jubilee line. It also has several important roads.

There are a large number of designs for that very important station—I believe in excess of 20. The Minister will remember that the designs were laid on the table before us when I was sitting in his office. There were about 20 separate designs for the station, ranging from the good to the bad. Which of those 20 splendid designs have we got? We have got the bad one, the inferior one. Why, yet again, has east London got the inferior one? It comes down to money, to the cost.

My hon. Friend the Member for Newham, South said that a proper, decent station would cost £8·2 million extra. The Minister will remember that this was discussed recently at Question Time. He told me that I was wrong when I said that it would cost £8 million. He said it would cost £7 million. My hon. Friend was overdoing it, therefore, when he said that it would cost £8·2 million to build a decent station. According to the Minister, it would cost only £7 million.

The cost of the line will be £1·2 billion, or thereabouts. I always distrust nice, round figures such as £1·2 billion. It will cost not £1·2 billion but thereabouts—give or take £7 million or £8 million, or £70 million or £80 million, or £100 million or £200 million. My mathematics is not very good. I cannot work out what, in percentage terms, £7 million is of £1·2 billion, but it must be an infinitesimal decimal—recurring, I should have thought. We are talking peanuts—of small change, in terms of this project, in order to give the east end of London a decent station.

This is a green field site. We are building something new for the next century, for the next millenium. My hon. Friend the Member for Newham, South said that the British Rail line has been in existence for well over a century. This station will be there for well over a century—indeed, for much longer. When the centre of gravity of London has moved to the east, that station will be used by millions of people, especially after 1992 and all the developments that will take place.

To move from the Jubilee line to the docklands light railway, we shall have to go through that awful, long tunnel. Why on earth is a bad station going to be built when we have the opportunity to build a decent one, of which we could all be proud? We shall be spending £1·2

[Mr. Ron Leighton]

billion, but we are jibbing at spending £7 million to give the people of the east end, at this extremely important junction of three lines, a decent station.

It is not only Newham borough council that says that. The Leamouth group of private business men also says it. These are people with substantial interests in the private sector. They carried out enormous developments in the Leamouth area on the understanding that they would get the Jubilee line. That was contained in the first proposal that came before the House.

However, that decision was changed. The route is now not on the northern side of the river but to the south of the river. It goes to the Greenwich peninsula. Those business men were told, "Never mind; you expected to get the Jubilee line and you invested many hundreds of millions of pounds in your developments. We snatched the line away, but never mind; you're going to get the docklands light railway." If that is all that they are to get, they will be very interested in the interchange between the Jubilee line and the docklands light railway which is to serve their area. To reach their area from the Jubilee line, people will have to change at Canning Town.

The Minister knows that the developers there want a decent station. Big people in the private sector are pleading for a decent, proper, world-class station at Canning Town. The truth is that nobody is satisfied with the proposed station at Canning Town. I do not think that London Underground believes that it is the best option, but it is hampered by the financial constraints imposed by the Government. The private sector and local authorities are not satisfied. We ask the Minister, for whom many of us have much respect and who has shown in answers to our questions that he has an open mind, to consider the proposal carefully and not to build an inferior station. We are building for the future, so let us build something of which we can be proud.

We made many mistakes by allowing development on the Isle of Dogs before the transport infrastructure was in place. I want the Jubilee line to be run into the Royals, but London Underground is making the mistake of providing only a template junction. We want not a template junction but the railway to run into the Royals—we should place that on record—and a decent, world-class station at Canning Town.

9.45 pm

Mr. Thorne: The hon. Member for Newham, South (Mr. Spearing) was kind enough to say that amendment No. 1 is a probing amendment. I take his remarks in that spirit.

It is clear that the station at Canning Town would be better if we were starting from scratch, but that is not so. We must take into account the cost, and I strongly dispute the point that the east end gets the worst of everything. We are debating a Bill under which £1,300 million will be spent on providing a facility essentially for the east end. That shows that hon. Members believe that it is an important part of the metropolis. As the hon. Member for Newham, North-East (Mr. Leighton) said, the centre of gravity of the metropolis is moving east. Many of us welcome that, especially given the excellent work that has been carried out by the London Docklands development corporation and others.

I know the Canning Town area quite well, because I attended school with a boy whose father was the resident engineer at Silvertown Lubricants, which had a large storage depot in Canning Town way. I frequently visited him during the school holidays, and from our travels on our bicycles we got to know the area extremely well. I have much sympathy for the people of the area, but we must accept that there are certain constraints and we must achieve value for money.

Insufficient emphasis has been placed this evening on the alternative connections. There is a perfectly good British Rail-Jubilee line connection at West Ham station, which is a short distance up the line, and the docklands light railway has a good connection at Custom House. We are not saying that people are deprived because they must change trains at this junction. The hon. Member for Bow and Poplar (Ms. Gordon) mentioned ladies naturally not wanting to use subways late at night, but they can easily change nearby on the same line.

The question is, does the House want to spend £7 million or £8 million on a facility that will not increase revenue in any way? We must get the best value for money in our transport infrastructure. We must consider other schemes—for example, the cross-rail project—where we want to spend money but where we cannot if we spend unnecessarily in a particular part of London.

The Committee went into the matter in considerable detail. Its job was to listen to counsel and to consider the cases put forward by the London borough of Newham, LRT and others. At the end of its detailed consideration, it concluded that the promoters' proposal was right and proper. I therefore ask the House to support the promoters in rejecting the amendment, unless the hon. Member for Newham, South withdraws it.

Mr. Freeman: I suspect that the hon. Members for Newham, South (Mr. Spearing) and for Newham, North-East (Mr. Leighton) think that I am the villain of the piece, in the sense that Government controls on the total cost of the line forced London Regional Transport, correctly, to ensure that maximum value for money was obtained from the funds available. If money were no object, there is no question but that there would be an interchange of all three lines. There would be a double-deck interchange between the docklands light railway and the Jubilee line and a north London interchange, so that passengers could move freely from one platform to another. But money is an object.

I am sure that, on reflection, the hon. Member for Newham, South would agree that the argument that that money has been spent already in the east end is not logical and rational. One must still justify an additional £7 million in relation to the total expenditure on the Jubilee line. The argument of the hon. Member for Newham, North-East that this is a small proportion of the total cost—under 1 per cent.—is not intellectually justifiable. Every item of expenditure must be justified.

I conclude by offering two positive comments which are outwith the responsibility of LRT, for which my hon. Friend the Member for Ilford, South (Mr. Thorne) speaks. If the subway is taken over by LRT to maintain its security, and it therefore must be closed at certain times of the night, I assure hon. Members that, in terms of providing alternative access 24 hours a day above or across the road, the Department of Transport will work closely

with the London borough of Newham in ensuring that adequate re-provision is made. It is accepted that adequate re-provision must be made.

The Royals extension is not the subject of the Bill, but I assure the hon. Member for Newham, North-East that I share his view. In the long run, we want the Jubilee line extended to the Royals to permit the future development of those docks in the same way as the docks on the Isle of Dogs have benefited from the development and provision of transport infrastructure. There is nothing in the Bill that is inconsistent with what I believe, and what I suspect the hon. Gentleman believes, will happen—an extension and development of the Jubilee line.

Mr. Spearing: The hon. Member for Ilford, South (Mr. Thorne) exceeded the terms of my request. He did not say that he would consider the case; in effect, he considered it and rejected it. The hon. Gentleman has every right to do that. I am sorry that he reached that conclusion, although I understand some of his reasons.

We must question what is necessary. I am not convinced that this arrangement would occur in " a particular part of London" if it were in the west end. To take up the important theme of my hon. Friend the Member for Newham, North-East (Mr. Leighton), if it is not satisfactory for the west end it is not satisfactory for the east end either. As a born and bred Londoner, I make that constituency point very strongly, and I am sorry that it has not been sufficiently recognised.

Of course, money is important but, as I said, we do not know what extraordinary expenditure might be needed underground in other parts of London, not least in the underground station serving the interchange of the District line very close to where we stand. Therefore, I am sorry that the hon. Member for Ilford, South responded in the way that he did although he has a right to do so because he represents the promoters of the Bill.

I agree with the Minister that a lot of money has been spent, but the point of my illustration was that it has been spent on another model of transport. Therefore, if more were spent on the rail mode it would not be out of kilter with what it has already been agreed to spend on roadways close to the station. There are other road routes even further away to which I did not refer. Nevertheless, this exchange of views has been useful and I am glad that it has taken place. I beg to ask leave to withdraw the amendment.

Amendment by leave, withdrawn.

Queen's Consent, on behalf of the Crown, signified—

Motion made, and Question proposed,

That Standing Order 205 (Notice of Third Reading) be suspended and that the Bill be now read the third time.—*[The Chairman of Ways and Means.]*

Mr. Thorne: The House will recall that the Bill if enacted would permit the construction of a nine-mile or 15-km extension to London Underground's Jubilee line, from Green park in the west end to Stratford in the east. This project originates from the east London rail study.

The railway will pass through Westminster, Waterloo, London bridge, docklands and West Ham. It will bring transport benefits by serving areas hitherto not on the main tube network and development benefits in helping to sustain and extend the regeneration of the docklands urban development area. This is a matter set down by the House at Second Reading as a specific instruction to the committee. The Bill has been amended, following exhaustive examination during 22 days in Committee. The Committee found that the case for the preamble to the Bill had been proved, and considered six issues on which it wished to place specific requirements on the promoters.

The Committee endorsed London Underground's proposal to route the line through the north Greenwich redevelopment site, rather than on the opposite side of the river through Brunswick, as certain petitioners had requested. It stressed the importance of the fullest possible access for the disabled consistent with general safety. It also requested an amendment to the effect that Nos. 1 and 2 Bridge street, opposite the House, should not be demolished until, by resolution, the House has approved a design for the new parliamentary building, and following full and close consultation with English Heritage.

The Bill is to be amended to remove any possibility of surface works in Parliament square. A protective clause is to be added so that the work site in Jubilee gardens is to be kept some distance from county hall. A full structural survey of the tower blocks on Canada Water estate in the London borough of Southwark is to be carried out. All these requirements were unreservedly accepted by the promoters, and the Bill has been accordingly amended.

I know that some hon. Members have particular concerns, and perhaps the most general is the matter of disapplying the listed buildings controls. Members of both Houses have expressed their disquiet at such powers being incorporated in other Bills for major public works. What the Committee on this Bill has accepted is that such powers should be exercised only as a last resort, and in relation to a schedule of specific properties and to no others. Only one listed building required demolition, and that is remarkable for a project of this magnitude going through the heart of historic central and inner London. Others are included in the schedule as requiring possible alteration, but detailed design work should make it possible to delete some of them from the schedule.

Of particular interest to hon. Members will be the proposals as they now affect the immediate area around Parliament. When the Bill was last before the House as a whole, it involved substantial works in Parliament square itself, as well as on the existing Westminster Circle and District line station. Following detailed review, and close co-operation with the New Building Sub-Committee, I am happy to say that a design has now been evolved which completely avoids the square, and which should dovetail well with Parliament's own needs for new space.

The same architect—Mr. Michael Hopkins—will be responsible for both station design and our own new building. The promoters' proposals require demolition of 1 and 2 Bridge street, but I believe this loss will be heavily outweighed by the advantages, in terms of a satisfactory resolution of the complex needs of the two projects which have to be integrated on this important site. I understand that the Treasury has now agreed to Mr. Hopkins being instructed to design the new parliamentary building.

I know that a number of other matters have concerned some hon. Members——

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the London Underground Bill and the Lords Amendments to Commons Amendments to the Natural Heritage (Scotland) Bill [*Lords*] may be proceeded with, though opposed, until any hour.—*[Mr. Kirkhope.]*

Question again proposed.

Mr. Thorne: I am sure that the House will none the less wish to give the Bill its Third reading so that it can move to another place.

Mr. Simon Hughes: I support the Bill receiving its Third Reading. It is nearly a year since it began its Second Reading and it has juddered a bit in the year in between, both upstairs——

Mr. Freeman *indicated dissent.*

Mr. Hughes: The Minisster seems to be saying that there was never even a vibration. If he thinks that that is the case, I am happy that it should be so.

It has always been clear that the line was needed and that substantial benefits will accrue to London, west and east, when it is built. Earlier today I reflected on the line's most immediate benefits. It will be possible to travel easily from Green Park or Westminster to Waterloo and London Bridge, both main line termini, which is not possible at present. It will also be possible to travel easily from Waterloo to London Bridge, which it is not possible to do at present. Furthermore, the traffic travelling by road between those two places will be reduced.

There will therefore be practical transport and decongestion benefits as a result of the Bill and the building of the line. There will also be a reduction in the general level of pollution caused by traffic congestion. I hope that there will be great benefits in terms of increased accessibility to parts of London for people such as my constituents, who have been plagued with lousy public transport and being "the gap on the map".

I hope also that the line will mean new job opportunities and that it will be part of a network of improvements for which the Minister and the Government will evidence their support in November—such as the east London line extension, which will bring into the public transport system and network many parts of London which hitherto have not been part of it.

The great difference between today's debate and the Second Reading debate is that today we have been talking about transport, whereas on Second Reading we spent most of our time talking about Parliament square and the parliamentary buildings. Clearly, the hon. Member for Ilford, South (Mr. Thorne) was right to say that those problems have been dealt with because no hon. Member has sought to argue today that our heritage is being destroyed—*[Interruption.]*

Madam Deputy Speaker (Miss Betty Boothroyd): Order. Grave discourtesy is being shown to the hon. Gentleman who has the Floor. There are too many conversations taking place. I should like to hear what the hon. Gentleman has to say.

Mr. Hughes: You are very kind, Madam Deputy Speaker.

Today we have been debating transport and construction issues—and that, in itself, is progress.

Having reflected on the last year, I find that the Bill is proof that the proposals first advanced are never the last word. There has been some flexibility, and I pay tribute to the promoters and to all who have brought about some changes of heart. I say without reservation that Russell Black and his team in the Jubilee line project office have co-operated in all respects and at all times have facilitated answers to inquiries and dealt helpfully with my questions. I could not have asked for better co-operation. It has helped to put a little political and parliamentary pressure on them as well as pressure from constituents at public meetings and from local authorities. We have been able to make changes to the benefit of the project and I hope that more changes will be made in the other place.

The Minister for Public Transport has been kind enough to tell me that the assurance that I sought on the Southwark and Bermondsey stations is as firm now as it was last autumn. I place that on the record, because it is important to dispel people's fear that in a recession or time of economic difficulty some of the stations along the line might be removed. It would be helpful if the Minister could confirm that statement. Now that we have a commitment to all the stations, Southwark and Bermondsey must also remain.

Those interested in the Bill will remember that in the Committee and elsewhere there has been much debate about the alignment of the line in the Canada Water area. Constituents of mine have petitioned—with only partial success—for one of the two alternative routes to be adopted in that area to avoid disturbing residential communities in and around the Canada estate, near the mouth of the Rotherhithe tunnel. Those constituents, the local authority and I are still not happy with the current alignment and the location of the works. They were disappointed that their views were not upheld by the Committee and others, too, were surprised that the Committee did not uphold their argument.

I hope that a way will be found in another place to accommodate their concern. I understand that petitions will be presented and it may be possible, even at this late stage, to find a way to realign that part of the route so as to avoid disrupting that community. A way must be found to minimise the disturbance to them and it will be up to the other place to work out the best way. I hope that that is not regarded as a finished issue and that the other place will note that work remains to be done. The bus interchange links at Canada Water are still under debate and that, too, must be ordered in a way which minimises disruption.

When we debated the listed buildings in Parliament square, the main issue was the effect on our heritage in this place. There is still concern that the architectural work along the line should be compatible with some of the important lists and that the quality of the London Underground buildings must be of the highest standard, reflecting the local built environment and local history—for example, the station on Jamaica road in Bermondsey. I understand that we are awaiting a decision on the architect for the parliamentary phase 2 buildings. It would be helpful if the Minister could make that announcement tonight, as I gather that the decision has been made but not announced. Work could then proceed in that context, too.

I hope that, if the Bill receives its Third Reading tonight, is successful in another place and becomes law some time later this year, the provision of this additional underground line will not be to the detriment of other underground routes in London. There is occasionally a veiled threat that once we have a new line we may not need all the stations on the other lines. In the past, the east London line through Southwark has been something of a line in the corner, but it need not be so if we link it with an east London line extension down to Peckham, New Cross and Lewisham. We do not want stations to be closed just because a new line is opened. Stations such as Rotherhithe and Surrey docks must remain open.

There is a prospect of our having a new line. We have been vigilant to ensure that there is no environmental disruption while it is built, but residents still have enormous concerns. I hope that the debate on the new clauses and amendments will have made the agenda clear and that all those responsible will respond in an even more constructive way in the days ahead.

10.9 pm

Miss Hoey: On Third Reading, I must say that I hope that the move towards recognising the need for transport, especially in south London, is the beginning of what is needed. I hope, as the hon. Member for Southwark and Bermondsey (Mr. Hughes) said, that this is not the end of other tube lines, but the beginning of new development and money going into public transport in south London.

I place on record on Third Reading, too, the concern that I, with other Opposition Members and many Conservative Members, still have that we are wholly ignoring the important green open space of Jubilee gardens beside the river. It is not acceptable that the Bill should be given its Third Reading when so little assurance has been given on how that area can be preserved.

Given the way in which it was possible for things to be changed in order to protect Parliament square, it will be disgraceful if the Bill comes back from the House of Lords without our having satisfied the wishes and needs of the Waterloo area and Jubilee gardens. I know that many hon. Members want to get on to the Natural Heritage (Scotland) Bill, but we are talking about heritage here, too. We are talking about a piece of London which is unique. It is disgraceful that we have not been able to find a way to protect that site in dealing with that most unco-operative and unimaginative body—the London residuary body.

I express my thanks to those concerned with the London Underground Bill, especially to Russell Black, and I echo all the thanks for their work in trying to do what they can. I and other Opposition Members know that they have been tied by the way in which the London residuary body—a public body—has behaved on the issue.

The issue will not go away. The Bill will receive its Third Reading tonight and I will not oppose that, but I have great faith that the House of Lords will show far more sense on the issue than the House of Commons has, and that we shall indeed preserve Jubilee gardens for the future of Londoners.

10.12 pm

Mr. Bowis: Like all hon. Members who have spoken in the Third Reading debate, I very much welcome the Bill. Like the hon. Member for Southwark and Bermondsey (Mr. Hughes) and the hon. Member for Vauxhall (Miss Hoey), I congratulate the promoters and especially the sponsor, my hon. Friend the Member for Ilford, South (Mr. Thorne), who has steered the Bill through the House and who has listened to many points.

Like the hon. Member for Southwark and Bermondsey, I will raise an issue for consideration in another place, unless my hon. Friend the Member for Ilford, South can convince me on the point this evening. In dealing with private Bills, we need to look carefully at what is being slipped through. On occasion, Bills have slipped through the removal of the need to go through certain planning procedures. In the Bill, we have the removal of the need to go through certain consultative procedures. I refer especially to clause 35, which removes the need to consult on the removal of a stretch of existing underground line once the new line is opened.

It may be right to remove such a piece of underground line—I do not dispute that today. My purpose is to say that it should have been a matter for consultation, as are all other such line closures under legislation. In 1984, the House set up the London Regional Passengers Committee. It changed the name of the old Transport Users Consultative Committee for London and, in so doing, removed the word "consultative". However, it strengthened the rights of consultation for the people of London through the LRPC.

Under the London Regional Transport Act 1984, the LRPC is given the right to be the vehicle to receive objections from users of London Transport. There is a requirement for a notice to be published and users can submit objections to the LRPC which then considers them and makes recommendations to the Minister. The Minister considers the recommendations, any other matters relating to the economy, and the social implications of the decision. He may, if he thinks fit, add conditions to the Bill requiring the interests of passengers to be taken into account.

London Regional Transport has asked passengers to submit views in writing, which have been taken into account. The Bill in its present form bypasses the rights of the consumer because one of its clauses removes the need to fulfil the obligations of Acts of Parliament in relation to closing the stretch of line between works 1A and 1B, which we know as Green Park and Charing Cross. I hope that that is not setting a precedent and that we shall retain the right of London Transport passengers to be consulted. I hope there that there will be more time in the other place to consider that further, so that we can wholeheartedly and, unanimously welcome the Bill.

10.16 pm

Mr. Freeman: I add my congratulations to those that have been expressed to my hon. Friend the Member for Ilford, South (Mr. Thorne). My hon. Friend the Member for Battersea (Mr. Bowis) spoke about the procedure in relation to Charing Cross. That will not set a precedent, and parliamentary procedure has dealt fairly with the issue of the closure of the Green Park to Charing Cross lines. There is no change in relation to Southwark and Bermondsey stations. I outlined that on Second Reading about a year ago.

The commission to design the new parliamentary building at the site of Nos. 1 and 2 Bridge street is being let by the Department of the Environment to Michael Hopkins and Partners. That is the first step in the design of the new building which, I hope, will facilitate the construction of the Jubilee line. The Government strongly support the Bill and hope that the other place will give it speedy passage so that the line can bring benefits to all parts of London.

10.17 pm

Ms. Ruddock: I shall be brief, because the House has made good progress. The Committee did a good job and it has not been necessary to raise too many issues on Third Reading. The Opposition support the extension of the Jubilee line and welcome the Bill. We are critical of

[Ms. Ruddock]

Government priorities and the lack of co-ordination in the Government's transport policy for London. However, the extension of the line will provide new and useful access for many people, especially those in south London, to the underground system.

Some of the difficulties encountered in Committee have not been resolved and it is apparent from what has been said, especially by my hon. Friend the Member for Vauxhall (Miss Hoey) in connection with Jubilee gardens and Canning Town, that there will be a need for further debate in the other place. From what the Minister said it is clear that finance is preventing the resolution of some of the difficulties. We regret that, because the amounts are relatively small in relation to the task in hand.

New underground projects take the best part of a decade to complete and will be in use for many decades. To curtail small additional expenditure at this stage and, for example, to forgo the possibility of some money for Jubilee gardens because of the attitude of the London residuary body is unjustified. We hope that when those matters are further pursued in the other place there will be a different and more positive resolution.

Despite those small outstanding matters, we are happy to agree to Third Reading. I should like to place on record our thanks to the Jubilee extension team for its considerable co-operation, its supply of briefings, its assistance and its answers to our questions.

However, we regret that the powers of the London Regional Passengers Committee have been reduced in the way that the hon. Member for Battersea (Mr. Bowis) outlined. Although the Minister has assured us that that does not create a precedent, we feel that it is both regrettable and unnecessary to have removed from the Committee the opportunity for proper consultation. However, I welcome the Bill and wish it well in its passage through the other place.

10.20 pm

Mr. Thorne: With the leave of the House, I thank the hon. Members for Southwark and Bermondsey (Mr. Hughes), for Vauxhall (Miss Hoey) and for Lewisham, Deptford (Ms. Ruddock) and my hon. Friend the Member for Battersea (Mr. Bowis) for their support for the Bill. I am sure that we all wish it a speedy passage through the other place. I do not wish to repeat anything that my hon. Friend the Minister has already said, but I emphasise one point. The branch line from Green Park to Charing Cross will remain open and available for special occasions. It will not be completely closed, but there will not be a regular service on it.

I must take issue with the hon. Member for Deptford on costs. If we were to spend unnecessarily between £50 million and £100 million on this project, it would put in jeopardy other important measures that will benefit the transport-using public in London. We have to take account of the overall cost, which is not as little as has been suggested. One hon. Member said that £7 million was chickenfeed, but I do not agree. It is an important sum of money, for which we must have good value.

I hope that the House will speed the Bill on its way. The Jubilee team of London Regional Transport has done a splendid job. It has been at considerable pains to ensure that hon. Members on both sides of the House have had their queries and concerns answered. That is of great importance when dealing with private Bills. I hope that it keeps up that good work, because if it does, the Bill will soon receive Royal Assent.

Question put and agreed to.

Resolved,

That Standing Order 205 (Notice of Third Reading) be suspended and that the Bill be now read the Third time.

Bill accordingly read the Third time, and passed.

Orders of the Day

Natural Heritage (Scotland) Bill *[Lords]*

Lords amendments considered.

Clause 5

DEVELOPMENT PROJECTS OR SCHEMES

The Lords disagree to the Amendment made by the Commons in page 3 to leave out lines 1 to 8 but propose the following amendment in lieu thereof:

Lords amendment No. 1, in page 3, leave out lines 1 to 8 and insert:

("(4) Where SNH has prepared a proposal for a development project or scheme for any area which involves the compulsory acquisition of land under subsection (6)(a) below, a compulsory purchase order for that purpose shall be subject to special parliamentary procedure in any case where an objection has been duly made by the owner of the land and has not been withdrawn.

(5) In subsection (4) above "owner" shall have the same meaning as in the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.")

10.22 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I beg to move, That this House doth agree with the Lords in the said amendment proposed in lieu of the Commons amendment.

The original Commons amendment was, in my view, acceptable in so far as it removed the right of appeal against development schemes or projects. For the reasons that I gave in Committee, such a right of appeal is unnecessary, because a development cannot be affected without the owner's approval. However, after much careful reflection, we considered that, in addition to removing this right of appeal, it was appropriate to take steps to meet the several concerns that have been expressed about the scope of Scottish Natural Heritage's compulsory purchase power under clause 5.

Mr. Tam Dalyell (Linlithgow): Will the Minister give way?

Lord James Douglas-Hamilton: I wish to develop my point first, but I will give way to the hon. Gentleman later.

As I have stressed throughout the passage of the Bill, it is of the utmost importance that Scottish Natural Heritage should be able to develop positive and co-operative relations with all those involved in land use, and this extra safeguard, which we are applying to the compulsory purchase powers in the clause, will be most helpful in that regard.

Mr. Dalyell: As the Minister has said that much careful thought has been given to these matters, are we to believe Mr. Charles Clover, the well-respected correspondent of *The Daily Telegraph?* He writes in this morning's edition of that newspaper, among other things, that Professor Sir Fred Holliday, chairman of the standards committee for the United Kingdom, was not consulted. Was Sir Fred consulted or was he not?

Lord James Douglas-Hamilton: On this particular matter?

Mr. Dalyell: Yes.

Lord James Douglas-Hamilton: I cannot confirm that he was. I can tell the hon. Gentleman that compulsory purchase order powers exist for a range of issues—for example, where SNH is satisfied that it is in the national interest that land should be managed as a nature reserve but is unable to conclude an agreement on reasonable terms. There are various other grounds that I can specify if the hon. Gentleman so wishes.

Mr. Dalyell: I do wish it.

Lord James Douglas-Hamilton: All right, I shall spell them out. If the hon. Gentleman is anxious to have all the details, I shall give them to him.

Compulsory purchase would be possible where agreement for management of a nature reserve is breached in a way which prevents or impairs the satisfactory management of the land. The other compulsory purchase order that is available to SNH is in relation to public access to open country if it is impracticable to obtain such access by agreement or order.

The amendment provides that compulsory purchase orders made by the Secretary of State under clause 5 should be subject to special parliamentary procedure. Hon. Members may know that, under that procedure, a CPO does not come into effect until it has been laid before Parliament and has been brought into operation in accordance with the special procedure Acts. Petitions may be presented against the CPO and either House may resolve that the order should be annulled.

The most notable use of the procedure at present is to safeguard National Trust land. The definition of "owner" which we have used includes tenants under a lease with more than three years to run. This means that, where such a tenant objects to the compulsory purchase, special parliamentary procedure would come into operation. Hon. Members will appreciate that this provides the same safeguard for a small tenant farmer as for a large landowner. I am sure that the House will be rightly pleased about that.

Overall, the practical effect of the amendment would be that even if the Secretary of State agreed with SNH that a CPO should be made, Parliament's approval would be required via these procedures. I remind those who feel that we may have gone too far with the amendment, and effectively neutralised the compulsory purchase power, of the nature and scope of clause 5. That clause is essentially a re-enactment of a provision that exists in the Countryside (Scotland) Act 1967. In most instances where the Countryside Commission for Scotland has used the power, the agreement of the landowner has been very easy to obtain. That is because the land concerned has generally been of little value and not in gainful use. We expect that pattern to continue. It is unlikely that SNH would wish to pursue a project where the landowner did not consent. It is therefore unlikely that SNH would ever wish to use its compulsory purchase powers, and the Countryside Commission for Scotland has made no use of them for 20 years. Resort to compulsory purchase in such instances would go against the entire basis of co-operation and partnership that we wish to see SNH establish.

The hon. Member for Linlithgow (Mr. Dalyell) asked me earlier whether Professor Sir Fred Holliday was consulted on CPOs. The answer is no. That is because the Joint Committee of the Councils for Mature Conservation has no statutory responsibility for the powers that are set

[Lord James Douglas-Hamilton]

out in clause 5. I think that the hon. Gentleman is referring to an amendment that will be dealt with later. I know that he will be especially interested in that amendment.

Mr. Gavin Strang (Edinburgh, East): The Minister said that compulsory purchase powers rest with the Countryside Commission for Scotland. It would seem that the existence of those powers did not prevent a constructive dialogue between the commission and landowners in the community generally. The existence of the powers, although they are never used, surely puts the commission in a position of some strength when discussions take place. Does he not accept that, by weakening the relevant provisions, he is undermining Scottish Natural Heritage?

Lord James Douglas-Hamilton: I have never before heard criticism of the involvement of Parliament in such matters. I entirely agree with the hon. Gentleman that the powers have been of assistance to the Countryside Commission for Scotland. Let me give an obvious example. Suppose that nobody knows who is the owner of a piece of land. That person may have emigrated 50 years ago. He may not have any descendants, and he may be impossible to trace. I can envisage a compulsory purchase order being entirely reasonable in such circumstances. But the involvement of Parliament is a safeguard in contentious cases.

10.30 pm

Hon. Members will recall that we had a debate in Committee on the availability of compulsory purchase orders, in response to an amendment moved by my hon. Friend the Member for Dumfries (Sir H. Monro). As I explained on that occasion, I feel that, in many ways, the fact that the equivalent existing power has never been used by the Countryside Commission for Scotland is rather a good reason for retaining the power for Scottish Natural Heritage, as it shows that it is very much a power of last resort, the exercise of which would not be entered into lightly.

Given the concerns of all involved in land use as to the scope of compulsory purchase powers, I am confident that the amendment will allow the clause to strike a proper balance between their interests and the powers of Scottish Natural Heritage in relation to development projects. With that in mind, I trust that the House will support the amendment.

Mr. Dalyell: We want to get on to the new clause 11, but I ask the Minister one question. He referred to the land being "of little value". In whose judgment is it of little value? Who has made the value judgment that it is of little value in this instance?

Lord James Douglas-Hamilton: All land is of particular value to the person who owns it; that goes without saying. What I meant was that, in monetary terms, it was of relatively little value. Perhaps I should have been more specific in the language that I used.

Mr. Dalyell: My final comment is that I wonder how well thought out the provision is, and why we did not hear much about this in Committee. Frankly, the Government and their advisers might have thought of it a good deal earlier.

Lord James Douglas-Hamilton: Perhaps the hon. Gentleman does not recall that the criticisms that were made in Committee related to the notion of having compulsory purchase orders in the first place. Those criticisms were made from a very different angle from those being made by the hon. Gentleman tonight. But the involvement of Parliament is a safeguard in contentious cases, and I am surprised that the hon. Gentleman, who is a great parliamentarian, should criticise the fact that we are seeking to involve Parliament in such matters.

Question put and agreed to.

The Lords agree to the following amendment made by the Commons:

After clause 5, insert the following new clause—

Natural Heritage Areas

'.—(1) Where it appears to SNH, after consultation with such persons as it thinks fit, that an area is of outstanding value to the natural heritage of Scotland, and that special protection measures are appropriate for it, it may recommend to the Secretary of State that the area be designated as a Natural Heritage Area.

(2) Where the Secretary of State receives a recommendation under subsection (1) above he may designate the area by a direction under this subsection as a Natural Heritage Area.

(3) Where the Secretary of State proposes to make a direction under subsection (2) above he shall publish notice of the proposal in the Edinburgh Gazette and in at least one newspaper circulating in an area which includes the proposed areas.

(4) Before making a direction under subsection (2) above, the Secretary of State shall consider any representations received by him about the proposal within six weeks of the date which is the later of the dates on which the publication under subsection (3) above of notice relating to the proposal occurs.

(5) Where the Secretary of State makes a direction under subsection (2) above he shall publish notice of the designation in the Edinburgh Gazette and in at least one newspaper circulating in an area which includes the Area.

(6) Where is appears to SNH, after consultation with such persons as it thinks fit, that it is no longer appropriate that an area which has been designated as a Natural Heritage Area or any part of it should continue to be so designated it may recommend to the Secretary of State that the designation be cancelled or, as the case may be, varied.

(7) Where the Secretary of State receives a recommendation under subsection (6) above he may, by a direction under this subsection, cancel or, as the case may be, vary the designation of the Natural Heritage Area; and subsections (3) to (5) above shall apply to a direction proposed to be made under this subsection as they apply to a direction proposed to be made under subsection (2) above, and for the purposes of such application the reference in subsection (3) to the proposed area shall be construed as a reference to the Area.

(8) Section 262C of the Town and Country Planning (Scotland) Act 1972 (National Scenic Areas) shall be amended as follows—

(a) in subsection (3) for the words "National Scenic Area" there shall be substituted the words "Natural Heritage Area under section [*Natural Heritage Areas*] of the Natural Heritage (Scotland) Act 1991; and

(b) in subsection (4) for the words "National Scenic Area" there shall be substituted the words "Natural Heritage Area".

(9) Notwithstanding the repeal by section 26 of and Schedule 11 to this Act of subsections (1) and (2) of the said section 262C or the amendment by this section of subsections (3) and (4) of that section, any area which, at the date of such repeal, was designated as a National Scenic Area shall continue to be so designated and, until such designation is cancelled by a direction under the said section 262C, the provisions of that section shall continue to have effect in relation to the area as if they had not been repealed or, as the case may be, amended.'.

but propose the following amendment thereto:

Lords amendment: in subsection (4), leave out "six weeks" and insert "three months".

Lord James Douglas-Hamilton: I beg to move, That this House doth agree with the Lords in the said amendment to the Commons amendment.

The amendment provides for a longer period for the receipt of representations in dealing with the establishment of a natural heritage area. Six weeks is a standard period for representations in planning legislation, but the longer period is perfectly reasonable here, as allowing a substantial time for commenting on a NHA proposal is, of course, entirely in keeping with the Government's view of NHAs as promoting a co-operative approach between all relevant interests. Such an approach is in tune with the fundamental philosophy of Scottish Natural Heritage.

The extension of the period to three months should ensure that anyone who is absent on holiday or the like at the time of the proposal being published is properly able to be involved in the process. I trust that the House will share that view of what is a simple, but important, amendment.

Mr. Robert Maclennan (Caithness and Sutherland): Can the Minister give us any information about the consequences of designation? If he cannot, can he explain why we should accept that three months would be a suitable time?

Lord James Douglas-Hamilton: On the consequences of designation, there is a detailed procedure, and I should be happy to send the hon. Gentleman a summary of what it would mean. The management of an area would be set out in a management statement and that would eventually have to go to the Secretary of State for approval at the time of designation. He could approve it in whole or in part or not approve it, depending on how good the case was. One of the effects of designation would be that priority would be given by Scottish Natural Heritage with regard to management and access agreements. Certainly, priority would be given to the areas of research and of course the flow country, in the hon. Gentleman's constituency, might be a prime candidate for consideration in this category. I shall be happy to send the hon. Gentleman further information should he wish me to do so.

Question put and agreed to.

The Lords disagree to the Amendment made by the Commons to leave out clause 11, but propose the following amendment in lieu thereof:

Lords amendment: No. 3, to leave out clause 11 and insert the following new clause—

" .—(1) The Secretary of State shall appoint a committee (in this section referred to as "the Committee") which shall have the function of giving advice to SNH on such matters concerning areas of special scientific interest as are specified in this section.

(2) The chairman and members of the Committee shall be appointed by the Secretary of State from among persons who are not members of SNH or of any committee appointed by it having scientific qualifications and experience in relation to flora or fauna or the geological or physiographical features of land.

(3) The chairman and members of the Committee shall be appointed upon such terms and for such periods as the Secretary of State may determine and they shall be paid by SNH such remuneration and allowances as the Secretary of State may, with the consent of the Treasury, determine.

(4) The Secretary of State may, from time to time, give directions to the Committee as to its procedure.

(5) Where SNH has given notification to the owner or occupier of any land under subsection (1) of section 28 of the Wildlife and Countryside Act 1981 (areas of special scientific interest) that the land is or forms part of an area of special interest and has received from the owner or occupier of the land, within the time specified in subsection (2) of that section, representations or objections relating to any reason specified in the notification in pursuance of subsection (4)(a) of that section and the owner or occupier does not agree to withdraw such representations or objections, it shall refer the matter to the Committee.

(6) Where, as regards any land in respect of which a notification has been given under subsection (1) of the said section 28 before the commencement of this section of this section, SNH receives representations from the owner or occupier of the land that any reason specified in the notification in pursuance of the said subsection (4)(a) has ceased to be valid and, within six months of such representations having been made, they have not been withdrawn—

(a) in the case of a notification given since the commencement of section 2 of the Wildlife and Countryside Act 1985 or in the case of a notice of proposed notification given before such commencement, where objections or representations were duly made in pursuance of subsection (2) of the said section 28 at the time the notification or, as the case may be, notice was given; and

(b) in any other case, where not less than 10 years have elapsed since the date the notification or, as the case may be, notice was given,

it shall refer the matter to the Committee.

(7) SNH shall not confirm a notification to which subsection (5) above applies or come to a decision on representations to which subsection (6) above applies without having received and considered the advice of the Committee on the matter; and in any case where a matter has been referred to the Committee SNH shall send a copy of the Committee's advice to any owner or occupier who has made objections or representations at the time when it notifies the owner or occupier of the confirmation of a notification or, as the case may be, its decision on the matter.

(8) Where representations are made to SNH in respect of a notification relating to any land in circumstances other than those mentioned in subsection (5) or (6) above, SNH shall refer the representations to the Committee where not less than 10 years have elapsed from whichever is the later of the date of the notification or the date of any earlier representations made in respect of the notification."

Mr. Deputy Speaker (Sir Paul Dean): With this we may take the following amendments: (d), in line 3, at end insert—

'(a) giving advice to SNH in relation to objections or representations made in respect of an application for a sea bed lease for aquaculture within or affecting an SSSI as specified in subsections (4A) and (4B) below; and

(b)'.

(e), in line 17, at end insert—

'(4A) Where an application has been made to lease part of the sea bed (including the bed of a sea loch) within or affecting an SSSI for the purposes of establishing a fin-fish or shell-fish farm, or extending an existing fish farm, and objections and representations have been made to the leasing authority and, within six months of such representations having been made, they have not been withdrawn, the matter shall be referred to the Committee.

(4B) Notwithstanding the provisions of subsection (4A) above where any objections or representations made in respect to a sea bed lease granted for the purposes of aquaculture, and where—

(a) not less than 10 years have elapsed since the date of granting such a lease, or

(b) a sea bed lease was granted prior to October 1986, or

(c) a sea bed lease was granted prior to the coming into effect of the Environmental Assessment (Salmon Farming in Marine Waters) Regulations 1988,

the matter shall be referred to the Committee.'.

(a), in line 27, to leave out subsection (6).

(b), in line 45, to leave out from 'applies' to 'without' in line 46.

(c), in line 53, to leave out subsection (8).

I should inform the House that the amendment involves privilege.

Lord James Douglas-Hamilton: I beg to move, That this House doth agree with the Lords in the said amendment proposed in lieu of the Commons amendment.

I think that it will be for the convenience of the House if I take account of the amendments in the name of the hon. Member for Western Isles (Mr. Macdonald).

As the House will know, the former clause 11 of the Bill has had a somewhat turbulent history. There were a number of reasons why we considered it unacceptable. In the first place, it would have placed an onerous burden on SNH. It would also have involved so much time and effort that it is doubtful whether SNH could have devoted much effort to any of its other duties during its first five years of existence. Apart from these practical objections, there was, of course, a matter of principle at stake. That led us to oppose both the former clause 11 and the amendments moved in Committee.

The clause and the amendments established a right of appeal to the Secretary of State. That would have been a fundamental departure from the provisions of sections 28 and 29 of the Wildlife and Countryside Act 1981 and could have resulted in the erosion of the scientific basis of the designation. As that legislation not only embodies the SSSI procedures, but gives effect to our commitment to nature conservation under both international treaties and EC directives, any departure from that legislation on a purely Scottish basis would have called into question our commitment to those obligations and could have led to the risk of challenge in, for example, the European Court of Justice.

Mr. Dalyell: Has the Minister seen what was said by Charles Clover in *The Daily Telegraph* this morning? Was Sir Fred Holliday consulted? Is it or is it not true that the Department of the Environment has said that the procedure will not be imposed in England? What has the Secretary of State for the Environment to say about that?

Lord James Douglas-Hamilton: I cannot say whether my right hon. Friend the Secretary of State for the Environment has been consulted, although I have little doubt that he will be aware of the matter because of public reporting of it. As for the other matter, the criteria for SSSIs will remain exactly the same throughout Britain. It is for the Department of the Environment and the Welsh Office to decide about structures in specific parts of the United Kingdom.

Let me remind the House about the way in which SSSI procedures have been operated. The hon. Member for Argyll and Bute (Mrs. Michie) was so concerned about the issue that she raised it in her maiden speech. She said:

"We must seek a proper balance between nature conservation and the interests of the people who live and work in the area. To that end, I hope that the Secretary of State for Scotland will urgently consider the establishment of a Scottish nature conservancy council. . . . The people of Islay are deeply upset and angry. They fear that in the end 65 per cent. of the land area of Islay will become eligible for designation, and, if that happens, depopulation could occur on a scale not seen since the infamous clearances.—[*Official Report*, 13 July 1987; Vol. 119, c. 717.]

During the passage of the Environmental Protection Bill, the hon. Member for Western Isles made strong representations over the way in which the Nature Conservancy Council had operated the SSSI system in his constituency. He stated:

"Too often, I am sorry to say, the southern-based environmental lobby, including the NCC, has been seen by ordinary highlanders as alien, aloof, insensitive, remote, and sadly devoid of any appreciation of the special history and culture of the Highlands and Islands."—[*Official Report*, 15 January 1990; Vol. 165, c. 81.]

I have a high regard for NCC members and for the work that they do, but both hon. Members have a point in believing that the NCC needed to become more responsive to local circumstances.

The Scottish Crofters Union, in its representations for the paper, "Scotland's Natural Heritage", stated:

"Crofters in general are very dissatisfied with the way these SSSIs are designated, and especially with the wording of the statutes that regulate them. The NCC has done little to address this problem."

Similarly, the Borders Farming and Forestry and Wildlife Advisory Group stated:

"In many cases, the way in which the Special Interest of SSSIs have been communicated to farmers and land owners leaves much to be desired. A less abrasive procedure would achieve better co-operation."

We produced the new clause to balance the legitimate concerns expressed by owners, crofters, and occupiers of land about the role of Scottish Natural Heritage in SSSI notification with our fundamental commitment to the SSSI system, as set out in sections 28 and 19 of the 1981 Act.

The new clause was approved by an overwhelming majority in another place, where it had the general support of Opposition peers. The Opposition's Front-Bench spokesman for Scotland in another place had a briefing meeting with my noble Friend Lord Strathclyde and with officials on the morning of the debate on our new clause. I am sure that, as a result, he fully understood its purpose and effect—contrary to reports that appeared in the media.

The new clause places a duty on the Secretary of State to appoint a committee of people of relevant scientific qualifications and expertise, whose independence from SNH is guaranteed by the provision in subsection (2), which excludes the appointment to the committee of any member of SNH, or a member of any committee appointed by SNH.

The committee's remit covers only the scientific validity of the notification of new and existing SSSIs. In relation to new SSSIs, subsection (5) provides in effect that if any owner or occupier objects to notification and SNH cannot persuade him to withdraw his objection, SNH has a duty to refer the matter to the committee for advice.

Mr. Maclennan: I read subsection (2) with considerable care, but it is highly ambiguous. I take it that the Minister intends that members of the advisory committee should have scientific experience, but the clause could equally well be interpreted as excluding those who have scientific qualifications and experience. As a matter of statutory construction, I am far from convinced that the Government have got that subsection right. It seems possible that scientists would be excluded from membership of the committee.

Lord James Douglas-Hamilton: The hon. Member asks a question that I asked a short time ago. Advisory committee members must have scientific qualifications, but it is important that they should not also serve as members of boards of Scottish Natural Heritage. However, if a person came off one of those boards, there is no reason why his or her eligibility for the advisory committee should not be considered. However, a person could not serve on both simultaneously.

Mr. Dalyell: It is proper that the Minister, as a lawyer, should have asked that question. May I ask him in turn of whom he asked that question, and what was the reply?

Lord James Douglas-Hamilton: I assure the hon. Gentleman that we have what I regard as extremely good legal advice in the Scottish Office, whose officials act as a team. I assure the House that they would not make proposals unless they had been carefully checked by Scottish Office lawyers—and, as the hon. Gentleman knows, Bills are drafted by lawyers.

10.45 pm

Subsection (6) deals with existing SSSIs, which in general are subject to a somewhat different procedure. Scottish Natural Heritage is given six months to try to persuade the owner or occupier to withdraw his objection. If the representations have not been withdrawn within six months, SNH must refer the matter to the advisory committee. The subsection distinguishes two different categories of existing SSSI. In cases where objections or representations were made at the time of the original notification, the owner or occupier can ask SNH to refer the case to the committee as soon as the Bill comes into operation. For other cases—that is, where no objections were expressed in the first place—SNH does not need to refer the matter to the committee unless 10 years have elapsed from the date of notification. In relation to both new and existing SSSIs, the objections must relate to the scientific interest of the site.

Subsection (7) makes it clear that SNH cannot reach a decision until it has received and considered the committee's advice. A copy of that advice must also be sent to the objector when SNH notifies its final decision on the case. Subsection (8) introduces a 10-year cycle for objections for all SSSIs, once they have been dealt with under the provisions of subsection (5) or (6).

That is an essential feature of the new clause, as SNH could otherwise be asked to refer the same SSSI to the committee almost continuously. Ten years seems a reasonable period, especially when it is borne in mind that SNH will constantly monitor the scientific interest of the site during that period under the general workings of the 1981 Act.

Mr. Dalyell: Before the Minister leaves the review procedure, can he explain why that socialist newspaper, *The Daily Telegraph*, quoted Mr. Magnus Magnusson—the chairman-designate of Scottish Natural Heritage—as saying that he was

"'deeply unhappy' about the review procedure which he believes could overburden his new-born quango and lead to the reconsideration of any of Scotland's 1,300 SSSIs"?

If it is all such plain sailing, why has SNH's own chairman not been carried with it?

Lord James Douglas-Hamilton: When I saw——

Mr. Dalyell: Answer the question.

Lord James Douglas-Hamilton: I intend to answer the question; the hon. Gentleman must give me the opportunity to do so.

When I saw Mr. Magnus Magnusson, he made it clear that he would approach the subject in a very positive frame of mind. I have nothing but confidence in his chairmanship. I think that he is outstanding. The hon. Gentleman asks a valid question. He wants to know how much pressure could be put on SNH in, for example, the number of cases that could be generated——

Mr. Dalyell: I want to know why Mr. Magnusson is not happy.

Lord James Douglas-Hamilton: The hon. Gentleman has asked a question and I shall answer him. There is concern about how many cases would be generated. The

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hon. Gentleman may not be interested in that, but Mr. Magnusson certainly is. I shall set out what I believe to be the position. The number of cases going to the advisory committee will depend on a number of factors. First, it is for owners, crofters and occupiers to decide whether they wish to make representations on scientific grounds. Secondly, SNH and the crofters, owners and occupiers will have an opportunity to resolve any differences over a six-month period. Any figures that may be put forward are, therefore, purely guesswork. It is impossible to estimate the figure.

Mr. Calum Macdonald (Western Isles): Is the Minister disputing Magnus Magnusson's estimate that the new procedure will cost about £1 million or £1·5 million per year to operate?

Lord James Douglas-Hamilton: Mr. Magnusson has never mentioned those figures to me. I expect the figure to be relatively small, but we shall take full account of it in the annual public expenditure survey round and ensure that adequate resources are made available.

Mr. Donald Dewar (Glasgow, Garscadden): The Minister started with a flurry of confidence, saying that he would give us the latest up-to-date position on the impact of the new arrangements on Scottish Natural Heritage. I expected him to say something about the number of appeals that the Scottish Office estimates there will be. Rumours are going around among the various environmental bodies that several hundred cases are already in the queue. The Minister signally failed to live up to the beginning of his speech, because he ended up saying that he had no idea what the answer was. Is the Scottish Office setting up the new procedure without any idea of the impact that appeals will have on the workload?

Lord James Douglas-Hamilton: I can give the hon. Gentleman some information, from which he may be able to make an estimate. Of the 541 SSSIs approved for confirmation by the Nature Conservancy Council committee under the new procedure since 1985, 153 were the subject of objections. That is some 28 per cent. of the total.

Mr. Macdonald: Will the Minister give way?

Lord James Douglas-Hamilton: No. The hon. Gentleman can make his own speech. I have answered the point that he made in his earlier intervention.

Mr. Macdonald: Will the Minister give way on this point?

Lord James Douglas-Hamilton: I do so reluctantly, because I want to get on.

Mr. Macdonald: The Minister said that he had seen no estimate by Magnus Magnusson of the magnitude that I described. In today's edition of *The Daily Telegraph* Mr. Charles Clover states:

"Mr. Magnus Magnusson . . . has told Mr. Lang, Scottish Secretary, in a letter seen by conservancy council staff, that the new scientific appeals committee could cost Scottish Natural Heritage . . . up to £1·5 million a year."

Has the Minister seen the letter that Magnus Magnusson wrote to the Secretary of State? If he has not seen it, why not? If he has seen it, can he deny that Magnus Magnusson gave that estimate of £1·5 million?

Lord James Douglas-Hamilton: I will check up on that and make absolutely certain that, if any such letter has been sent, I will see it as quickly as possible. I can only repeat what I have already said on the subject of resources—that this will be considered with the greatest of care in the autumn, during the public expenditure round, to make certain that the resources awarded are adequate for the purpose.

Mr. Dalyell: Will the Minister give way?

Lord James Douglas-Hamilton: No. I have answered the hon. Gentleman's question.

This would be a convenient place——

Mr. Dalyell: On a point of order, Mr. Deputy Speaker. The House of Commons is turning into a fiasco. May we not, through you, appeal to the duty Whip to ask either the Lord President of the Council or the Government Whip to come to the House to see what is happening and then, for the sake of Scotland and the heritage in general, to return and clarify the Government's understanding of their own Bill?

Mr. Deputy Speaker: That is not a point of order for the Chair. I suggest that we get on with the debate, which may well produce clarification.

Lord James Douglas-Hamilton: This will be a convenient place to deal with the amendments in the name of the hon. Member for Western Isles. As the House will appreciate, the SSSI system does not and cannot extend below the low water mark and, therefore, does not directly have an impact on marine fish farming. The amendment can therefore only refer to leases for marine fish farms affecting SSSIs. There can be no sea bed leases within a site of special scientific interest.

The hon. Gentleman will, I am sure, be aware of the existing arrangements for dealing with applications to the Crown Estate for sea bed leases where there is an objection to the proposals from one of the statutory bodies—local authorities, river purification authorities, Highlands and Islands Enterprise, the Nature Conservancy Council, the Countryside Commission for Scotland and, in due course, Scottish Natural Heritage. Where there is an objection that cannot be resolved, the case is referred by the Crown Estate to an advisory committee appointed by the Secretary of State. The committee is purely advisory and deals only with individual cases. The Crown Estate should take account of the committee's advice in determining the location for a lease.

The advisory committee on SSSIs, as proposed in the Government amendment, has the same relationship to Scottish Natural Heritage as the fish farming advisory committee to the Crown Estate. The amendment moved by the hon. Member for Western Isles would, therefore, result in a bureaucratic procedure. There would be a four-tier chain from the SSSI advisory committee to Scottish Natural Heritage, from Scottish Natural Heritage to the fish farming advisory committee, and from that committee to the Crown Estate. I am sure that the hon. Member will recognise that that would be an administratively inefficient and cumbersome procedure.

Mr. Macdonald: I do not want to create extra bureaucracy. Why not get rid of the advisory committee to the Crown Estate and have a single advisory committee, if one is necessary, comprising scientists from both quangos, to advise on disputes?

Lord James Douglas-Hamilton: The advisory committee on fish farming has an important role to fulfil and will do so with great efficiency; many of its members are experts.

The hon. Member for Western Isles wishes to modify the clause by exempting existing SSSIs from its provisions. That is unacceptable. It is regrettable but true that much of the criticism of the SSSI system in recent years has stemmed from the way in which notification was handled by the former Nature Conservancy Council, as the hon. Member said in debates on the Environmental Protection Bill.

Subsection (6) of the new clause 11 is a response to that criticism. It gives Scottish Natural Heritage a chance to ask the advisory committee to reconsider a matter where an owner or occupier can make a case on scientific grounds for having a particular SSSI referred to the committee.

I note that the hon. Member for Western Isles would like to remove subsection (8). In relation to new SSSIs, that would mean that, once the committee had considered a case referred to it under subsection (5) there would be no requirement on Scottish Natural Heritage to refer further representations to the committee.

I should make it clear that subsection (8) fulfils a dual function. For new SSSIs, it gives owners and occupiers a chance every 10 years to make further representations to SNH, on which the committee's advice must be obtained. For existing SSSIs, it prevents an owner or occupier from constantly challenging the scientific validity of the site. That seems to be essential protection for Scottish Natural Heritage.

The purpose of subsection (8) is to establish a 10-year cycle for reference to the committee in respect of all SSSIs. In our view, it is only right and proper that owners and occupiers should be able to activate the advisory committee procedure again, as in the course of 10 years there could be considerable changes in the scientific interest of the site. In every case, the owner or occupier would need to make a case on scientific grounds for having the matter referred to the committee. A 10-year cycle would not be unduly burdensome.

I suspect that the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) may be concerned about subsection (8) because he believes that it allows for representations on matters other than the scientific justification for notification. I can assure him that it allows no such thing. Taken on its own, it is possible to interpret it as referring to representations of any kind made in any circumstances, but the subsection must be interpreted in the context of the clause as a whole and what it is intended to achieve. The clause is designed to provide the opportunity for owners or occupiers to ask for reassessment of the scientific basis and the scientific basis alone, of the SSSI notification. To that end, it provides for referral of representations to a committee of persons with scientific qualifications.

Subsection (8) is not free-standing and does not allow representations on other matters to be considered, first, because it starts by referring back to subsections (5) and (6) and, secondly, because to read the subsection on its own would be to deny the closing words on the 10-year time scale much of their meaning. Those words fix the starting point of the 10-year period by reference to the date on which representations about the scientific basis of the site were last made. There seems no point in using this formula if the intention was to allow representations on non-scientific matters to be referred to the committee.

Mr. James Wallace (Orkney and Shetland): In response to a question from the hon. Member for Glasgow, Garscadden (Mr. Dewar), the Minister said what he expected the work load to be as a result of the earlier clauses. Has the Scottish Office or Scottish Natural Heritage made an estimate of how many representations they expect to receive under what might be described as the retrospective provisions of the Lords amendment? How many officials and paid staff will be required to deal with them? In the light of the representations that have been received, within what time scale do they expect the matter to be resolved, and what will be the cost to the public purse and Scottish Natural Heritage as a result?

11 pm

Lord James Douglas-Hamilton: As I said earlier, about 28 per cent. objected. I imagine that virtually all those who did not object will not wish to object in future, because the circumstances will not have changed.

The figures quoted by the hon. Member for Western Isles from *The Daily Telegraph* today are merely mooted in the letter from Mr. Magnusson to my right hon. Friend the Secretary of State. The whole thrust of the clause is to enable owners and occupiers to ask SNH to think again about the scientific reasons justifying the notification of an SSSI and to have the opportunity of a second opinion. That is clearly the purpose behind subsections (5) and (6), which are the main operative provisions of the clause. Subsection (8) is ancillary to those provisions. Subsections (5) and (6) provide, in appropriate cases, the first opportunity after the coming into operation of the Bill for owners and occupiers to implement the new procedure. Subsection (8) deals with all cases thereafter, by placing them on a 10-year cycle.

There is the further point that, if subsection (8) has as wide a meaning as may be inferred, what would be the point of referring representations about matters of a non-scientific nature to a committee composed entirely of people with specific scientific qualifications?

There has been some speculation as to what would happen if SNH chose to ignore the advisory committee's advice. Would the committee have any recourse to the Secretary of State? The answer is that the committee will have no statutory recourse to the Secretary of State. That would be quite contrary to our commitment to the Wildlife and Countryside Act 1981, under which the final say on SSSI notification remains with SNH as successor to the Nature Conservancy Council for Scotland. The committee could not be stopped from making representations to the Secretary of State, but in relation to an individual case there would be no action that the Secretary of State could take. His power of direction under the clause is limited to procedural matters, and his power of direction under clause 11 is disapplied to SNH's conservation functions under the 1981 Act.

The final decision, as I said, is for SNH. It is not accurate to speak of SNH ignoring the committee's advice. It is perfectly clear from subsection (7) that, where a case

[Lord James Douglas-Hamilton]

is referred to the committee, SNH cannot take a decision unless it has received and considered the committee's advice. That point is of considerable importance in relation to the question whether objectors would have any right to make a legal appeal against SNH's decision. There is no such right in the new clause, nor does the new clause affect the position regarding judicial review. There has always been a right of judicial review of the decisions of the former NCC or of the present NCCS. SNH will be in the same position.

Mr. Maclennan: What happens if an application for judicial review is made and the advisory committee has given advice that is contrary to the advice leading to the disputed decision? Is there not a much greater prospect of success for the appellant than would otherwise exist? Normally, judges would be unlikely to substitute their discretion for that of the body whose decision is challenged. If there is a counter-opinion by an expert body, the issue is much more open.

Lord James Douglas-Hamilton: The only statutory obligation on SNH is to consider the committee's advice. It is not under an obligation to follow that advice. If it is shown that a person has considered the advisory committee's advice and has not acted unreasonably, the decision is safe from legal challenge.

Questions have also been asked about the situation in which SNH's acceptance of the advisory committee's advice leads to the denotification of an SSSI. Would the owner or occupier be able to claim compensation? There can therefore be no basis for a claim for compensation simply because land has been denotified. This is the case at present and will continue to be the case once the advisory committee has been established. If an SSSI is denotified or the area of a site is reduced in a case where a management agreement is in force, the question whether any sums paid under the agreement would be recoverable by SNH or whether any further sums would still be payable to the owner or occupier would be determined by the agreement itself.

Mr. Dalyell *rose*——

Lord James Douglas-Hamilton: The hon. Gentleman can make his own speech in a moment. I wish to get on.

Some concern has been expressed as to how, in the case of new SSSIs, the deliberations of the advisory committee will fit into the nine-month period from notification laid down in section 28(4)(a) of the 1981 Act. That is a matter of legitimate concern, especially because, if SNH did not receive the committee's advice within the nine-month period, it would need to withdraw the notification, which would then fall.

I assure the House that we were aware of that problem when drafting the clause. That is the main reason why we included subsection (4). In the case of new SSSIs, it may well be necessary and desirable for the matter to be referred to the advisory committee at the same time as it is being considered by the relevant regional board of SNH and the Scientific Research and Development Board. There is nothing in the clause to suggest that the advisory committee's deliberations should be fitted in at the end of the process. In fact, the clause requires SNH to receive and consider the committee's advice before reaching its own decision. We believe that the flexibility gained by leaving those details out of the clause will be of great benefit to the committee on procedural matters. We envisage that there will be a core of about five members, but we would expect them to be supplemented by experts.

As for the committee's procedures, we would expect them to be kept as simple as possible, especially given the time constraints that I have discussed. I could say a lot about the Joint Nature Conservation Committee and resources, but I should prefer to hear what hon. Members have to say first. The opportunity for independent appraisal and the scientific case for notification meets many requests for action on that point.

I should also make it clear that nothing in the new clause would override the statutory duty of SNH to notify sites under section 28 of the Wildlife and Countryside Act 1981.

Mr. Sam Galbraith (Strathkelvin and Bearsden): Having listened to the Minister, I and my colleagues are no clearer about the general reason for and thrust of clause 11 or about the specific detail, and nor do we think that the Minister is clear about them. For the Minister to allow the reintroduction of the clause was to act in a fairly despicable manner and to betray pledges made to the House. We shall remain opposed to clause 11. The case against the clause is basically a scientific one, and I shall develop that point later; but first there are two other serious issues that I shall consider.

In supporting the reintroduction of the clause, the Government have bowed unashamedly to the vested interests of the landowners. This is once again an example of the fact that, in forming legislation to suit vested interests, this Government are second to none. It is much to their discredit that they have allowed themselves to be bulldozed by the landowning community.

A more serious charge against the Government is that, by allowing the reintroduction of clause 11, they have broken pledges given in the House and in another place. By breaking those pledges, the Government have broken the all-party consensus on the Bill, which is not in the interests of Scottish Natural Heritage or of the Scottish environment.

In Committee in another place, Lord Strathclyde said on 5 December:

"The Government have repeatedly stated, especially during the course of debates in this House and during the progress of the Environmental Protection Act, that they are not prepared to contemplate any change to the statutory procedures for site notification."

Yet that is what the reintroduction of clause 11 specifically does and it also breaks that pledge.

The Royal Society for the Protection of Birds had predicted that the reorganisation of the Nature Conservancy Council would lead to differing standards of conservation in Great Britain. Ministers had assured Parliament that that would not be the case. I again cite Lord Strathclyde:

"the Government cannot change the provisions for SSSIs laid down in the 1981 Act in a Scottish Bill as these are Great Britain measures."

However, the reintroduction of clause 11 does just that, because, by referring objections to an independent committee, the Government are seeking to overrule SNH's statutory duty to notify SSSIs.

Lord Strathclyde also said in Committee in December:

"The Secretary of State cannot overrule the statutory duty of SNH to notify an SSSI under section 28 of the Wildlife and Countryside Act 1981."—[*Official Report, House of Lords;* 3 December 1990; Vol. 524, c. 55-56.]

In February this year, The Secretary of State said in a Scottish Office press release:

"This decision underlines the Government's continued commitment to the SSSI system, as the essential mechanism for ensuring the protection of areas that are unique of representative sites of scientific interest for plants, animals and earth science features.

It follows that I do not intend to support the case for a statutory right of appeal."

Yet that is what the Government are doing by accepting the reintroduction of clause 11.

The Government will deal in semantics and say that it is not a right of appeal but merely a second guess, but that is not the case. By reintroducing clause 11, we are establishing an appeals procedure for the system of notification which breaks all the pledges that the Government have given the House and the country. Why have the Government done that? As I have said, they have bowed to the landowning fraternity, but not to all of it.

The main protagonist behind clause 11 is Lord Pearson of Rannoch, who is no friend of the SNH, which he seems to see as a communist plot. Writing in *The Field* of May 1991, which is my natural reading, he showed a mixture of paranoia and ignorance about SNH, stating that the Bill was

"being driven through the Commons by an ambitious and interventionist Department of the Environment."

That must come as a surprise to the Scottish Office. I know that it is rarely in charge of its own briefs, but to suggest that the Bill comes from the Department of the Environment, not the Scottish Office, is nonsense.

Lord Pearson went on:

"Ministers who do not understand the countryside are executing briefs written by a new brand of civil servant . . . based largely in Bristol."

Again, that must come as a surprise to the Scottish Office and, indeed, to the many civil servants there who have been working on this Bill. Can someone please tell Lord Pearson that this is, indeed, a Scottish Office Bill?

Lord Pearson continued—he is the main protagonist——

Mr. Deputy Speaker (Sir Paul Dean): Order. I am sorry to interrupt the hon. Gentleman, but I think that he is quoting a noble Lord who is not a Minister, in which case he should paraphrase.

Mr. Galbraith: The noble Lord continued—I paraphrase, Mr. Deputy Speaker—that the provisions reflected the worst instincts of the component parts of the new constitution, which were socialist control—from the Countryside Commission—and narrow-minded science —from the Nature Conservancy Council for Scotland.

Those seem to be the words of a bigot. The suggestion that the Countryside Commission for Scotland is under socialist control is ridiculous, and must come as some surprise to the chairman, Roger Carr, and his staff.

I shall finish with another paraphrased quote from the noble Lord, who said that, when the British Communist party disbanded at the end of last year, it advised its members to continue the fight from within the green movement, adding that the Natural Heritage (Scotland) Bill is an important test case. Green can be quite red.

I have dealt at some length with his Lordship, to explain the background of the opinions and personality of the main protagonist of the reintroduction of clause 11. The supporters of clause 11 are opposed not just to the SSSIs, but to the whole concept of Scottish Natural Heritage. Clause 11 is a wrecking clause that has been inserted to kill off SNH before it gets off the ground. Why, oh why, have the Government responded to the likes of Lord Pearson, who does not speak for all the landowners?

Patrick Gordon-Duff-Pennington, the convener of the Scottish Landowners' Federation, is a man for whom I am developing increasing respect, especially since I have read some of what he has written. When writing in *The Field,* which I read every month, he felt moved to rebuke Lord Pearson. He said that Lord Pearson was his friend and he understood his view of past happenings. He said, however, that if private ownership was to survive in Scotland, his patrician attitude, reminiscent of the 19th century, was not helpful.

Gordon-Duff-Pennington went on to say that the setting up of the well balanced regional boards would do much to defuse the past criticisms of NCCs, and that it was suicidal to condemn them at that stage. He said:

"We asked for the repatriation of the NCC to Scotland. Now that we have it, it is up to us to make it work without the unifying force of antipathy of anything English! We have won the war. It is now up to the people of Scotland to win the peace, and that includes Lord Pearson! Long may he survive in Rannoch, but if his attitudes persist it will make the job of my successor that much more difficult".

I agree with Patrick Gordon-Duff-Pennington. Let the noble Lord Pearson not just survive in Rannoch but also look after his SSSIs there too. Let us do away with that patrician attitude reminiscent of the 19th century.

11.15 pm

Clause 11 will have a serious detrimental effect on conservation in this country. Scottish Natural Heritage will take the best possible advice on whether a site is of special scientific interest. Why, therefore, set up another committee to second-guess the Nature Conservancy Council? It is impractical, unworkable, divisive and inflammatory.

As a result of clause 11, which was originally inserted in the House of Lords, Magnus Magnusson, chairman of the NCC in Scotland, reviewed its internal procedures and announced new arrangements for notifying SSSIs in Scotland. The revised procedure will enable disputes over SSSIs to be referred to the NCC's regional board. If the dispute remains unresolved, it will then go before the full NCC council, who would seek the advice of its new scientific committee. That was welcomed by the Government and all those involved and was considered to be an excellent way forward.

Suddenly, however, that has all been thrown aside, and, without consultation with the NCC or Magnus Magnusson, clause 11 has been reintroduced. No wonder he is furious. Why threaten his attempt to base the SSSI system on trust and co-operation by reintroducing the clause? There is no need for an appeals system because, unlike a planning application, SSSIs is simply a notification.

On that matter, I agree once again with the noble Lord Strathclyde, who said, on Report stage of the Bill in another place:

"Those who would argue that the SSSI procedures are unfair and undemocratic seem to me to be missing the point; that is, that notification of a SSSI in itself places no restriction on the use to which the owner or occupier put the land. All that is required is for any changes to the use of that land to

be agreed with SNH. The system is a voluntary one. SNH will not be able to impose a particular land use on an unwilling owner."—[*Official Report, House of Lords*, 18 December 1990; Vol. 524, c. 776.]

I accept that the designation of an SSSI is a matter of opinion and not a scientific fact. There will be scientific facts about the site, but whether they are sufficient to make them of special scientific interest is a matter of opinion, and that is what the dispute is all about. However, we must agree that it is not like a planning application, which can prohibit certain actions. SSSIs are simply a scientific designation.

A list of potentially damaging operations is given to the owners of sites, and if they wish to undertake any of them they are under a duty to inform Scottish Natural Heritage. However, in the last resort they can ignore them and proceed to do whatever they wish with their land. That is why we do not need an appeals procedure.

Mr. Maclennan: I do not disagree with the hon. Gentleman's general remarks. He must also be aware, however, that the designation can have a pecuniary impact if a grant for afforestation is withheld because the ground has been designated.

Mr. Galbraith: I remember the hon. Gentleman making that point before. I accept his point, but I do not see why, if a site is of scientific interest, we should give taxpayers' money for it to be developed. If people wish to develop it through their own resources, that is open to them, but we should not make taxpayers' money available to them to do so.

Subsection (5) is bad enough, in that it concerns objections to new SSSI notifications which challenge the scientific case, but subsection (6) goes even further and requires any scientific objections to existing SSSIs to be referred to the new committee. I know that the Minister was reticent about what impact that would have, but a strong rumour is going round conservation circles and bodies that there are already 200 objections lined up for the committee to take on. That will paralyse Scottish Natural Heritage from the outset. Surely the Government cannot stand that.

The proposal invites appeals on a 10-year cycle, and acts as a focus for growing anti-SSSI campaigns among the landowners. That cannot be in the interests of the SSSI system or of Scottish Natural Heritage. The position is now ridiculous. SNH designates a site of special scientific interest, an objection is raised and goes to an appeal committee, which then second-guesses SNH—and it may have its own internal appeals procedure. It goes on through the regional committees and the scientific committee. There is nothing factual; we should simply have another opinion and be no further forward. For those reasons, we should not accept the amendment.

What of the cost? The Minister was again reluctant to say what it would be. Will it cost £1·5 million to set up the new system? The committee will have only a skeleton staff. It will have to use SNH's scientific advice, officers and information. What will the cost be? Is the Minister saying that the new committee has been set up by the Government without their having any idea of the cost implications with regard to SSSIs? Can we have a straight answer from the Minister? He says that £1·5 million is a speculative assessment. By whom? Have the Government made any speculative assessment? Does the Minister deny that it will cost that much?

The proposal will also undermine the basis on which SSSIs are identified, whatever the Minister may say. We were given assurances under the Environmental Protection Act 1990 that there would be strict equality among the countries of this kingdom in the notification of SSSIs. That has gone with the reintroduction of clause 11. The idea is not accepted by any relevant body in any of the countries. The proposal will also lead to a breach of international obligations under the Berne convention, the Ramsar convention and the EC directive on the conservation of wild birds. Are we willing to accept that?

SNH is a bold new step in conservation in this country. It merges the body mostly concerned with access and recreation, the Countryside Commission, with the environmental protection board, the Nature Conservancy Council. I, my party and other Opposition Members think that SNH should be given a fair wind. Instead, by accepting the reintroduction of clause 11, the Government have thrown a ball and chain round both feet of SNH. It will have to drag its way through a decade. The Government should move the impediment. I trust that we shall gain support in opposing the amendment.

Mr. Bill Walker (Tayside, North): I congratulate my hon. Friend the Minister and the noble Lord Pearson, who introduced the clause in the Lords. They probably listened to fairly lengthy speeches—and I will not make a lengthy speech tonight, such as I made in Committee. We are moving into areas of fundamental importance. It is all very well to get involved in the legal niceties; the important point is that, if people are affected by decisions, it is only right that Parliament should recognise that the experts giving the advice to the new body are not the only experts. I congratulate the Government on accepting the view that I put in Committee that there are other experts.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Like you.

Mr. Walker: I am not an expert in these matters; I know little about them. However, I know that I ran into the same problems in aviation matters. It is nonsense to say that because someone is not a member of an august body at some given time that he is not an expert. As the Minister said, someone who has been a member of Scottish Natural Heritage could leave it and retain his expertise, which would be available to the advisory committee.

It is wise to have second opinions in matters as sensitive as these. Within the past few weeks, one of my landowners was visited by a person who wanted to set about producing an SSSI. That visit was much more conciliatory than some previous visits in my constituency. Our debates are obviously having an impact, because the report that I received from the landowner was favourable. The new body could be much more willing to listen and to care for the interests of those who live on and work the land.

I am astonished that Opposition Members think that an appeal against a decision by a quango is wrong. The Secretary of State is accountable to the House and has to answer our questions. He will set up the committee and while he cannot intervene we will be able to question him. Without new clause 11 that will not be the case. I congratulate the Government on listening to the will of Parliament.

Mr. Macdonald: In view of what the hon. Gentleman has said, will he support my amendments, which are

designed to raise the Crown Estate commissioners advisory committee to the level of the Government's proposed advisory committee? Does he agree that it would be desirable to be able to ask questions about sea bed leases as well as the type of question that the hon. Gentleman mentions?

Mr. Walker: As a matter of principle, I agree with the hon. Gentleman. However, on matters of principle, I rarely deviate. The only time that I deviate is when my children are involved, at which time I face conflicting interests. I understand what lies behind the hon. Gentleman's amendments. However, his hon. Friends on the Front Bench argued against his amendments by saying that he wants to extend the area of influence in the same way as the new clause. His hon. Friends know little about the countryside, unlike the hon. Gentleman. We all acknowledge the hon. Gentleman's extensive knowledge of crofting, and he carries the House with him when he speaks about such matters.

I am very happy to support the new clause.

Mr. Macdonald: I hope to see yet another somersault by the Minister and the Government on this issue, as that would be a fitting end to the acrobatics that we have witnessed during the passage of the Bill. I hope that even at this late stage the Minister will adopt a wise course and withdraw the new clause. I do not think that he will do that, so I have tabled fallback amendments which would limit the damage that the new clause will wreak upon Scottish Natural Heritage. The Minister should seriously consider the options that I have suggested, especially in amendments (a) and (c).

The amendments are designed to prevent the new advisory committee having to dig up stuff that has already been thoroughly worked over by the Nature Conservancy Council which carried out a comprehensive review of SSSIs over 10 years at a cost of £50 million. In view of all that, we surely do not want to see the advisory committee getting bogged down in going over the designations again. That would be a waste of taxpayers' money. If the Minister is determined to set up the advisory committee, he should at least give it a clean slate, rather than having it go over the innumerable SSSIs that have already been investigated.

11.30 pm

I ask the Minister to think carefully about this. If my request is too much for him, I suggest that he uses the powers available to him in subsection (3), which says:

"The chairman and members of the Committee shall be appointed upon such terms and for such periods as the Secretary of State may . . . determine".

Therefore, he has the power to forbear from setting up the advisory committee immediately. He can give the successor to the NCC, Scottish Natural Heritage, the opportunity to work itself into its responsibilities and to get its organisation up and running before it is landed with having to go over the notifications. One or two years' pause would be advisable. Perhaps the Minister will say whether the Government feel that the setting up of the advisory committee should be the first priority. I hope that he will see the case for letting the matter rest for a while, allowing Scottish Natural Heritage to work itself in.

The importance of the amendments is such that we need to discuss them in some detail. Labour Members are disappointed that the Government and the Minister have, at the very end, after the many debates on the Floor of the House and in Committee, when we thought that we had come to a cross-party consensus on the matter, turned somersaults and gone back on their commitment. It is not good enough for the Minister to use the comments that I made in debates on the Environmental Protection Act or during passage of this Bill about my dissatisfaction with the state of the NCC.

Yes, I thought that the NCC was aloof, and that it should work more closely with crofters in the highlands and islands, but the advisory committee has nothing to do with that. It will not make Scottish Natural Heritage any less aloof. It is no answer to the problem, and it does not begin to tackle such issues as integrating environmental needs with the many kinds of land use that are appropriate to the highlands and islands.

The new clause goes against common sense, the rules of administration and what the Government have repeatedly assured us that they would do. It was not five years ago, not a year ago, but in recent months, during consideration of the Bill in this place, that the Government assured us that they would not be taking such an amendment on board.

First, as my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith) said, SSSIs do not prohibit or prevent anything taking place, so the amendment is unnecessary from that point of view. Secondly, it would lead to inefficiency. It would mean a duplication of work and an increase in bureaucracy and procedure. Thirdly, it would lead to a gross waste of taxpayers' money. I am amazed that the Minister was not aware of the estimate made by Magnus Magnusson, who said that it would cost £1·5 million to set up the new advisory committee. That estimate was contained in a letter to the Secretary of State. I do not know the system that operates in the Scottish Office, but surely the letter should have crossed the desk of the Under-Secretary of State.

As I have said, SSSIs do not prohibit or prevent anything from taking place. In theory, they are designed to trigger discussion and lead to agreement between SNH or the NCC and the land manager or occupier. The procedure is well enough known, but it is worth setting it out once again. Although it is well known, it is clear that it is too little understood.

Before a designation of an SSSI is made, owners or occupiers of land are given notice of the designation that is about to be made. They have nine months to make submissions in objecting to, or trying to modify, the designation. If there have been instances where owners or occupiers have not been so notified, that is a problem which comes within the bureaucracy of the NCC and one that can be resolved administratively. It is not a problem that could be solved by the advisory committee. It is worth emphasising yet again, even after my hon. Friend the Member for Strathkelvin and Bearsden has set this out, that even after the notification is made the only restriction is a requirement to consult SNH before certain listed damaging operations take place.

The outcome of the consultation can be either a management agreement—that is, an agreement between SNH and the owner or occupier about what can be done with the land—or the owner or occupier ignoring the strictures of the SNH and doing whatever he wishes with the land. There is no prohibition on the owner or occupier —if there were a final prohibition, as there should be, the NCC would not need to make payments of £500,000 to

persuade individuals not to act as they propose to do. Such payments are not the subject of tales of old or of legend and Lord Thurso. There are disturbing instances of such gross payments being made recently. For example, £568,000 was paid to Mr. John Cameron, a farmer, who did not plant trees that he had some putative plans to plant. Surely such payments are a gross waste of taxpayers' money.

I would draw the Minister's attention to a story in *The Scotsman* of 11 June, which describes the test case. The writer of the article in question makes a point very relevant to the debate:

"Technically"—

even after being offered £568,000 not to participate—

"Mr. Cameron can decide to ignore this and the restrictions it imposes, refuse the money, give the NCC four months notice and go ahead and farm the area in the way he wants to."

There is no prohibition. There is nothing to prevent him from acting in the way that he wishes with his land. Why do we need an elaborate advisory committee to second-guess something that is not prohibited in the first place?

I said that the advisory committee would lead to an inefficient duplication of bureaucracy and procedures. Scottish Natural Heritage and the NCC for Scotland already have a scientific committee in the form of the Science Research and Development Board, whose members are already appointed directly by the Secretary of State. Perhaps the Minister will tell us what will be the difference between the criteria used by the Secretary of State to appoint the scientists who sit on the Science Research and Development Board—advising the practising scientists in SNH as to the general criteria for designating SSSIs—and those used to appoint scientists to the new advisory committee? There must be some kind of difference, or we should not need two different committees.

Of course, as well as already having the science committee, SNH will have a whole structure of regional boards designed specifically to address the problem of aloofness—to get SNH close to the ground and to allow local input of objections, problems, worries and concerns into the decision-making procedures of SNH. That network of regional boards will cost SNH £500,000 a year to operate. Surely with that extensive network of regional committees, with the existing science committee and with the on-going review of notifications that SNH carries out in any case, there is no need whatever for the new committees, which would simply duplicate the work already done and lead to further bureaucracy.

In a statement issued on the day when the amendment was moved in the other place, Sir Magnus Magnusson said:

"It betokens a sad lack of Government faith in its own legislation"—

the setting up of the advisory boards and the science committee

"and my own repeated assurances about the manner in which NCCS (and later SNH) will operate its statutory duties regarding the notification of SSIs. It is also a vote of no confidence in the Science Research and Development Board which NCCS has appointed. Part if its remit was to provide, if required, an independent review of the scientific criteria on which SSSIs were being selected by NCCS."

That is a damning indictment of the Government's concession to the other place by the person whom the Government themselves have chosen to lead the new Scottish Natural Heritage agency.

I have already made the point about the cost of the new advisory committee.

The Minister referred to speculation about the £1·5 million figure. Yet again, he showed little faith in the person appointed by the Government to head Scottish Natural Heritage, who suggested that that was what the operation of the new advisory committee would cost per year. What better information has the Minister to allow him to second-guess Sir Magnus Magnusson? Has he any other facts or statistics? If not, why does he not accept Sir Magnus's estimate? If he does accept that estimate, does he really think that taxpayers will get good value for money? Is he willing to allow that amount to be spent on the committee?

11.45 pm

The Minister has said that the committee will have about five members. Has he any idea of the administrative costs—the basic costs, regardless of the number of reviews undertaken? What staff will be provided—or will the committee be wholly reliant on SNH for staff purposes?

My other amendments deal with such matters as sea-bed leases. If the Government insist that an advisory committee be set up, why did they first tackle the supposed problem of complaints and objections to the operations of the new SNH, rather than considering the many serious objections to the decisions of the Crown Estate commissioners? The alacrity with which the Government have responded to the complaints expressed by Lord Pearson contrasts starkly with the deaf ear that they have repeatedly turned to crofters, fish farmers and shellfish farmers who have protested about the commissioners' lack of accountability.

The Minister suggested that the new committee was on a par with the advisory committee for the Crown Estate commissioners. Surely nothing could be further from the truth. First, the commissioners' advisory committee is not independent. Its members are not appointed directly by the Secretary of State; the committee is set up by the commissioners, albeit with a little gentle arm-twisting from the Secretary of State behind the scenes. Secondly, the commissioners' committee has no statutory basis: it is included in no legislation. Thirdly, it has no scientific resources on which to draw. Finally, it has no financial resources either.

The contrast between the two committees could not be starker, and could not demonstrate more clearly the Government's attitude of favouritism towards the pleas of the land-owning lobby and the deaf ear that they turn to the ordinary people of the highlands and islands.

Sir Hector Monro (Dumfries): It is a pity that we must hold such an important debate so late at night. Many of us are interested in the subject, but, given the time, we must all try to be brief.

Over the past couple of weeks I have felt disappointed about the Lords amendment, but I feel a bit less disappointed after listening to what the Minister said. It seemed that the new committee would be so anodyne and inconsequential that its existence might not be very important. As was said by the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith), we were assured that there would be no changes to the notification procedure under the Wildlife and Countryside Act 1981, or to the ground rules affecting conservation. That is why all members of the Committee welcomed the

Government's removal at high speed of the then clause 11, whose demise was unanimously agreed upon in a good-natured debate.

Implicit in our debate was that the new procedures offered a welcome new way forward that would be responsive to local needs, and that the new regional committees would offer a catalyst for a different type of consultation from that offered by the Nature Conservancy Council in the past. I was hopeful that the close liaison between the regional chairmen and the site owners would be harmonious and would help to remove friction, and, more importantly, would allow from the start proper explanation of what potentially damaging operations meant—so that they would not be nearly as fearsome as many people believed.

I have always firmly believed that a decision on an SSSI should be taken strictly on scientific values, and should not take into account broader issues—as the landowner might wish. However, having heard my hon. Friend the Minister tonight, I am not sure that there is any change in that respect, for it seems that the committee will be strictly limited to an alternative scientific view. That is nothing that one could criticise, except in terms of cost.

In Committee on the Wildlife and Countryside Bill. I explained, in replying to an excellent debate initiated by my hon. Friend the Member for Tayside, North (Mr. Walker), that the owner of an SSSI had a right of appeal in respect of planning, conservation orders and compulsory purchase orders and that it was not all one-way traffic against landowners who, in many cases, were fortunate to own an SSSI.

As the hon. Member for Linlithgow (Mr. Dalyell) will remember, we took enormous trouble to ensure the correctness of the scientific procedures set out in sections 28 and 29 of the Wildlife and Countryside Act 1981. It was not the legislation that was wrong but its application. That must be a criticism of the Nature Conservancy Council —for which I, as a member of it for many years, must take a share of the blame.

I frequently told the council that I found it hard to believe that SSSIs of 1,000, 2,000 or 3,000 acres or larger were justified, and argued that at the end of the day that practice would rebound—as it has in the flow country and at Killin, at a cost of £560,000, and at Inverlochlarig near Balquhidder, where an SSSI of such enormity has been created that the landowner will inevitably seek a management agreement, which may cost another £500,000.

Will any future awards come out of the SNH's annual funding, or will they be funded additionally by the Treasury? If there are half a dozen or more awards, that will deplete the money that has been put aside for conservation. It will be a serious loss to Scottish Natural Heritage.

We must consider the size of future, present and past SSSIs—the advisory committee will deal with that under retrospective legislation—and bear in mind the thrust of sections 28 and 29 of the Wildlife and Countryside Act 1981. It was intended that, in general, SSSIs would be relatively small, with tremendous emphasis placed on the high quality of the scientific area recommended for notification. Some large areas of the Pennines have been designated as SSSIs. Those blanket areas lie at the heart of the controversy. If we had stuck to the original concept, we would not now be introducing new legislation or paying out huge sums of money either on management agreements or to prevent an owner from carrying out what he believes to be his rights on his land.

Mr. Dalyell: The right hon. Gentleman has experience both of the Scottish position and of the Department of the Environment, in which he served as a Minister. Is he surprised that the Department of the Environment is taking a very different view of these matters? Now that we are approaching midnight, and in the light of what has been said, would not it be sensible for the Government to report progress and give further consideration to the matter? If they did that, we could then deal with the Bill in a much shorter time than I fear might be the case tonight. If the Government will not give way, some of us might be tempted to say a great deal, and it will be light before we finish.

Sir Hector Monro: That is a rather difficult question. I hope that the hon. Gentleman does not carry out his threat of a long sitting. On the first point, obviously there will now be different standards for SSSIs in England, without any form of appeals system similar to that for Scotland. In some ways, such a difference is unfortunate.

I do not want to add time to the debate. I have expressed my concern that we have over-reacted to what another place viewed essentially as the rights of an owner of an SSSI. We could have got away with allowing the new system to percolate through Scotland and ensuring that SNH had a new, harmonious approach to the whole issue of SSSIs. That could have been achieved without additional legislation.

I shall listen with interest to what my hon. Friend the Minister has to say. I simply feel that we have gone a step further than is necessary.

Mr. Maclennan: The hon. Member for Dumfries (Sir H. Monro), in a measured way, has traced the history of the debate. I have no doubt that he is right in his judgment that the Wildlife and Countryside Act 1981, for which he had such an important responsibility, developed in its application by the Nature Conservancy Council very differently from the way in which its progenitors imagined. If it had been used in the way he would have had it used, we should not be debating the new clause. Alas, the language of the law is of importance. That is why this debate is important.

Whatever the Minister may have said in his opening remarks—it was very interesting, though delivered with a brio and at a speed that was untypical of him—when it comes to construing the Act the words that he used tonight will not be quoted in court. That is why I asked, in an intervention, about the composition of the committee. I remain unconvinced that the language provides for a committee of scientists. As I read it, the language provides for a committee from which scientists are excluded. Whatever the Minister's intention may be, the matter will have to be decided in the courts, if the Bill is passed as drafted.

12 midnight

Having inquired about the meaning of the Bill, the Minister perhaps recognises that there is an ambiguity, which is testimony to the speed with which the new clause was drafted to take account of considerations in another place and in a Committee of this House. I do not believe that that is the right way to legislate on a matter of such

importance. There was widespread dissatisfaction—which was not confined to the landowning classes, as the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) seems to think—about the fact that designations of vast tracts of Scotland could lead to changes in land use being inhibited and about the community interest being perceived by those centrally empowered to take decisions about the heritage in a way very different from those who will be affected by such decisions.

I acknowledge what has been said about section 28 of the Wildlife and Countryside Act 1981 being simply a requirement to notify—that it is a requirement that has no binding legal force—but in practice, as it affected farmers and small farmers who wanted to engage in a small afforestation scheme, or just to plant a shelter belt for the benefit of their livestock, it had a practical impact not only on the economy of the individuals affected but on the economy of highland communities in particular.

That is why there was such an outcry over the way in which the powers were exercised by the English-based body in Peterborough. That is why, in her maiden speech, my hon. Friend the Member for Argyll and Bute (Mrs. Michie) spoke so passionately about what had been done in Argyll and why I felt moved to speak about the preposterous language used by the former chairman, Sir William Wilkinson, who described the flow country of Caithness as a wonder of the world, comparable with the great buildings of the Moguls in India.

The reality is that the Government had to move to satisfy Scottish opinion that what was being done in the national United Kingdom Bill was suitable for Scotland. That is why my right hon. and hon. Friends and I welcomed the decision to establish the new Nature Conservancy Council for Scotland—to become Scottish Natural Heritage. However, the Minister has played ducks and drakes with the reputation of the new organisation because of the way in which he has handled the appeals issue.

The case for an appeal rested not on the need to second-guess the scientific judgment of the newly appointed body, but on considering whether the scientific judgment should be displaced by economic, social and development considerations and, if it were to be displaced, whether it should be displaced by someone with democratic authority so to do. That was why my hon. Friend the Member for Argyll and Bute moved an important new clause in Committee that would have required the Secretary of State for Scotland to confirm a designation.

Before that new clause was tabled, I took the trouble to speak to Mr. Magnus Magnusson about the approach to a demand for an appeal. He made it quite plain to my colleagues and I that he had no objection in principle to what I was suggesting. He saw, as I saw, that that power would rarely be exercised, and only in a clear-cut case where the community interest in not designating was so strong as to displace the scientific judgment of those whose job it was to designate. He said that he would not campaign against it and would not raise his voice against it. He has, however, raised his voice against the Government's proposal—and not surprisingly. It is proposed that the experts who have been employed by the Nature Conservancy Council to judge whether land is of scientific importance have got it right, yet not only are they to be second-guessed and therefore, in a sense, downgraded as experts, but their whole procedural operation is to be implemented by the creation of a new committee of scientists.

Mr. Dalyell: Is it not legitimate to speculate that, had Mr. Magnusson known that the Government would behave like this on clause 11, he would not have taken the job in the first place? No self-respecting busy man in his position would have undertaken the task that was offered to him on those conditions. It is clear that Lord Cranbrook would have nothing to do with it whatsoever.

Mr. Maclennan: I believe that Mr. Magnusson is a public-spirited citizen and that he will balance considerations such as those that the hon. Member for Linlithgow (Mr. Dalyell) mentioned with the possibility of continuing to play an effective role in the preservation of our natural heritage in Scotland. His reservations about this new lateral committee, to which the hon. Gentleman alluded, were justified. The committee has the power of delay and of second-guessing, but ultimately it is not an appellate committee that can directly strike down the judgment of the Nature Conservancy Council.

I take issue with the Minister if he does not accept that the proposal will strengthen the possibility of judicial review being successfully pursued by someone whose land has been designated and who does not accept that designation. It will be much easier to obtain judicial review and successfully to challenge the discretion of the Nature Conservancy Council.

I do not wholly go along with the view of the hon. Member for Dumfries that the committee could be so anodyne that its incorporation in the structure would be of no importance. That remains to be seen, and some aggrieved landowners—we have seen some of them in another place—will be ready to put it to the test of judicial review fairly promptly if they receive some support from the lateral committee.

I do not think that the Minister has done justice to the issue, to the men and women whom he has asked to carry out this difficult and sensitive job or to the purpose of separating the Scottish administration of the Wildlife and Countryside Act 1981 from that being exercised in Peterborough.

The House has been called upon to deal with an amendment which, on the face of it, is designed to tackle a legitimate worry. Its purpose is to provide a stop—the Minister spoke of a "second opinion". In so far as it provides for a second opinion, it may indeed offer some stop for the benefit of those who are worried.

For the benefit of the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith), I repeat that crofters have been concerned. Mrs. Julia Crowe, a Caithness constituent who speaks for the crofting interests within the National Famers Union for Scotland, made a powerful plea on behalf of the crofters for some form of appeal, a form of second-guessing, an opportunity to slow the designation process so that the legitimate concerns of those affected by designation could be taken on a board before a final decision was made. That was a reasonable action to take, and I understand and support the reasons behind it.

I understand also why the Government wanted to go some way towards meeting those grievances. Unfortunately, they have not chosen the right way—the way that we advocated in Standing Committee, the way that my hon. Friend the Member for Argyll and Bute

recommended that we should go and the way that we shall have to go when we review the operations of the Wildlife and Countryside Act if we find that disputes continually arise from the designation process.

I hope that disputes will not arise from the process. I take great comfort from the fact that Mr. Magnus Magnusson has established in Scotland a new organisation which is close to the ground, with committees comprising people who are drawn from the affected communities and are knowledgeable about their interests. That will make it less likely that the conflicts of the past will recur.

The scientific basis upon which these judgments are made is another important point. The scientists who are to be employed by the NCC must be of the highest quality and must be seen to be independent. When the decision was made to split the NCC, the hon. Member for Linlithgow (Mr. Dalyell) and others were afraid that that scientific base of authority would be dispersed. It has been said—although I do not know on what authority—that the NCC intends to scatter parts of the scientific base around different academic institutions in Scotland. I must warn against that, for it would run the risk of leading to precisely the sort of dispersal, loss of identity and loss of a clear voice to which the hon. Member for Linlithgow rightly drew attention.

There must be a coherent, constructive group that works together and is identifiable and separate from the interests of any other academic institution. That is the reason for the move to have the organisation established not under the umbrella of a university but in an area of great scientific interest, in the highlands. But I would stray beyond the ambit of the amendment if I went further down that route.

It is important to recognise that the amendment could damage the scientific standing of the people upon whose advice the NCC must act. Who are the others who are to second-guess them? If they are drawn from the same university to which the NCC teams are attached, there will not be much evidence of separation or of different points of view, and the procedure could be ludicrously bureaucratic, satisfying no one. Although I understand what the Minister has done, I cannot approve of or support it and nor can my right hon. and hon. Friends. We think that he has tried to improve the Bill, but failed in the attempt.

12.15 pm

Mr. Andrew Welsh (Angus, East): The hon. Member for Caithness and Sutherland (Mr. Maclennan) has set out clearly some of the difficulties posed for the chairman and members of Scottish Natural Heritage, and I hope that the Government will heed his words.

We all wish SNH to succeed, but the clause would hamper rather help the new organisation as it settles to its operations and tries to do its important work for the environment of Scotland. The Government are on shaky ground. They support the proposal, which is different from their earlier attitude, but they have not yet justified the enormous somersault in attitude. I should like an explanation of why they have performed such a somersault in opinion. I opposed clause 11 at the start of the proceedings on the Bill and I remain opposed to this variation of it.

The other place has forced a replay of the debate for all the wrong reasons. The proposal will undermine the relationship between SNH and the landowners. We have heard from Mr. Magnus Magnusson how he wishes to build bridges between the SNH and the landowners, to create trust and to overcome some of the previous problems and ill feeling. Mr. Magnusson should be encouraged in that task, but the proposal would have the opposite effect. It would undermine his efforts and might well set landowners against SNH and cause disputes between it and the landowners with whom Mr. Magnusson wishes to engage in dialogue and to create trust. The Government are mistaken to support the proposal because it will undermine the important work to be undertaken by SNH.

I also believe that the proposal will duplicate the SNH's work, for example, through the Science Research and Development Board by second-guessing decisions already taken and by second-guessing arguments and analyses already made. The Government will merely add to bureaucracy and overload the system instead of streamlining it.

The new organisation must be given time to settle down, to establish its modus vivendi and to show what it can contribute to the Scottish environment. The proposal will hamper rather than help that process. An extra appeals system added to what is a purely voluntary system is merely a recipe for delay and conflict. The Government seem to be inviting conflict and dispute and encouraging people to tackle SNH rather than encouraging it to build bridges and confidence with its clientele, which is what the landowners are.

The proposal will turn SNH in on itself and tie it in knots because of the extra workload. Have the Government any estimate of the case load that the amendment will produce for SNH? The number of potential appeals is open-ended. The greater the number of SSSI appeals, the greater the financial and bureaucratic burden on SNH resources. We have still not received an answer. We deserve something better than what we have heard so far. I am concerned that the clause could merely siphon off scarce and valuable resources from the main work of SNH.

What are the Minister's estimates of the effects of the new committee on SNH resources? When asked how many cases he estimated that the new appeals committee would handle, he said that it depended on a number of factors. That is scarcely enlightening. He said that it would be guess work and that he expected the figure to be small, but on what estimation is that based? If I heard him correctly, he said that of the 541 SSSIs established since 1985, 153 were subject to objections—that is 28 per cent. I imagine that 28 per cent. would be the minimum that we could expect to go to appeal, but if nearly 30 per cent. of cases went to appeal that would be an enormous burden on the new committee and, more importantly, on SNH.

Will there be 10, 50 or 100 such cases? We must ask the Minister to put a figure on it as until we have that estimate we can have no idea about the costs or the extra staff that will be required by the new committee, which will have to be met by SNH's existing budget. That is not a good or a fair way to treat the new organisation as it settles into its important work.

The Government's role has been disgraceful. Earlier in the passage of the Bill, the Minister gave clear undertakings against this, but there has since been a somersault. The Minister should have some reason to justify such a fundamental change, but I have not yet

[Mr. Andrew Welsh]

heard one. When the Minister replies, perhaps he will tell us why the Government have totally changed their opinions and are now backing this idea. All that we now have is a version of the original rejected clause. What the Minister has said so far has been inadequate, but he now has the chance to tell us what has changed to bring about such a fundamental change of opinion.

Mr. Dalyell: The hon. Gentleman, like me, sat through the Committee stage. Did he have any inkling then that this was in the Government's mind or does he agree that during all the hours that we spent upstairs in Committee Room 11 or 12 we had no idea that the Government thought this?

Mr. Welsh: It was amazingly well disguised. The Minister owes those hon. Members who served on the Committee and, indeed, the whole House an explanation for this immense somersault. Is it really a Government capitulation to a small group of landowners in another place? I knew that the Government were out of touch, but I did not realise that they were so out of touch. The provisions are a landowners' mini-charter to meddle and prevaricate in the important work of the new SNH, amounting to a power to delay, to stall and to detract from SNH's real work. I appeal to the Minister to give SNH every opportunity to settle in and to achieve its own style and not to lay this massive potential burden on its shoulders, which could only deflect it from the real and important work that I hope it will undertake for Scotland.

Mr. Dalyell: I start by appealing to the Minister where the hon. Member for Angus, East (Mr. Welsh) left off. If House of Commons debates are conducted on a party basis of yah-boo on the central issues, that is all well and good, and we understand that Governments should not give way. However, in different circumstances, and where the objections that have been made are not on traditional party lines, and especially where one of the Minister's right hon. Friends, a former Minister and a member of the Nature Conservancy Council for a number of years takes a very different attitude to that of the Government, should not we at least have the opportunity to pause and think?

If a Whip were present, I would offer a bargain. If the Government were to report progress, I should make only a short speech when we returned to the issue after a week or 10 days, because we would at least know that there had been a chance to consider the matter, to take it back and to talk to the civil servants. Heaven knows, anybody can be wrong, but it is ridiculous to get into a fixed position simply because there has been a hijack in the House of Lords.

I am not in the business of trying to keep hon. Members out of their beds late at night for the hell of it. However, they should understand that this problem was not apparent during all those hours in Committee. Quite bluntly—if this is a parliamentary word—many of us feel that we have been double-crossed. It may not have been deceit on the part of the Minister, but that is the effect of what has happened. No Opposition Member would dissent from the fact that we have been double crossed. That is how many interested people in Scotland, including some Conservative Members, feel.

In those circumstances, I wish that the Leader of the House or the Government Chief Whip were here—incidentally, it is strange that they are not—to make a decision. They should be rung up and told of the prospect that I may continue speaking for a long time. The problem could be simply solved by saying, "Let's pause and think about this. We have a problem. Things have gone wrong." Things went wrong for the Government in the House of Lords, where there were probably misunderstandings. Some Labour peers must have been out of their minds to vote as they did. Would it not be better for the Government Whips to send their colleagues home to think about the matter?

I am a man of my word, and if that happened I would not delay the proceedings but would make a short speech. I cannot speak for my colleagues, but I do not think that they would delay the proceedings either. If the Government Whips do not accept my offer, so be it. Our proceedings will be longer than necessary.

There are currently some 1,300 sites of special scientific interest in Scotland, covering 750,000 hectares. The Scottish SSSIs are among the best places for wildlife.

The Government's new clause 11 will create an independent committee to advise SNH on SSSIs. The amendment will allow SSSI owners to make retrospective appeals against existing SSSIs and to appeal every 10 years. Subsection (8) of the new clause is constructed in a way that enables owners to make objections on non-scientific grounds. That is the background to the position, and no one will contradict it.

Do I detect movement from the Government Whips? If so, it will be good news for those who want to go to their beds, but if they decline my offer and hon. Members are kept out of their beds, the Whips will be to blame.

Hon. Members could easily go home if the Government Whips would see sense. All I ask is that they agree with the *Daily Telegraph*. Its well-respected environmental correspondent, Mr. Charles Clover, put the matter in a nutshell in today's edition of that newspaper:

"Mr. Magnus Magnusson, the chairman designate of SNH has said he is 'deeply unhappy'".

That is the Government's own man who is deeply unhappy about the review procedure, which he believes could

"overburden his newborn quango and lead to the reconsideration of any of Scotland's 1,300 SSSIs."

Their own guy is complaining and saying that he is deeply unhappy; it is not some opponent.

12.30 am

The article continues:

"Professor Sir Fred Holliday, the chairman of the committee responsible for co-ordinating standards of nature conservation throughout Britain said he was never consulted."

Will the Minister tell me whether that is true? Is it true that Sir Fred Holliday was not consulted? It is either true or not.

Lord James Douglas-Hamilton: Is the hon. Gentleman aware that the hon. Member for Cunninghame, North (Mr. Wilson) asked a parliamentary question? The answer stated:

"the advisory committee can deal only with individual cases within the site guidelines overseen by the Joint Nature Conservation Committee and there will be no overlap in membership, it was not necessary to consult the JNCC chairman."

Mr. Dalyell: That reveals the lack of good will. The Minister says that it was not necessary to consult the Joint Nature Conservation Committee. If that is the attitude,

why should a man who has been vice-chancellor of Durham and many other things stay on in that position? The Government are fundamentally changing the legislation. To say that it is not necessary to consult someone whom they have appointed as chairman of the JNCC is not only extremely unwise, but exceedingly bad manners. Do the Government wonder that he is deeply insulted? It is appalling bad manners for the Government not to consult their own chairman of the JNCC. If the Government do not think it worth consulting him when they fundamentally alter the terms of reference on which he is to operate that is not a mature, adult way in which to go about things. It is not how British Governments normally went about things.

Does the Minister not understand the enormity of his bad manners? He sits there silently. The truth is that he did not understand the brief. He read out the brief, but who thinks that he understood much of it? He gabbled through it. That is preposterous. I am sorry to say that we will go on long into the night. *[Interruption.]* If the hon. Member for Wycomb (Mr. Whitney) is wondering what this is all about, he should read page 12 of *The Daily Telegraph*. If he missed it, I will read it for him.

Charles Clover

"explains how a Scottish crusade against restrictions on land usage could have nationwide repercussions. A dispute on whether cows may safely graze on Rannoch Moor in the Highlands of Scotland has brought the House of Commons today a measure which many conservationists fear could wreck Britain's system of nature protection enshrined in the 10-year-old Wildlife and Countryside Act."

Many of us care about that. Like the hon. Member for Dumfries (Sir H. Monro), I spent 100 hours in Committee on the Act. Much thought and care went into the Act and we do not want to see it wrecked. *The Daily Telegraph* is saying that it is wrecked. *[Interruption.]* If the Minister of State for Defence Procurement wonders what this is all about, I will tell him that, in alliance with *The Daily Telegraph*, I am explaining, in the words of its well-known correspondent, Mr. Charles Clover, why we are so angry. As a senior member of the Government, he should know.

The article continues:

"The government amendment to the Natural Heritage (Scotland) Bill which comes to the Commons for approval today generates strong feelings on both sides. Conservationists believe that it could open the door to the de-notification of hundreds of the most important nature conservation sites in Britain, protected over the past 10 years, such as the great wild bog-landscape of the Flow Country of Caithness and Sutherland, or parts of the Cairngorms or the Western Isles."

This week we had an Adjournment debate on the Cairngorms and the issue of Mar Lodge is becoming increasingly known to many hon. Members.

The article goes on:

"Many landowners in Scotland, from absentee landlords of sporting estates to smaller farmers and crofters, believe that the measure provides a democratic appeal mechanism for the first time against an intensive bureaucracy—the Nature Conservancy Council (the devolved version of which north of the Border, now carries the tag 'for Scotland'.

Who is right? The truth lies, as ever, somewhere in the middle. Under the Wildlife and Countryside Act, piloted through Parliament by Michael Heseltine in 1981".

Any designation of world heritage sites, which Mar Lodge should be, is a matter for the Secretary of State for the Environment. He has distanced himself from all this legislation, and the chairman of the 1922 Committee knows from experience that it is the Government as a whole rather than the Scottish Office going off at a tangent who make such policy.

Mr. Macdonald: Does my hon. Friend regard it as odd that he is addressing himself to the Minister of State for Defence Procurement and not to a Minister from the Department of the Environment? As the Scottish Office did not consult the chairman of the joint committee, perhaps it did not consult the Department of the Environment. The legislation has implications for SSSIs not just in Scotland but in England and goes against the assurances that such designations would be common throughout the United Kingdom.

Mr. Dalyell: The Minister has heard my hon. Friend the Member for Western Isles (Mr. Macdonald). Was the Department of the Environment consulted?

Lord James Douglas-Hamilton: Of course.

Mr. Dalyell: What did it say?

The Daily Telegraph continues:

"So far Mr. Heseltine, Environment Secretary, one of the architects of the 1981 Act and therefore of the SSSI system, has not become involved."

He never did become involved in anything that he did not want to become involved in.

"The Department of the Environment has said the procedure will not be imposed on England."

If it is such a good procedure, why is it not being imposed on England? There may be differences. Could we be told the difference? I am waiting. There is a long way to go. I have a substantial speech to make, and if hon. Members wish to go to their beds, all they have to do is put pressure on their Whips.

I give a public undertaking that, if we adjourn the debate now, the next time round I will not talk for more than 10 minutes. I am dead serious about this, because there are large issues at stake. Once before, I have kept the House of Commons up, all night, and that was over retrospective sanctions on Iran. It was the first U-turn that the right hon. Member for Finchley (Mrs. Thatcher) ever agreed to.

Mr. Strang: I remember it well.

Mr. Dalyell: I am sure that my hon. Friend does. After I have finished, other hon. Members will speak.

The Daily Telegraph goes on:

"The system has never been particularly popular with landowners. Notable flare-ups took place in the Somerset Levels in 1984, when effigies of Patrick Jenkin, then Environment Secretary, and the head of the NCC were burnt, and Orkney where similar events occurred."

I am not sure that we want effigies of the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton) burnt, but that is what it is coming to.

The article continues:

"The disadvantage of the SSSI system is that it imposes upon the landowner a list of 90-odd 'potentially damaging operations' which he must not carry out. The Nature Conservancy Council and its successors pay compensation to the landowner for the earnings forgone. Imposed upon the landowner of a small fragment of English ancient woodland, this does not cause much hardship. The designation of large areas of the Highlands of Scotland—which constitute much of Europe's remaining unspoilt land—potentially threatens livings on a politically explosive scale."

The Opposition Chief Whip has now arrived. I will have to explain to him what has occurred. Without any sign in the Committee that this would happen, the

[Mr. Dalyell]

Government have totally changed the basis on which the Bill operates. It is not a minor change. It is a geological change in the nature of the Bill. That is no exaggeration. An offer has been made three times. Although the Opposition Chief Whip is in the House, I do not know where the Government Chief Whip is.

Mr. Jimmy Dunnachie (Glasgow, Pollock): He is in the House.

Mr. Dalyell: If he is in the House, it would be in the interests of hon. Members if they asked him to come to the Chamber with the Leader of the House.

I will repeat my offer. I will not speak for more than 10 minutes if a motion to report progress is moved, with the advantage that the Government can go back, reflect on what has happened in the House of Lords, on what has been said by Opposition Members and, above all, on the speech of the hon. Member for Dumfries, who is a member of the NCC and the Minister who did most of the work on the 1981 Act, and we may then come to a compromise.

It is no good the hon. Member for Sheffield, Hallam (Mr. Patnick) looking sour about this. He may be chewing a Smartie, but he does not look very pleased. I am not asking for an apology. I am merely saying that some concern should be expressed about the muck-up that surrounds the heritage bodies that have been set up by the Government. If the hon. Members who have recently entered the Chamber are unconvinced, I repeat yet again that the chairman who has been chosen by the Government, Magnus Magnusson, is deeply unhappy.

Mr. Bill Walker: Given the hon. Gentleman's interest in scientific matters, does he dispute that it is possible to obtain different views on scientific priorities and that it is therefore important that the scientific priorities that are listed by anyone should be questioned?

12.45 pm

Mr. Dalyell : It is important that we understand that the system can work perfectly well by means of negotiations. If those in the heritage organisations and the NCC officials become more flexible and a bit softer in the negotiations after designation, that is one thing. If, however, we are to have provisions built into the system that undermine the legislation that has been devised, that is an entirely different thing.

The hon. Member for Tayside, North (Mr. Walker) was a conscientious attender of the sittings of the Committee that considered the Bill. Even in the light of the amendments that he introduced, did he have any inkling that the structure that we are presented with this evening would be introduced? If so, he did not let the Committee know that that would happen. He did not tell the members of the Committee that the structure would go anything like as far as that which is before us. The truth is that the structure was spatchcocked into the Bill in another place.

Mr. Strang: In a sense, the issue goes even further than that. When the announcement was made that foreshadowed the Bill, when we were told that the NCC would be split and that there would be an amalgamation with the Countryside Commission for Scotland, there were many who suspected that that reflected a strategic change in the Government's approach and that the landowners' views and interests would prevail much more frequently over the views and wishes of the environmentalists and, dare I say, the wider community.

There are many who find it disturbing that the amendment is a confirmation of the suspicions that followed the Government's announcement. I am not certain whether my hon. Friend the Member for Linlithgow (Mr. Dalyell) articulated precisely suspicions about a strategic change, but I know that he was uneasy about the decision to split the NCC, given his knowledge of the body. It is fair to say that the general body of opinion in Scotland, including the Opposition, was that the Government should be given the benefit of the doubt. How on earth can we do that, however, when they show themselves so willing to give way to the lobby of the Scottish lairds in the other place?

Mr. Dalyell: I take my hon. Friend's point entirely. Those concerned knew what they were up to, and they acted to further their own interests. I cannot put the issue more succinctly or eloquently than my hon. Friend. I should like to know what the Minister has to say about my hon. Friend's intervention. I am not playing games. My hon. Friend is an agricultural scientist and he has advanced a valid argument. What is the Minister's comment on his comment? There is no point in becoming bad-tempered, because it so happens that, when we start lifting stones in this place, we find that all sorts of creepy-crawly things come out from under them.

The more we examine it, the more flawed the scheme appears. My hon. Friend the Member for Edinburgh, East (Mr. Strang) is absolutely right that the present proposal was not in the prospectus. It is something very different from what was agreed on Second Reading and in Committee. Had we known about it in the first place, it is doubtful whether the Government could have got their proposals through as easily as they have, and with all the good will that accrued to them—from most of my colleagues, although not necessarily from me. I was against the break-up of Peterborough but had become reconciled to the proposal—as John Francis and Magnus Magnusson know—after our meeting at Hope terrace. The present proposal, however, is totally different from that which was agreed.

Clover goes on to say:

"Dissatisfaction with SSIs in Scotland, and mistrust of the Peterborough-based NCC led Mr. Rifkind, then Scottish Secretary, and Mr. Ridley, then Environment Secretary, to devolve the latter in 1989 into three country agencies. Then the row began."

That was the beginning of the matter. Clover continues:

"The latest flare-up has come out of the Bill setting up the successor body to the NCC in Scotland, Scottish Natural Heritage . . . Lord Pearson of Rannoch and other Scottish peers such as Lord Grimond, have pressed the Government into a last-minute amendment to establishing a new independent scientific committee which will second guess all SSSIs set up by SNH."

I ask the Minister a direct question: does he agree with *The Daily Telegraph* that what is involved is second-guessing? I do not call the Minister a dumb Minister; I would merely say that he is a Minister who has been struck dumb. It would be very much easier if some answers were given to these questions.

We are talking not just about a few Members of Parliament—let alone a few difficult Opposition Members —but about *The Daily Telegraph*, representing the views of many people in Scotland who have been outraged at

what has happened. In order to truncate my speech, I shall leave out the quotations from Magnus Magnusson and Sir Fred Holliday. Thereafter, the article continues:

"There is clearly a problem to be solved, though whether this procedure is the best way to do so remains to be seen. Lord Pearson, himself an absentee landowner"—

that is not my description, but that of *The Daily Telegraph*—

"told the Lords of his unresolved dispute with the NCC over a 250-acre SSSI on his estate. He says he was told categorically by the local NCC officer that he was not allowed to graze cattle on rough molinia grass on his SSSI, he could only use sheep or deer. Like many other landowners who believe they have done nothing wrong, for Lord Pearson, a point of principle had become a crusade."

So the proposed change in the Bill is all about a row over 250 acres owned by a pretty new peer—described by one of his colleagues as an upstart peer—who suddenly appeared in the House of Lords with the amendment and took with him a number of people who did not fully understand what is at stake. The laws of the country, as discussed by this House, are being changed by the personal circumstances of one peer.

The House of Commons gives short shrift to those who go on and on about their personal circumstances. The only Member of Parliament who did that with aplomb was Robert Maxwell. The House has little time for any hon. Member who makes great public statements, and tries to alter law, on the basis of his own circumstances. Clearly, however, that has been done on this occasion: this debate is all about the personal gripes of some very well-off people. On that basis, should the Government really change their mind? Should they alter what was considered opinion when the Bill went into Committee?

The trouble is that the Government secured the Bill's Second Reading on pretty false pretences. It is an open question whether they would have done so had the full display been made. I do not know how the hon. Member for Dumfries could have voted in favour of Second Reading had he known that all this was in the shop window. The hon. Member can, of course, speak for himself; but he does not dissent from what I have said, and I suspect that I am right.

Lord Pearson said:

"If they treat me like this, just think what they do to the crofters in Orkney".

He added:

"I cannot see why the establishment of a scientific committee which will second guess the scientific reasons for choosing a site as an SSSI would weaken the legislation. Surely it will strengthen it."

Mr. Bill Walker: Unlike the hon. Gentleman, I have not the scientific knowledge to substantiate what I am going to say. May I present a hypothetical example? Let us assume that an SSSI is designated because it is the habitat of a certain type of frog, and that tree felling is not allowed there. There may also be a need to enhance the area's salmon production, and tree felling may be beneficial in that regard. In such circumstances, is it not advisable to obtain a second opinion?

Mr. Dalyell: That can be dealt with by means of negotiation. Given the rows and the alleged tactlessness, Sir William Wilkinson may well have a different side of the story to tell. I admit that what happened in regard to the flow country was unfortunate; but the answer is not to undermine the whole system as it is now proposed, but to employ a rather gentler form of negotiation. Given that the flow country is at the centre of all this, the hon. Member for Caithness and Sutherland (Mr. Maclennan) may be able to tell us whether the new style of the Scottish Nature Conservancy Council would deal with the various doubts that he felt.

Mr. Maclennan: I think that I made my views clear earlier. In previous debates the hon. Gentleman and I were not entirely on the same wavelength; I felt that, on some occasions, the scientific judgment should not be the ruling judgment. In such instances, the economic and community judgment should, in my view, be final, and that can be exercised democratically only by a Minister of the Crown —the Secretary of State. I still firmly believe that such a genuine appeal would have been an appropriate way in which to deal with the problem. The article refers to it very fairly, although it may give slightly the wrong impression by implying that this is all about landowning.

Mr. Dalyell: Look at what the Government have done: they have put the hon. Member for Caithness and Sutherland and me on to the same wavelength. That really is an historic achievement.

I am glad to see in the Chamber the Environment Whip, the hon. Member for Daventry (Mr. Boswell), because he knows a lot about the issues. I say to the hon. Gentleman that if there is progress, and if there is a chance that the Government will reconsider in the cold light of day, his colleagues could be spared a great deal of inconvenience. As the Environment Whip has only just arrived, he must be told that this could be a very long speech.

Mr. Dunnachie: Tell him the whole story.

Mr. Dalyell: My hon. Friend says that I should tell the Environment Whip the whole story, and who am I to do otherwise?

Mr. Dunnachie: The Under-Secretary of State for Social Security has also just arrived.

1 am

Mr. Dalyell: The hon. Member for Maidstone (Miss Widdecombe) would be better in her bed. *[Laughter.]* I will tell her how she can go to her bed. She can use the same tactics that she employed with such strength, Friday after Friday, on a subject that I will not mention, and tell her Whips that they can stop all this—there is a great deal more to come—if they will only take time to reflect, and to consider the monstrosity that has been perpetrated in the other place. They would be sensible to listen. Even if they get rid of me at 4 o'clock in the morning, there are others to come. The sun will be shining. All this could be avoided.

The Daily Telegraph article continues:

"It is not only major absentee landowners such as Lord Pearson who have complaints, however. Dr. Neil Duncan, a zoologist by training, has had problems with the NCC on his 4,500 acres on the north of West Loch Tarbert, Argyll. The NCC designated an SSSI on his land in 1985 without telling about it, he claims.

The SSSI in question is a 600-acre birch and oak wood, a number of non-indigenous beech, sycamore and Scots pine planted last century. The NCC opposed his plans to replant parts of the wood with native species and to start a deer farm on his land. He prevailed, by the unusual procedure of writing to all the members of the NCC Scottish committee and asking them personally to come to see his land.

'They could have stopped me from making a living. It was all rather silly. I'm an ecologist by training, so I know it was silly,' he says. 'If someone else has an opinion, the NCC do not know how to handle it.'

[Mr. Dalyell]

Conservationists such as Simon Pepper of the World Wide Fund for Nature in Scotland are the first to say that there must be a mechanism to settle cases of potential hardship."

I spoke to Mr. Pepper in Aberfeldy by telephone tonight, to make sure that he stuck by the opinions that *The Daily Telegraph* reported him as having, when it reported him as saying:

"the Lords and the Government have gone for the wrong target, the SSSI designation itself, when what is needed is a fairer way for a farmer to negotiate over what he is allowed to do on his land once it has been established as of importance in nature conservation."

What is the Minister's view of Pepper's statement? Does he have a view? Does he think that Pepper has offered him a way out? Mr. Pepper has many members in his organisation.

The article continued:

"This, he and others had assumed, would be brought about through the new landowner-friendly regional bodies of SNH.

'The Government simply hasn't thought through the implications of what it has created', Pepper said. 'This review system provides an opportunity for mass dissent. It could form the basis for a campaign against the SSSI system which could lead to mass de-notification of sites like the Flow Country. You can see the whole system haemorrhaging and falling apart.'"

The Minister is making notes. Would he do us the courtesy of telling us what they are? I am trying to extract his thoughts.

I note that we have just been joined by the Minister of State for the Armed Forces. He is a man of great force in the Government. He should tell the Whips that all this could be easily brought to an end if the Government would just take a breathing space and go back to the drawing board. In this case, the drawing board is the Bill that went through Committee with a great deal of good will; the other place should not have been allowed to alter it at the last moment. If the hon. Gentleman told the Government that, he could quickly get to his bed.

The Daily Telegraph continued:

"Frantic letters have been flowing to and fro between Magnus Magnusson and Scottish Office ministers trying to set out exactly how the new review panel will operate and what powers they will have."

I could be wrong, but I do not think that the Minister made any reference to those letters in his speech. Why was the House told not about that correspondence? It is incredible that the Government's own man should create such dissatisfaction. If the Government appoint a chairman of an organisation, and then have correspondence about his dissent, do they not feel that they are under an obligation to tell the House about the gist of that correspondence?

Mr. Maclennan: I wish to ask the hon. Gentleman a question about an important point, to which I referred in my speech. I genuinely want to hear his opinion—he has told us of the opinions of others—on whether the independence of the scientific advisers in Scotland is an issue for our debate tonight.

Mr. Dalyell: It is an issue. In Committee and previously, I had a great deal of contact with Dr. Derek Ratcliffe, who for many years was senior scientific adviser to the Nature Conservancy Council. The Government can contact him at 43 Thornton close, Cambridge, to find out his opinion. His successor, a man called Peter Bridgewater, was also a friend of mine. He returned from Australia to take the job, but then found that it was not what he thought it would be, and he returned to Australia, where he has an important job with the federal Government. It was their opinion that the science base was threatened. That was the basis of my objection to what happened in the first place, but I had had to become reconciled to it until clause 11 came along.

Mr. Harry Ewing (Falkirk, East): The House is in a difficulty that I hope my hon. Friend will consider. As he knows, I am a great protector of the occupant of the Chair. I understand that there are no other Deputy Speakers in the House. All hon. Members can come and go as they wish, but poor Mr. Deputy Speaker is trapped in the Chair. Does my hon. Friend agree, while he is having his drink of water, that it would not be a bad idea for Mr. Deputy Speaker, from his own point of view, to adjourn the sitting for half an hour?

Mr. Deputy Speaker (Sir Paul Dean): Order. I can assure the hon. Gentleman and the House that Deputy Speakers appear rapidly from nowhere.

Mr. Dalyell: If Deputy Speakers can appear rapidly from nowhere, can Speakers appear rapidly from nowhere —or at least rapidly from upstairs? It would be a very good plan if Mr. Speaker were to acquaint himself with the fiasco with which the House of Commons is now faced. *[Interruption.]* Government Whips and Leaders of the House can, presumably, be telephoned, or contacted. They are able to be asked for a decision.

Frantic letters have been written. It would be helpful if we could be told of their contents. The article also said:

"So far Mr. Heseltine, Environment Secretary, one of the architects of the 1981 Act and therefore of the SSSI system, has not become involved. The Department of the Environment has said the procedure will not be imposed in England.

Others believe that it can be only a matter of time before there is pressure for a review of disputed SSSIs south of the border. Conservationists say MPs who doubt that a measure created in Scotland is likely to affect England and Wales should remember"—

remember what?—

"the poll tax."

That is just the first part of my speech. There is a great deal of substance to come. It would be greatly to the advantage of the Whips if they were to call close of play for the day, go back——

Dr. Keith Hampson (Leeds, North-West): The hon. Gentleman knows that I served with him on the Committee that created the SSSIs. I recall that at that time he was not at all happy with the format for England, in that it left too much to the political process and the Secretary of State. He referred at great length to the need for scientific suport and back-up, and he cited in particular Edinburgh university. The hon. Gentleman seems to have changed his position somewhat.

Mr. Dalyell: No. I have been more consistent than anybody else. It was precisely the case for scientific back-up and the break-up of scientific unity that led me to say what I did. Whatever one thought of it, Peterborough was a coherent whole and owed very much to the expert opinion of Dr. Derek Ratcliffe, Mr. Peter Bridgewater and others—those in the midst of it. The break-up had very few friends among those who worked for the Nature Conservancy Council, not least among those who worked

for the NCC in Scotland in the scientific departments. It did not want that either, for the simple reason that, apart from the cost, which is considerable, many of the tasks that it fulfilled will not be fulfilled when it is divided into three.

Mr. Strang: The hon. Member for Leeds, North-West (Dr. Hampson) may not have been present for our earlier deliberations. The hon. Member for Tayside, North (Mr. Walker) mentioned scientific advice and seemed to imply that there can be a range of scientific opinion on an issue —people may make a scientific judgment, but that is not an experiment where something can be tested and proved —but that does not devalue the importance of scientific advice and does not mean that one can ignore economic and commercial considerations.

That is why my hon. Friend the Member for Linlithgow (Mr. Dalyell)—he will correct me if I do him an injustice —keeps referring to negotiation. In a sense, there is informal negotation, whether it be with a land user, a tenant or a crofter. That does not detract from the importance of objective independent scientific advice on environmental issues.

Mr. John M. Taylor (Solihull): Answer.

1.15 am

Mr. Dalyell: There is no answer. My hon. Friend the Member for Edinburgh, East has made a valid point of substance. The comment must be made by the Minister.

Mr. Bill Walker: I endorse what the hon. Member for Edinburgh, East (Mr. Strang) said. A second body of scientific opinion could evaluate the different approaches. A second opinion may not be necessary if we achieve the flexibility that we hope for, but the existence of that second opinion will make it easier to reach agreement.

Mr. Dalyell: There is some confusion about these opinions. The first opinion is on the scientific fact and the second is on the interpretation of policy on a site, which are wholly different. There can be little argument about the first, but there can be much argument about the second. However, bluntly, it is a matter not of scientific opinion but of general landowners' interests. I do not dismiss the landowners' interest as of no consequence, but, whatever else it is, it is not just the guts of scientific opinion as such.

I hope that the hon. Member for Tayside, North is not getting into too much trouble for having intervened because he made an important point. *[Interruption.]* If the hon. Member for Bolton, West (Mr. Sackville) is telling his colleague to be quiet, he is misguided. He should be telephoning the Chief Whip and telling him that he could easily bring this to an end. He should discuss the matter with the Department of the Environment, where he has contacts, and ask why it is not following the example of the Scottish Office.

Mr. Alex Eadie (Midlothian): My hon. Friend is being a bit too generous in appealing for proceedings to be brought abruptly to an end. Having listened to his speech, I observe that the longer the debate goes on, the more political damage it is doing the Conservative party in Scotland. I therefore appeal to him to continue, because, when reports of this appear tomorrow, it will cause tremendous political embarrassment in Scotland. It is to our advantage that he keeps going.

Mr. Dalyell: I am not concerned about the politics of this matter. The central issue is not politics but what is likely to happen in Scotland. I eschew any idea of party politics. The most powerful case against the Government has come from the hon. Member for Dumfries (Sir H. Monro), the Conservative Member who knows most about this subject, having been a member of the Nature Conservancy Council. The Government should have said, "We should listen to the words of the former Minister who piloted the Bill through the House. We should reflect and go back to the House."

Dr. Norman A Godman (Greenock and Port Glasgow): I am pleased that my hon. Friend has acknowledged that this is not a dispute between environmentalists and landowners. As the hon. Member for Caithness and Sutherland (Mr. Maclennan) suggested, it may be a dispute between environmentalists' interests and economic interests.

As the hon. Member for Tayside, North (Mr. Walker) will remember, about four years ago, the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) was deeply aggrieved because the environmentalists in his constituency were arguing against setting up a fish farm on a small loch there. The environmentalists argued that a valuable area of oligotrophic mosses 150 ft below the loch's surface should be protected and that the mosses would be destroyed if a fish farm were established. I had great sympathy for the hon. and learned Member for Perth and Kinross, because 50 or 60 new jobs were involved.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) is right to stress that it is not just a conflict between environmentalists and landowners.

Mr. Dalyell: Let us encapsulate that by saying that the Minister must address the oligotrophic moss question. We want an answer.

The Royal Society for the Protection of Birds, the World Wide Fund for Nature and others are deeply concerned that the proposed measure will radically change the way in which sites are designated in Scotland and present a serious threat to the conservation of some of Britain's best wildlife sites. Many recent conservation successes, including the opposition to peat extraction at Duich Moss and the refusal to allow skiing facilities at Lurchers Gully, would not have been possible if the sites in question were stripped of their SSSI status.

Mr. Macdonald: Is my my hon. Friend aware that the Government, in their embarrassment, are thinking of moving a closure motion? If that happens, our many questions to the Minister will remain unanswered. As the Government have turned somersault after somersault on the Bill and have gone back innumerable times on their commitments, does my hon. Friend agree that, if they terminate the debate, it will be a disgrace which will embarrass them in in tomorrow's newspapers?

Mr. Dalyell: If the Government decide to move a closure we shall, of course, oppose it. Instead of suffering the embarrassment of a closure, it would be much simpler if the Government listened to all parties—and it is all parties that are involved because, apart from the hon. Member for Tayside, North, the Government have been friendless tonight. Only the hon. Member for Tayside, North was their friend, and he was a qualified friend. When that happens on what is not strictly a party issue

[Mr. Dalyell]

—it should be a Commons versus Lords issue in the light of what has happened—it is no disgrace for the Government to say that perchance they should think again.

Mr. Strang: My hon. Friend the Member for Western Isles (Mr. Macdonald) has raised an enormously important issue. The Government should respond properly to the arguments that have been deployed so cogently by my hon. Friend the Member for Linlithgow (Mr. Dalyell) and others, but the problem goes deeper. there was a Scottish consensus behind this legislation. It was supported by the House as a whole, despite the fact that the initial decision was controversial, for reasons that we have already mentioned. If the Government move the closure to halt debate on major Scottish legislation, that will devalue the legislation in the eyes of many Scottish people, and it will be enacted against the votes of the Labour Members who constitute the majority of Scottish Members of Parliament.

Mr. Dalyell: If the consensus had not been shattered in this way, I should not have had the brass neck to speak for more than 10 minutes. The Whips and my colleagues would have told me to shut up. They are not saying that, because we believe that we have been deceived and double-crossed.

Mr. Bill Walker: I am sure that the hon. Gentleman does not want to mislead the House. There is no question but that the issue of appeals was raised in Committee not only by me but by others. It is wrong to tell the House that we were happy with the decisions in Committee. If the hon. Gentleman cares to re-read the record of the Committee's proceedings, he will see that I withdrew my amendment on the basis that we could return to it.

Mr. Dalyell: There is a difference between appeals and the whole system that is now being built in, which is organised second-guessing. The organisation set up by the Government has been undermined. Who says that, but the chairman, Magnus Magnusson, and Frank Holliday, who was not consulted. That is part of the trouble. When the people who are supposed to be in charge are among the most dissatisfied, there is time to think again.

There is a danger that the amendment will cause many battles over SSSI designation and land use to be reopened. Will the Minister explain how planners and developers will know whether a site is sensitive to development or change in use if the SSSI label is removed? That is an important question—how will planners and developers now whether a site is sensitive to development or change in use if the SSSI label is removed?

Designation—*[Interruption.]* Let me explain to the Government Chief Whip what has happened. This would never have occurred if there had not been a complete and dramatic change in that which we thought had been agreed. The truth is that, because of Lord Pearson and his 250 acres, that relatively new peer persuaded the Lords not only to change the Bill but to do so fundamentally so that the very nature of the creature is altered. I repeat that I should not have been allowed, or had the brass neck, to raise——

1.30 am

The Parliamentary Secretary to the Treasury (Mr. Richard Ryder) *rose in his place and claimed to move,* That the Question be now put—

Question put, That the Question be now put:—

The House proceeded to a Division—

Mr. Strang *(seated and covered):* On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I shall take it after the Division, when I can hear it properly.

The House having divided: Ayes 118, Noes 41.

Division No. 187] **[1.30 am**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Baker, Nicholas *(Dorset N)*
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowis, John
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Burt, Alistair
Carrington, Matthew
Chapman, Sydney
Clark, Rt Hon Alan *(Plymouth)*
Clark, Rt Hon Sir William
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Fallon, Michael
Fishburn, John Dudley
Forsyth, Michael *(Stirling)*
Franks, Cecil
Freeman, Roger
Gale, Roger
Gill, Christopher
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, John *(Ryedale)*
Gregory, Conal
Hague, William
Hamilton, Rt Hon Archie
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Maclean, David
McLoughlin, Patrick
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moynihan, Hon Colin
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Raffan, Keith
Roberts, Rt Hon Sir Wyn
Ryder, Rt Hon Richard
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Trotter, Neville
Twinn, Dr Ian
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. Irvine Patnick and
Mr. Neil Hamilton.

NOES

Adams, Mrs Irene *(Paisley, N.)*
Canavan, Dennis
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dunnachie, Jimmy
Eadie, Alexander
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Foster, Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Griffiths, Win *(Bridgend)*
Hughes, Simon *(Southwark)*
Kennedy, Charles
Macdonald, Calum A.
McKay, Allen *(Barnsley West)*
McKelvey, William
Maclennan, Robert
McMaster, Gordon
Marshall, David *(Shettleston)*
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Nellist, Dave
Pike, Peter L.
Quin, Ms Joyce
Skinner, Dennis
Spearing, Nigel
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Wallace, James
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Worthington, Tony

Tellers for the Noes:
Mr. Thomas McAvoy and
Mr. Frank Doran.

Question accordingly agreed to.

Question put accordingly, That this House doth agree with the Lords in the said amendment:—

The House proceeded to a Division—

Mr. Strang *(seated and covered)*: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: As I said earlier, I will take the hon. Gentleman's point of order immediately after the Division, and he will not then need to be covered.

Mr. Strang *(seated and covered)*: On a point of order, Mr. Deputy Speaker. Is it not the case that the black hat is to enable one to raise a point of order in the middle of a Division?

Mr. Deputy Speaker: I have told the hon. Gentleman that I will take his point of order as soon as the Division is complete. *[Interruption.]*

The House having divided: Ayes 115, Noes 36.

Division No. 188] **[1.42 am**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Blackburn, Dr John G.
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowis, John
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Burt, Alistair
Carrington, Matthew
Chapman, Sydney
Clark, Rt Hon Alan *(Plymouth)*
Clark, Rt Hon Sir William
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Fallon, Michael
Fishburn, John Dudley
Forsyth, Michael *(Stirling)*
Franks, Cecil
Freeman, Roger
Gale, Roger
Gill, Christopher
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, John *(Ryedale)*
Gregory, Conal
Hague, William
Hamilton, Rt Hon Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Maclean, David
McLoughlin, Patrick
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moynihan, Hon Colin
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Raffan, Keith
Roberts, Rt Hon Sir Wyn
Ryder, Rt Hon Richard
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Trotter, Neville
Twinn, Dr Ian
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. Nicholas Baker and
Mr. Irvine Patnick.

NOES

Adams, Mrs Irene *(Paisley, N.)*
Canavan, Dennis
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Dunnachie, Jimmy
Eadie, Alexander
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Foster, Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Griffiths, Win *(Bridgend)*
Macdonald, Calum A.
McKelvey, William
McMaster, Gordon
Marshall, David *(Shettleston)*
Michie, Bill *(Sheffield Heeley)*
Nellist, Dave
Pike, Peter L.
Quin, Ms Joyce
Skinner, Dennis
Spearing, Nigel
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Worthington, Tony

Tellers for the Noes:
Mr. Allan McKay and
Mr. Thomas McAvoy.

Question accordingly agreed to.

Mr. Strang: On a point of order, Mr. Deputy Speaker. What is—[HON. MEMBERS: "Take your hat off."] What is the point of the hat, Mr. Deputy Speaker?

Mr. Deputy Speaker: I think that the hon. Member is asking me why I did not take his point of order during the Division. That must be a matter of judgment for the Chair. I put it to the House as a matter of common sense that it is extremely difficult when hon. Members are moving about the Chamber, including moving between the Chair and the hon. Member who is trying to put the point of order, for the point of order to be made in a satisfactory manner or for the Chair to hear it properly. I decided that, in the circumstances, it would be better for the hon. Member, for the occupant of the Chair and for the House as a whole if the point of order was made when the House was quiet. I now invite the hon. Gentleman to put his point of order to me.

Mr. Strang: Further to my point of order, Mr. Deputy Speaker. Following the Division on the closure, this is the

[Mr. Strang]

second Division. I do not think that many hon. Members in the Chamber are unaware that during the previous Division a Member was seated and covered and his point of order was not taken. That should be put on record. If we are to use the hat for the purpose of raising points of order during Divisions, surely they should be taken by the Chair, especially when they relate to closures. Surely Divisions on closure motions are the most important Divisions. Only recently a closure motion was carried—I shall come to my point of order in a minute, but perhaps——

Mr. Deputy Speaker: Order. If a closure motion is carried on a Division, that instructs the occupant of the Chair to put the Question immediately. The two Questions are really part of the same Question. That is the answer to the hon. Member's point of order. That having been said, I shall now gladly listen to his point of order.

Mr. Strang: Clearly, Mr. Deputy Speaker, I should have preferred to raise my point of order before the closure was voted on and carried. Nevertheless, I maintain that there is an important issue at stake. Fundamentally, we are talking about a disagreement between this House and the other place. Clause 11 was removed from the Bill last time it was considered by the House of Commons. A variant of that clause was then reinserted in the Bill by the other place—and we are all very conscious of the way in which the debate in the other place was conducted.

We have found tonight that, although the House of Lords has clearly sought to contradict a decision of the House of Commons, we have not been allowed to deploy our case. My hon. Friend the Member for Linlithgow (Mr. Dalyell) will agree with me that there are many powerful and important points which have not been raised——

Mr. Deputy Speaker: Order. I am sure that the hon. Gentleman knows that he cannot continue the debate, but I shall certainly hear his point of order for the Chair.

2 am

Mr. Strang: I am grateful to you, Mr. Deputy Speaker. I seek clarification. I think that hon. Members are aware of what is at stake here. Only two weeks ago, almost £500,000 was granted to a landlord on the basis of the issues arising out of the Bill. Without wishing to make the speech that the size of the Government's majority prevented me from making, as an hon. Member representing a Scottish constituency—from making—and I may say that a few other hon. Members representing Scottish constituencies were also denied the opportunity to put their case—I ask you, Sir, whether the size of the Government's majority has now prevented all further discussion of a decision by the House of Lords to contradict—indeed, overrule—the House of Commons decision.

Mr. Deputy Speaker: I can only deal with the point of order addressed to the Chair. It is obviously a matter of judgment for the occupant of the Chair whether to accept a closure motion. It is a difficult judgment. A balance has to be struck after the occupant of the Chair has listened to the debate. Nevertheless, it is, of course, for the House to decide whether to accept the closure. I exercised my judgment in this case to the best of my ability.

Mr. Nigel Spearing (Newham, South): Further to the point of order, Mr. Deputy Speaker. Is it not a fact that precedent on these matters is passed from one occupant of the Chair to the next? Is it not also a fact that, in this case, the factors relating to the debate—an apparent reversal by the House of Lords of an earlier view taken by the House of Commons—places the occupant of the Chair in a different sort of position, if a closure is claimed, than that which one might expect in a normal debate? If that is so, Sir, cannot this matter either be referred to the Select Committee on Procedure or be considered in some other way? Are you not faced with a different set of factors than would normally be the case?

Mr. Deputy Speaker: I do not think that different sets of factors are involved. The fact is that the occupant of the Chair has to exercise a judgment in the individual circumstances—and circumstances almost always vary to some degree. If the hon. Gentleman wishes to refer the matter to the Select Committee on Procedure, he is, of course, free to do so.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker. [HON. MEMBERS: "Where's Cryer?"] He's gone with the hat. In the 21 years that I have been a Member of Parliament, the occupant of the Chair has always heard points of order raised during a Division. I am told that in this quaint little place one puts on the hat so that one can be distinguished from all those milling around during a Division. At least, that is one argument—there have been others as well.

Only a few years ago the House debated a set of rules. We decided, among other things, to keep the hat. Some hon. Members wanted to get rid of this strange custom but, following a Division, it was agreed that it should be kept—for the very good reason that it was important for it to be worn during Divisions.

I should like to know, Mr. Deputy Speaker, whether the precedent that you have set tonight will be perpetuated by future Speakers and Deputy Speakers. The Clerks who sit at the Table are supposed to advise on Standing Orders and so forth; I am surprised that they did not tell you, that a point of order during a Division is automatically granted. I have never known this to happen before, so I should like to know the circumstances in which you have reached your decision. We do not want it to be repeated; if we have to troop through the Lobbies to keep the hat, the Chair should observe the custom when hon. Members put the hat on their heads.

Mr. Deputy Speaker: No precedent has been created. I dealt with the point in what I hope was a reasonable manner; there is nothing more that I can add.

Mr. Dave Nellist (Coventry, South-East): Further to that point of order, Mr. Deputy Speaker. I have never been one of those hon. Members who are enthusiastic about the hat; it may make my hon. Friend the Member for Edinburgh, East (Mr. Strang) look a bit like Frankie Vaughan, but it does not do the same for me.

As my hon. Friend the Member for Bolsover (Mr. Skinner) has said, however, the hat is there for the distinct purpose of differentiating between those who wish to raise a point of order during a Division and those who wish to vote. Can you give us a fuller ruling, Mr. Deputy Speaker—later, if not now—on whether the Chair's entitlement to decide whether to take a point of order during a Division

hearing that point of order has created a precedent? I understood that the Chair could rule that a point of order was valid, or bogus, once it had been made, but surely if the point of order has not even been accepted, there is no way in which the Chair can judge whether it is valid.

Mr. Deputy Speaker: As I have said, no precedent has been created. If hon. Members read what I said when *Hansard* appears, they will realise that mine was a common-sense judgment.

Question put, That amendment (a) to the Lords amendment be made:—

The House proceeded to a Division.

Mr. Deputy Speaker: Order. There appears to be a delay in the Division Lobbies. Will the Serjeant at Arms please investigate?

The House having divided: Ayes 36, Noes 109.

Division No. 189] **[2.7 am**

AYES

Adams, Mrs Irene *(Paisley, N.)*
Canavan, Dennis
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Dunnachie, Jimmy
Eadie, Alexander
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Foster, Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Griffiths, Win *(Bridgend)*
Macdonald, Calum A.
McKelvey, William
McMaster, Gordon
Marshall, David *(Shettleston)*
Michie, Bill *(Sheffield Heeley)*
Nellist, Dave
Pike, Peter L.
Ruddock, Joan
Skinner, Dennis
Spearing, Nigel
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Worthington, Tony

Tellers for the Ayes:
Mr. Thomas McAvoy and
Mr. Allen McKay.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Baker, Nicholas *(Dorset N)*
Bennett, Nicholas *(Pembroke)*
Blackburn, Dr John G.
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bowis, John
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Burt, Alistair
Carrington, Matthew
Chapman, Sydney
Clark, Rt Hon Alan *(Plymouth)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Fallon, Michael
Forsyth, Michael *(Stirling)*
Franks, Cecil
Freeman, Roger
Gale, Roger
Gill, Christopher
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, John *(Ryedale)*
Gregory, Conal
Hague, William
Hamilton, Rt Hon Archie
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Maclean, David
McLoughlin, Patrick
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Monro, Sir Hector
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moynihan, Hon Colin
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Raffan, Keith
Roberts, Rt Hon Sir Wyn
Ryder, Rt Hon Richard
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Twinn, Dr Ian
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Wells, Bowen
Widdecombe, Ann
Wilshire, David
Yeo, Tim

Tellers for the Noes:
Mr. Tom Sackville and
Mr. Neil Hamilton.

Question accordingly negatived.

Mr. Strang: On a point of order, Mr. Deputy Speaker. I simply wish to register the fact that this will be the final vote on a clause that was rejected by the House but has been inserted by the Lords. There will be no further opportunity to vote on it. Therefore, sadly, Parliament is enacting a Bill that is fundamentally flawed.

Question put, That this House doth agree with the Lords in the amendment in lieu.

The House divided: Ayes 108, Noes 36.

Division No. 190] **[2.28 am**

AYES

Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Bennett, Nicholas *(Pembroke)*
Blackburn, Dr John G.
Boswell, Tim
Bottomley, Peter
Bowis, John
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Burt, Alistair
Carrington, Matthew
Clark, Rt Hon Alan *(Plymouth)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Fallon, Michael
Forsyth, Michael *(Stirling)*
Franks, Cecil
Freeman, Roger
Gale, Roger
Gill, Christopher
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Greenway, John *(Ryedale)*
Gregory, Conal
Hague, William
Hamilton, Rt Hon Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hind, Kenneth
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Greg *(Derby North)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Maclean, David
McLoughlin, Patrick
Meyer, Sir Anthony
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Morrison, Sir Charles
Morrison, Rt Hon Sir Peter
Moynihan, Hon Colin
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Raffan, Keith
Roberts, Rt Hon Sir Wyn

Ryder, Rt Hon Richard
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Twinn, Dr Ian
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Wells, Bowen
Widdecombe, Ann
Wilshire, David
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. Sydney Chapman and
Mr. Nicholas Baker.

NOES

Adams, Mrs Irene *(Paisley, N.)*
Canavan, Dennis
Cryer, Bob
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Dunnachie, Jimmy
Eadie, Alexander
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Foster, Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Griffiths, Win *(Bridgend)*
Macdonald, Calum A.
McKelvey, William
McMaster, Gordon
Marshall, David *(Shettleston)*
Michie, Bill *(Sheffield Heeley)*
Nellist, Dave
Pike, Peter L.
Ruddock, Joan
Skinner, Dennis
Spearing, Nigel
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Worthington, Tony

Tellers for the Noes:
Mr. Allen McKay and
Mr. Thomas McAvoy.

Question accordingly agreed to. [Special entry.]

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committee on Statutory Instruments, &c.).

NORTHERN IRELAND

That the draft Cinemas (Northern Ireland) Order 1991, which was laid before this House on 15th May, be approved. *—[Mr. Kirkhope.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committee on Statutory Instruments, &c.).

ANIMALS

That the draft Welfare of Pigs Regulations 1991, which were laid before this House on 21st May, be approved.*—[Mr. Kirkhope.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Statutory Instruments, &c.).

CRIMINAL LAW

That the draft Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) Order 1991, which was laid before this House on 7th June, be approved.

That the draft Drug Trafficking Offences Act 1986 (Designated Countries and Territories) (Amendment) Order 1991, which was laid before tis House on 1st May, be approved.*—[Mr. Kirkhope.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Statutory Instruments, &c.).

CRIMINAL LAW (NORTHERN IRELAND)

That the draft Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Northern Ireland) Order 1991, which was laid before this House on 7th June, be approved.*—[Mr. Kirkhope.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Statutory Instruments, &c.).

INTERNATIONAL IMMUNITIES AND PRIVILEGES

That the draft Vienna Document (Privileges and Immunities) Order 1991, which was laid before this House on 23rd May, be approved.*—[Mr. Kirkhope.]*

Question agreed to.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Statutory Instruments, &c.).

CRIMINAL LAW (SCOTLAND)

That the draft Confiscation of the Proceeds of Drug Trafficking (Designated Countries and Territories) (Scotland) Order 1991, which was laid before this House on 22nd May, be approved.

That the draft Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Scotland) Order 1991, which was laid before this House on 7th June, be approved.*—[Mr. Kirkhope.]*

Question agreed to.

Burma

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kirkhope.]*

2.39 am

Mr. Jim Lester (Broxtowe): This is the second time that I have sought to draw the Government's attention to the situation in Burma and to press for comprehensive action from the United Kingdom Government. The first time that I did so was on 1 November 1989. I seek to raise this issue again to deal with one of the most objectionable regimes in the world today and to express the sense of widely felt frustration about the fact that it seems impervious to outside influence. It is a coincidence that my hon. Friend and neighbour, the Member for Gedling (Mr. Mitchell), is seeking an Adjournment debate on human rights under that regime. I have asked him if he will speak for five minutes. My hon. Friend the Member for Eltham (Mr. Bottomley) has also expressed an interest and wants to speak for one minute. The fact that three hon. Members have shown an interest in raising this issue on the Adjournment at this time of night is of some significance.

I have sought this debate now because of two anniversaries. First, 28 May is the anniversary of the elections in Burma that overwhelmingly returned the National League for Democracy, which received 86 per cent. of the vote and 392 seats, as opposed to the National Unity party which received 3 per cent. of the vote and 10 seats. The latter was the close ally of the military junta, known as SLORC. By any standards, that was an overwhelming result—all the more so because of the incredible way in which SLORC attempted to stifle true expression before the election. It was so flagrant that I sought to ask my right hon. Friend the Foreign Secretary to ignore the result, but the true expression of the people prevailed and the result was overwhelmingly in favour of the National League for Democracy.

However, a year later, not only has no transfer of power taken place, as was requested by all outside observers, but there has been a cold-blooded systematic offensive against the second and third levels of the leadership of the National League for Democracy, with the systematic arrest of elected representatives and savage sentences on trumped-up charges for various members of the party. Kyi Maung, the acting leader of the NLD, has recently had his sentence doubled from 10 to 20 years. Thirty-five Members of Parliament, including four women, have been given 25-year sentences for upholding the democractic will of the people who elected them. Over 80 have been arrested and about 1,000 of those who work for the NLD have been held in prison without trial.

I cannot remember or recollect any similar action by any country. Those in power must have sought to use the elections, presumably to reinforce the 40-year-old military regime's power, against all democratic and international legal precedent, defying the election results and the constitutional process over which no unelected military junta does or should have power. That has been confirmed by the legal director of the international committee on human rights.

The second anniversary was on 19 June, which is closer to the date of this Adjournment debate. It is the birthday of Aung Sun Suu Kyi, the lady was the catalyst for democratic change—a role that she did not seek, and which has resulted in her being kept under lonely house arrest for over 21 months, without mail, telephone, calls or visits. Even the international civil servant who was appointed by the United Nations Commission on Human Rights could not make contact with her. She has had no contact with her family in recent months. Everyone who knows about the lady's position realises that that is a wholly uncivilised way to treat anybody, let alone the leader of a party before an election.

To keep that lady in the same situation after the result that I have described and systematically to undermine her role as a party leader and a patriotic Burmese citizen is wholly unacceptable. Until recently, her role has been unsung, although earlier this year the European Parliament awarded her the Sakharov prize. She has been nominated for the Nobel prize and has already won the Norwegian peace prize. In those ways, those of us who understand the position can try to change world opinion. That lonely lady, an indomitable flame, stands alone against a regime that has increased its forces by over 100,000 since 1988—it now has some 280,000 soldiers and is still recruiting—and is spending its slender national reserves on purchasing ever more arms from China.

I know that the Government share my concerns and I know about the statements made by the European Community on 27 May. I am particularly grateful to my right hon. Friend the Secretary of State for his interest at the meeting with ASEAN Foreign Ministers, when he spoke strongly of our desire to help to bring about a peaceful political change. What else can and should we do to bring about a change in that obnoxious regime? How can we stop arms sales, especially from China, which can be used only to subjugate the people within Burma? As my right hon. Friend the Secretary of State said, there are no external threats to Burma, so its massive army and those weapons can be used only to continue subjugation. Although my right hon. Friend has called on members of the Community, the permanent five and ASEAN to be careful not to supply arms, arms have been purchased from China.

Will my hon. Friend the Minister ensure that Burma's overall position is raised at the United Nations General Assembly this year? Active help should be sought from the United States, Australia and Canada, which all have larger Burmese communities living in exile than does this country. Will he consider the suggestion that we could move to a full United Nations aid and trade embargo on goods originating from Burma? I know that all the countries now provide no aid other than humanitarian aid. Could the credentials of the delegation to the United Nations, who have clearly resisted the democratic will of their people, be challenged?

Will my hon. Friend the Minister consider seeking to grant observer status to the National Coalition Government of the Union of Burma, some of whose members I have met in the House and who have risked terrible consequences by leaving Burma and trying to set up a government in exile. Will he also look at the Swedish draft resolution, which in the United Nations last year was not regarded as sufficiently supportable? I suspect that, because of the continued attitude of SLORC, it might be rather more supportable this year. Will my hon. Friend ensure that the position that I have described in so few words is highlighted?

Will my hon. Friend the Minister follow up the report on human rights that Professor Ogata presented to the Human Rights Commission in Geneva? Those of us who

[Mr. Jim Lester]

followed her journey to Burma realise that only one person had a minimalist treatment within that country, not being allowed to meet any leaders of the Opposition; I have already referred to Aung Sun Suu Kyi. None the less, her report was critical and I hope that, instead of only one delegate going to Burma, we could support at least three, representing different sections of the world community. That would insist on carrying out a full inspection to determine the state of human rights in that country.

Furthermore, will my hon. Friend the Minister shake ASEAN's belief that the problem is an internal affair of Burma, which has already isolated itself from the world community for the past 40 years, and that, therefore, it is a continuation of the same policy? When I discussed the question with the Secretary-General of the United Nations in New York, he shared the view that this was the sort of internal affair that should be regarded very much as an external affair because it offends the world's sense of order, and of humane and decent government.

Can we not express grave concern over the treatment of Burmese students in Thailand? The Minister of State assured me in a letter on 20 March that we were monitoring the overall situation. Since then, 41 asylum seekers, all of whom were of concern to the United Nations High Commissioner for Refugees have been arbitrarily deported to Burma, to heavens knows what. I gather that 21 of them have returned to Thailand as a result of what might have happened to them. They have now been arrested by the Thai authorities. We need to help to establish proper procedures and support for the students who are at risk and to ensure the implementation of United Nations rules.

The reason why I have raised the subject again is not only that many people in the House are concerned, but that there are even more outside who share the sense of frustration which I hope that I have injected into the debate. There are many people in exile in different parts of the world and there must be many more in Burma itself who reach out for those of us who can speak on their behalf and who have no opportunity, other than listening to the BBC world service, of finding out what is happening outside their closed world in which no press, no television and no radio are allowed to go.

The issue is important because of Britain's historical link with this beautiful country and the fact that the only period of genuine democracy that the Burmese people have had was the 14 years after the war of 1945 in which they established a democracy. I hope that my hon. Friend the Minister, when he listens to the speeches of my colleagues, will recognise that we share the concern and that we seek to press my hon. Friend and the Government to act on the five issues that I have described so we can bring this dreadful period in Burmese history to an end.

2.51 am

Mr. Andrew Mitchell (Gedling): I am grateful to my hon. Friend the Member for Broxtowe (Mr. Lester), a near Nottinghamshire neighbour, for allowing me to participate in what he and everyone in the House would agree is a most important debate. Despite the lateness of the hour, I very much hope that the plea from all of us tonight will not fall on deaf ears. Burma may be a long way away, but it is certainly a country about which we know a great deal.

My hon. Friend the Member for Broxtowe has referred to the historic links with this country. Some 38,000 British and Commonwealth war dead are buried in Burma. There were 74,000 dead and wounded during the second world war. My hon. Friend has referred to the democratic regime which we left in that country when we departed as the colonial power. Yet for the past 30 years, Burma has been subjected to a brutal dictatorship.

Burma used to be the largest exporter of rice in the world. Today, it is the sixth poorest country in the world. As my hon. Friend has said, it is a country with no external enemies —yet 40 per cent. of its national spending is on arms, which are used against its own people. In short, it is a nasty, corrupt, brutal and repressive dictatorship. The recent letter in *The Independent* from the cultural attaché at the Burmese embassy, explaining that one of the reasons for the delay in yielding democracy was the failure of candidates to file their election expenses, shows the level of argument to which we are subjected from the illegal regime in Burma.

In 1988, democracy nearly made a breakthrough. Under the eyes of the world, there was appalling repression. Some 10,000 people died, elections followed some time later and, as my hon. Friend said, 86 per cent. of the votes were won by the opposition. Since then, 25 Members of Parliament have been sentenced to long periods in prison, and in some cases sentences have been arbitrarily doubled. Opposition leaders are locked up without trial, between 3,000 and 10,000 people have had to flee the country, and the illegal regime has attacked the country's established religion—Buddhism. There may be some hope that the Buddhists in Burma can play a role similar to that played by the Catholic Church in Poland.

My hon. Friend the Member for Broxtowe said that Aung Sun Suu Kyi was a catalyst for change. That immensely brave lady is in an appalling plight in Burma and she remains under house arrest. I was delighted to see her nominated for the Nobel peace prize. She is still unable to see her two teenage sons, who have been stripped of their Burmese passports. She remains the legitimate and elected leader of Burma, and the way in which she has been treated and imprisoned is a disgrace.

There are several ways in which we can intensify the pressure on the regime in Burma. We must make sure that the eyes of the world are focused on what is happening in that country. I hope that we can continue the excellent work that the Minister has been doing in ensuring that representations are made through the European Community and the United Nations. I hope that the Minister will heed the words of my hon. Friend the Minister for Broxtowe about the importance of an arms embargo, and I welcome the work carried out on that by the Foreign and Commonwealth Office.

I hope that we can persuade America to put more pressure on China, which is the country with the most effective leverage on Burma. The BBC world service has many listeners in Burma, and I believe that the BBC receives more letters from Burma than from any other country. Perhaps the Minister will consider whether the BBC world service is broadcasting to Burma for a sufficient number of hours. I hope that he will find out whether more can be done to offer scholarships to Burmese students, especially those who have been forced to flee to Thailand, and that he will heed what my hon. Friend the Member for Broxtowe has said about

human rights. The Government can help by collecting data on human rights atrocities, and by doing so more actively than they have done in the past. We must let the regime know not only that evidence of its misdeeds is being collected, but that it is a pariah in the international community.

I hope that the Government will do everything possible to secure the early release of Aung Sun Suu Kyi. As I have said, she is the rightful and legitimate leader of Burma and before long events will show that she is the right person to lead that country. I hope that the Government will do everything to ensure that that happy event occurs as quickly as possible.

2.57 am

Mr. Peter Bottomley (Eltham): My hon. Friend the Member for Broxtowe (Mr. Lester) has rendered the House and Burma a service by initiating this debate, and he has been ably supported by my hon. Friend the Member for Gedling (Mr. Mitchell).

There are 40 million people in Burma—equivalent to the population of Spain or to the combined population of Canada and Australia. We are debating very many decent, cheerful people who for a long time have suffered under a regime that has made them poorer year by year. The glimpse of democracy has returned those people to conditions worse than those that prevailed four or five years ago when I was there.

I hope that the debate will lead to greater international co-operation and to a promise to the present rulers of Burma that their way is a cul-de-sac which brings no benefit to them and certainly leads to harm for their people. The sooner they realise the advantages of a flexible, democratic and economic system, the sooner Burma can return to the community of nations. I hope that Burma will put right the mistake of not joining the Commonwealth, which it made when it became independent.

2.58 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mark Lennox-Boyd): The House is grateful to my hon. Friends the Members for Broxtowe (Mr. Lester), for Gedling (Mr. Mitchell) and for Eltham (Mr. Bottomley) for drawing attention to what is undoubtedly one of the worst cases of human rights abuses in the contemporary world.

It is hard to overstate the sense of indignation and outrage which the situation in Burma evokes in Britain, in the European Community and, indeed, anywhere in the world where democracy and the rule of law are valued.

The facts can be simply stated. Three years ago, the Burmese people, in a series of demonstrations and popular protests, overwhelmingly showed their dissatisfaction with nearly three decades of misrule, entitled 'the Burmese way to socialism', under the dictator Ne Win. One point above all stood out from those turbulent events, which involved ordinary Burmese in all walks of life: the desire for change and for a new democratic start for their much abused country.

Alas, this was not to be. Employing brutal methods which were widely condemned outside the country, the Burmese army suppressed the demonstrations with military force and efficiency. As a result, we suspended all official bilateral European Community aid to Burma, a suspension which remains in force. The only glimmer of hope to come from the carnage was that the State Law and Order Restoration Council, or SLORC, the military junta which assumed control, promised to guide Burma towards free and fair elections and thus to democratic rule. British policy was at that stage to press for those elections and to judge SLORC on the extent to which that promise was kept.

Although in the run-up to the elections the opposition were harassed and their charismatic leader, of whom we have heard mention tonight, was placed under house arrest, as we have also heard, the result was an overwhelming vote for the National League for Democracy—a truly massive demonstration of the popular yearning for a new democratic course. The poll in May 1990 was generally regarded as free and fair, and was welcomed as such worldwide.

At the time of the elections, the Foreign Office drew up a four-stage plan for improving our relations with Burma, in the expectation that SLORC would fulfil its promise to return Burma to democracy, and that that would lead to a full normalisation of relations, including the restoration of aid. The first stage was to start when SLORC initiated a dialogue with the NLD, the minimum step that we expected it to take. Whatever our expectations, the reality turned out to be very different. Far from starting a dialogue with the winning party, in the year following the elections SLORC systematically set about destroying the opposition and cowing all other elements in Burmese society which represented any perceived threat to its continuation in office. This was done in the face of repeated calls by the international community for the outcome of the election to be honoured and respected.

For example, two months after the elections, the Foreign Secretary wrote personally to the chairman of SLORC, in friendly terms, regretting that relations between our two countries should be at such a low level and expressing the hope that the process of transferring power to those who had been democratically elected would begin soon. Those and other such appeals have been flatly and cynically ignored, with SLORC strengthening its grip on state power and showing not the slightest desire to stand by the election outcome. Recently, the Burmese embassy circulated a 65-page press release on the position in Burma which contrived to avoid any mention of the election result.

We believe that the completely unambiguous way in which the Burmese people opted for democratic change must be acknowledged and acted upon. After holding a free and fair poll and then ignoring the outcome, SLORC has cocked a snook at the democratic principle in the most direct possible way. That cannot and must not pass unchallenged. It is incumbent on all countries who value democracy to make it clear that such behaviour is not acceptable and that democracy is not to be trifled with in that cynical fashion.

As I have said, deep concern about the present situation in Burma is widespread. We and the European Community have repeatedly called for the restoration of democracy and human rights. We were closely associated with a demarche to SLORC by no fewer than 18 like-minded nations in September 1990. At the recent meeting of the European Community—ASEAN nations in Luxembourg, we called on Burma's regional neighbours to use their influence with SLORC to persuade it that its policies were leading in the wrong direction. We understood the delicacy of that request for the ASEAN countries, especially as they had never before in their

[Mr. Mark Lennox-Boyd]

official pronouncements referred to Burma in any way, and it might have seemed strange for them to do so for the first time in Europe. Nevertheless, they agreed to such a reference in their joint statement. The EC and ASEAN Ministers expressed the hope that the situation in Burma would evolve in such a way as to enable the country to take its place among the dynamic Asian economies.

That may sound a less than revolutionary aspiration. In the Burmese context, however, it effectively calls for the reversal of a policy of self-imposed isolation which Burma has pursued for the past 40 years and is clearly a major change. We hope that the ASEAN countries will now make this new position known to SLORC and that there will be an appropriate response.

Other sentiments in the EC-ASEAN joint statement are also relevant to Burma. For example, Ministers referred with approval to the growth of democratic practice, respect for human rights and increased political and economic participation for all people. These are the policies that Burma needs, and we hope that SLORC will heed the advice.

What else can we do? My hon. Friend the Member for Broxtowe posed several questions and I shall comment on some of them. Clearly we must continue our efforts to bring home to SLORC that its policies are leading Burma up a blind and dreadful alley. We support all diplomatic action that helps to bring home that message. For example, we would like to see action in the United Nations. The United Nations General Assembly's third committee resolution on Burma, which was put forward in 1990, will be discussed at this year's Assembly. We shall again support it, and hope that it attracts the widest possible international support, including, this year, from ASEAN. The United Nations Commission on Human Rights is also considering Burma for the second year running in its confidential 1503 procedure. We welcome this continuing action.

My hon. Friend the Member for Broxtowe mentioned arms. We are particularly concerned that SLORC should devote such a large proportion of Burma's meagre resources to the purchase of arms, despite the fact that Burma faces no external threat. We have taken the lead in seeking an EC embargo on all such sales, and we hope that it will be formalised shortly. As my hon. Friend said, the signs are that China is an arms supplier in Burma. We have publicly urged all countries to show restraint, and that was a major theme of the address to the EC and ASEAN ministerial meeting on 13 May by my right hon. Friend the Foreign Secretary.

My hon. Friends have mentioned their great concern, which is shared by us all, for Aung Sun Suu Kyi, who has been held without charge under house arrest since July 1989. The award of the European Parliament's Sakharov prize and her nomination for a Nobel peace prize reflect the international esteem in which she is held. Here is someone whose only crime was to seek democracy by peaceful means for the country which her father did so much to create after the second world war.

Question put and agreed to.

Adjourned accordingly at eight minutes past Three o'clock.

House of Commons

Tuesday 25 June 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

LLANELLI BOROUGH COUNCIL (DAFEN ESTUARY) BILL *[Lords]*
Queen's Consent, on behalf of the Crown, signified.
Read the Third time, and passed.

CATTEWATER RECLAMATION BILL

LONDON LOCAL AUTHORITIES BILL *[Lords]*
As amended, considered; to be read the Third time.

GREATER MANCHESTER (LIGHT RAPID TRANSIT SYSTEM) (NO. 4) BILL *[Lords]*
Read a Second time, and committed.

Oral Answers to Questions

EDUCATION AND SCIENCE

Teachers

1. **Mr. Bellingham:** To ask the Secretary of State for Education and Science what plans he has to raise the status and professionalism of teachers; and if he will make a statement.

The Secretary of State for Education and Science (Mr. Kenneth Clarke): The Government are committed to raising the status and professionalism of teachers. Our proposals to establish an independent review body for teachers' pay and conditions are intended to reinforce this. The end of collective bargaining and poor industrial relations in education will raise still further the esteem in which the teaching profession is held.

Mr. Bellingham: Does my right hon. and learned Friend agree that teachers need greater status and more public esteem? Is he aware that recently I met members of the National Union of Teachers from my constituency who told me that they had made various representations to him? Can he comment on those representations and on his reply?

Mr. Clarke: I have repeatedly confirmed that it is necessary to build up the public esteem and the self-esteem of the profession. I have had discussions with NUT representatives and heard their ideas. I have mainly discussed the pay review body with them and have sought to persuade them that its establishment will enable them to build up a career structure for their members and enable their members to be rewarded in the light of the advice of an independent body. It will also turn us away from the history of bad relations which has damaged the public reputation of the profession.

The other five trade unions are quite satisfied—as I believe, are the majority of NUT members. The introduction of the pay review body will be a valuable step forward for the profession.

Sir Rhodes Boyson: Does my right hon. and learned Friend agree that one way to raise the status and morale of teachers is to ensure that every curriculum committee set up by his Department has on it a majority of practising teachers, rather than advisers and organisers who live far away from the scene?

Mr. Clarke: It is important that there should be active and practising teachers on all these bodies and, most important of all, that the bodies pay particular attention to all the advice that they receive from practising teachers, but it is going a bit far to say that practising teachers must be in the majority. Apart from anything else, there is always a danger in thinking that all teachers agree on these matters. My right hon. Friend will know as well as I do that the more teachers one talks to, the more one realises that there is a wide range of opinion in the profession about the best methods of testing and assessing children.

Mr. Skinner: Is the Secretary of State aware that the status and professionalism of teachers would be increased if the Government got off their backs, stopped attacking their pay claims and stopped interfering, while allowing the heads of privatised industries to make money hand over fist? One of them had a pay increase of 66 per cent.——

Mr. Speaker: Order. The hon. Member is miles wide of the question.

Mr. Skinner: Let us have less of the double standards. If the Government can turn a blind eye to such pay increases for chairmen of privatised industries, they can get off the teachers' backs.

Mr. Clarke: I do not approve of the scale of some of the pay rises in the private sector, but neither am I responsible for them. We have implemented the advice of the independent advisory committee which gives all teachers a 9·5 per cent. increase this year and head teachers and deputy head teachers 12·75 per cent. this year. That is far greater than the usual pay increase for the vast majority of people or for those in the public sector. It is right that teachers should have that increase because of the work that they are putting in at the moment and because of the regard in which we hold them.

Speech Therapy

2. **Mr. Thurnham:** To ask the Secretary of State for Education and Science what steps he has taken to estimate how many statemented children require speech therapy; and if he will make a statement.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Michael Fallon): The identification of the special educational needs of children is the responsibility of local education authorities. Centrally held statistics on children's statements of special educational needs do not break them down by type of learning difficulty.

Mr. Thurnham: Does my hon. Friend accept the appeal court judgment in the Lancashire case that schools now have a duty to provide speech therapy and rather than its being left to the discretion of the local authority?

Mr. Fallon: Yes. I recently made it clear that if speech therapy is prescribed for educational reasons, local education authorities are under a duty to provide it; if health authorities which are asked to arrange it are unable to do so, the local education authorities must provide it.

Mr. Tom Clarke: Is the Minister not concerned about the report issued yesterday by Mencap, which said that arrangements for children with learning difficulties leave a lot to be desired, including those for speech therapy and the problems of young people when they leave special schools after the age of 19? Does the Minister have any proposals to deal with the views of Mencap and others?

Mr. Fallon: As the hon. Gentleman will know, local education authorities have a clear duty under the Education Act 1981 to ensure that the provision statemented for such children is made and that the necessary resources are provided. My Department is working with the Department of Health to secure better deployment of, among others, speech therapists.

Sir Bernard Braine: Surely my hon. Friend is aware that there is considerable concern in many constituencies—and certainly in mine—at the lack of information about the number of children who need to be statemented. Has he made any estimates of the number of speech therapists required to meet what many of us know to be a real need?

Mr. Fallon: My right hon. Friend is right. The number of speech therapists has nearly doubled, from 1,510 in 1979 to 2,810 in 1989, but we are working with the Department of Health to secure better deployment of speech therapists, to make greater use of assistant speech therapists, and to promote more even professional practice among local education authorities.

Pre-school Places

3. **Mr. Harry Barnes:** To ask the Secretary of State for Education and Science what plans he has to ensure that every three and four-year-old has the opportunity of a pre-school place.

The Minister of State, Department of Education and Science (Mr. Tim Eggar): It is for local authorities to determine the extent and form of their provision for these children.

Mr. Barnes: Why is it that the top 15 providers of nursery education for three to four-year-olds are all Labour authorities, which provide more than 70 per cent. of places, whereas of the 15 authorities providing the least nursery education for three to four-year-olds, one has no overall control and the other 14 are all Conservative controlled? How do the Government intend to ensure that Conservative local authorities live up to their obligations and make use of the available funds for nursery education?

Mr. Eggar: One of the reasons why Labour authorities have provided nursery education is that the Government have made available considerable funds for them to do just that. The hon. Gentleman should know that there are now 150,000 more three and four-year-olds in school than there were 10 years ago. This year alone, we have increased the amount that we make available to local authorities to spend on nursery education by £140 million. That is our record.

Mr. Dunn: Is my hon. Friend aware that the Labour party claims that universal nursery provision can be met by the abolition of the city technology college programme? Is he also aware that that would raise only £15 million, whereas the cost of universal nursery provision would be more than £1·5 billion? Is there not a strong case for giving the hon. Member for Blackburn (Mr. Straw) remedial maths tuition?

Mr. Eggar: There are many other good reasons for giving the hon. Member for Blackburn (Mr. Straw) remedial mathematics tuition. My hon. Friend is absolutely right. A month ago, I asked the hon. Member for Durham, North-West (Ms. Armstrong) whether she was prepared to state from the Labour Front Bench that the Labour party was committed to introducing universal nursery education and, if so, whether she would get the endorsement of the hon. Member for Derby, South (Mrs. Beckett). We have had nothing but silence from the hon. Lady on the issue. She owes the House and the country an explanation of what her spending plans are.

Ms. Armstrong: May we have a commitment from the Government about their determination, or otherwise, to offer young children the chance of a nursery place, which is seen as a right in many other European countries? Do the Government support nursery education?

Mr. Eggar: We have made our position clear. There are 150,000 more children in nursery education than there were when the Labour party was in power, and we have made an extra £140 million available for nursery education this year compared with last year. That is a record of which we are rightly proud.

Primary Testing

4. **Mr. Viggers:** To ask the Secretary of State for Education and Science if he will make a further statement on the testing of children at the age of seven years.

Mr. Eggar: The first national tests for seven-year-olds in English, mathematics and science are now complete and a full evaluation is under way.

Mr. Viggers: Can my hon. Friend confirm that the tests are meant not to be competitive between pupils but on the contrary, to provide a most useful appraisal of their skills in reading, writing, arithmetic and basic science so that their future education can be planned in each case?

Mr. Eggar: I can certainly confirm that. The tests are diagnostic and are intended to identify the strengths and weaknesses of seven-year-old pupils so that teachers, pupils and parents can work together to remedy weaknesses and further to strengthen the strengths.

Mr. Fatchett: Is it not clear from this year's tests that the assessment system told teachers little new about the children in their charge, involved a great deal of teacher and student time, diverted attention from other children in the same class, and cost the taxpayer a great deal of money for Government experimentation? Against that background, would it not have been sensible for the Minister,

to avoid the embarrassment and criticism that he faced at the headteachers' conference, to take the advice given to him by his right hon. Friend the Member for Brent, North (Sir R. Boyson) and to listen, for once, to the advice coming from teachers and to use the expertise of individual teachers, rather than simply going ahead with a scheme based on the Government's own misplaced and outdated ideology?

Mr. Eggar: I was under the possible misapprehension that the Labour party was committed to raising standards in education and to external testing of children at age seven, 11, 14 and 16. If Labour Members have changed their tune, they had better say so publicly.

Mr. David Shaw: Does my hon. Friend agree that one of the main purposes of the tests is to test the effectiveness and quality of the education provided by local authorities, by the teachers, and by the governing bodies which run our schools, whereas under the last Labour Government there was no effective monitoring of the quality of education in schools?

Mr. Eggar: My hon. Friend is absolutely right. The national curriculum makes it clear what we want children to be taught. Assessment and testing, which are integral to the national curriculum, are the only way available in which to assess whether pupils have learnt what has been taught.

Student Loans

5. **Mr. Canavan:** To ask the Secretary of State for Education and Science how many representations he has received this year about the student loan scheme.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Alan Howarth): I have received very few letters about loans this year. The scheme has been successfully set up and is running smoothly. More than 180,000 students have so far applied for loans.

Mr. Canavan: Is the Minister aware that many students find it difficult to continue their studies due to poverty resulting from the introduction of the student loan scheme and the first ever freezing of student grants from this autumn, together with the Government's decision to stop students receiving housing benefit and their disqualification from receiving income support and hardship allowance during the summer vacation? Bearing in mind that the unit administration costs of the loan scheme are more than double the Government's original estimate, is it not about time the Government realised the error of their ways, scrapped the disastrous loan scheme and replaced it with a far fairer system of student grants?

Mr. Howarth: The hon. Gentleman overlooks the fact that the combined uprated grant and the new loan will increase student support by 25 per cent. this year. If students were facing the kind of hardship that the hon. Gentleman suggests, it would be very odd if student numbers continued to expand as quickly as they are expanding now. Applications through the Universities Central Council on Admissions and the Polytechnics central admissions system are up 8 per cent. this year. The loan to which each student is entitled, which this year is £420 outside London, is appreciably more than the average benefit claimed, which we estimate at £327. With regard to the costs of running the system, it is absurd to suggest that the initial establishment costs, which are an investment for the whole life of the scheme, should be a measure of the costs per account of each individual student loan. Obviously, as the number of students taking out loans steadily increases, as is happening now, the unit cost per account will steadily decline.

Mr. Pawsey: Can my hon. Friend confirm that in 1979 one in eight of our young people were in advanced education while today's figure is one in five? Can he also confirm that more than 1 million of our young people are in advanced education and that enrolments increased last year by 10 per cent? Does he agree that those figures vindicate the Government's position with respect to advanced education?

Mr. Howarth: My hon. Friend is right. He draws attention to an expansion of personal opportunity and a change in our society of the first order of importance, comparable in importance with the expansion of home ownership over which the Government are presiding.

Mr. Andrew Smith: Will the Minister confirm that among the representations that he has received were representations from the Committee of Vice-Chancellors and Principals drawing his attention to the fact that, on the basis of an extensive survey, the unit cost to institutions of issuing the certificates under the student loans scheme is running at £7 per certificate, compared with the £3·50 that the institutions are reimbursed by the Student Loans Company? Will the Minister instruct the company to reimburse the institutions fairly for the administration costs, especially as the banks were to be paid a £12·50 handling charge before they pulled out of the scheme? Or is higher education to be short changed yet again, as it has been so disgracefully by the Government's refusal to compensate institutions for the increase in value added tax?

Mr. Howarth: The hon. Gentleman is perfectly right. Representations have been made to us that the reimbursement of administrative costs provided by the Student Loans Company might be increased. We are, of course, considering those representations. There has been a wide diversity of administrative practice across the range of higher education institutions and a wide diversity of costs. We shall look to reimburse institutions on the basis of the most efficient practice.

Mr. Amos: Does my hon. Friend agree that as the student loans scheme has enabled more students to enter higher education this year, and as students do not have to repay the loan until the year after they have graduated and at a zero real rate of interest, that is a very good deal for students and can in no way be construed as depriving them of the opportunity to enter higher education?

Mr. Howarth: My hon. Friend very fairly points out that the student loans scheme is a humane and practical scheme which offers students additional support well above the previous level of support and at a zero real rate of interest. Students only have to repay in real terms the money that they borrowed in the first place. That contrasts interestingly with the terms offered by the banks. It has been rather gratifying that the banks have responded to the stimulus of the competition provided by the Student Loans Company by offering relatively advantageous

borrowing terms to students while they are studying. However, the repayment terms compare very unfavourably with the repayment terms under our scheme.

Schools (Repair and Maintenance)

6. **Mr. Ronnie Campbell:** To ask the Secretary of State for Education and Science what plans he has to deal with the backlog of repair and maintenance in schools; and if he will make a statement.

Mr. Fallon: Support for recurrent spending on education, including repairs and maintenance, totals £17·5 billion this year, an increase of 16 per cent. over the comparable total for last year. Annual capital guidelines for schools total £472 million, an increase of 15 per cent. on last year. It is for individual local education authorities and school governors to determine their expenditure priorities within their total resources.

Mr. Campbell: Is the Minister aware that the Northumberland education authority has accrued a repair bill of £10 billion during the lifetime of this Government? *[Interruption.]* I am sorry—£10 million. Is the Minister further aware that school teachers in the county of Northumberland have been given plastic buckets to catch rain coming in through school roofs?

Mr. Fallon: I am aware of the problems of Northumberland education authority, including its difficulties with timber-framed structures. That is why we have increased Northumberland's capital guideline from £1·9 million last year to £3·5 million this year.

Mr. Dover: Is the Minister aware that the best plan that he ever had to clear the backlog of repairs was to have local management of schools and to enable schools to look forward to the opting-out system? It is only when schools have control of their own funds that they can do the repairs that they badly need to have done.

Mr. Fallon: My hon. Friend is quite right. Giving schools their own budgets is the fastest way of ensuring that money allocated for schools is actually spent on schools. My hon. Friend may be interested to know that the average amount being held back per pupil this year is £230. That is the local education authority tax on every pupil, which is being spent on so-called central services when it could be spent in the classroom.

Mr. Matthew Taylor: The Minister knows that in allocating funds to local authorities for school building programmes there are real problems in areas such as my own, with aging Victorian schools, particularly primary schools, without school halls and without inside toilets. Year after year, those schools have not been getting funds because they are third in the order of priorities and therefore the problem has never been tackled. Again, last year, we had £6 million to spend and £100 million problem growing, so there was another year of decline. Will the Minister tackle that problem? When will he conclude his review of the minimum standards for school building, or is he planning to cut them and wait until after the general election to admit it?

Mr. Fallon: I understand the problems of local education authorities in areas such as that which the hon. Gentleman represents. That is why we have ensured an overall increase of 15 per cent. in schools' capital and a specific 50 per cent. increase in the capital category specially allocated for improvement and replacement work, which this year has gone up by 50 per cent. to £109 million.

Mr. Devlin: I agree with my hon. Friend the Member for Chorley (Mr. Dover) that local management of schools is the best way to deal with the backlog of repairs. Is my hon. Friend the Minister aware that in Cleveland, the LEA has let three-year contracts to the direct labour organisation for all school maintenance and repairs? That has been done on a cost-neutral basis to frustrate the Government's policy of delegating budgets to schools. What does the Minister intend to do about that?

Mr. Fallon: I can assure my hon. Friend that we are going to do something about that. The contracts were entered into before local management of schools began. As soon as each of those contracts expires, the amount concerned must be delegated down to the head and the governors, who we believe are able to arrange maintenance and repairs much more cost effectively than can be achieved by the local education authority through its direct labour organisation.

Mr. Straw: In a recent magazine interview, the Secretary of State said:

"I don't believe the figure of a £3 to £4 billion backlog of repairs",

and described that figure as "campaigning nonsense". As that figure was based on his own Department's survey of school buildings, will the Minister say what the correct figure is, or does he not know?

Mr. Fallon: In the four years since that survey was carried out, £2 billion has already been spent in clearing the backlog. The amount spent on repairs and maintenance per pupil has risen from £28 in 1979 to £64 in 1989—a real terms increase of about 20 per cent.

Literacy and Numeracy

7. **Mr. Speller:** To ask the Secretary of State for Education and Science what is his estimate of literacy and numeracy levels at 16 years of age *(a)* nationally and *(b)* in the south-west; and what were the comparable rates 30, 20 and 10 years ago.

Mr. Eggar: Information is not available in the form or over the period requested. However, GCSE results in English and mathematics indicate a welcome improvement in pupil performance since the examination was introduced in 1988.

Mr. Speller: Does my hon. Friend agree that it is disappointing that we do not have the figures to work on? What is he doing to improve standards of literacy and numeracy, which are perceived by the general public to be lower rather than higher as the years go by?

Mr. Eggar: I understand my hon. Friend's point, which is why we introduced the national curriculum and insist on rigorous external tests for those aged seven, 11, 14 and 16. That is why my right hon. and learned Friend the Secretary of State announced that he was looking into how the teaching of reading is taught to teachers on training courses. That, and a number of other measures are

designed to improve standards of numeracy and literacy, and the way reading, writing and arithmetic are taught in schools.

Mr. Andrew Mitchell: Does my hon. Friend accept that, although the statistics are not readily available at present, his recent decision to oblige schools to publish, in common form, their public examination results will produce that information, which will be widely welcomed by parents, many teachers and many schools?

Mr. Eggar: I entirely agree with my hon. Friend and congratulate him on his ten-minute Bill, which added a spur to our efforts to ensure that the measures I announced a few days ago would be introduced.

Primary Schools, Staffordshire

9. **Mr. Knox:** To ask the Secretary of State for Education and Science how much was spent per pupil at primary schools in Staffordshire in the most recent year for which figures are available; and what was the comparable figure in 1978-79, at constant prices.

Mr. Fallon: Staffordshire spent £1,050 per nursery and primary pupil in 1988-89, the latest year for which information is available. On the same price basis, Staffordshire spent £815 per nursery and primary pupil in 1978-79. Therefore, Staffordshire's spending per nursery and primary pupil in 1988-89 was some 29 per cent. higher in real terms than in 1978-79.

Mr. Knox: Does my hon. Friend agree that those figures refute absolutely Opposition charges of underfunding primary school education in Staffordshire since the Government came to office?

Mr. Fallon: Yes, absolutely. The Staffordshire figures clearly demonstrate the Government's continuing commitment to funding the education service and the substantial increases that have taken place over a 10-year period.

Mr. Campbell-Savours: On the question of primary school funding in Staffordshire, if it is the Government's policy to cut taxes, how much will have to be cut from the Department of Education and Science budget? Perhaps the Minister can relate those cuts to his proposed expenditure in Staffordshire in future.

Mr. Fallon: The hon. Gentleman might not have noticed that, at the same time as increasing education spending, we have reduced the direct rate of taxation. That is in direct contrast to the Labour party policy which would tax teachers more heavily than they are taxed at present.

Reading Standards

10. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Education and Science when he will be responding to the Education, Science and Arts Committee's third report of Session 1990-91 on standards of reading in primary schools.

Mr. Kenneth Clarke: Soon, Sir.

Mr. Bennett: I am sure that the Secretary of State would agree that if we want children to learn to read quickly and efficiently, one of the key components is for teachers to listen to their pupils while they read. Has the Minister considered the problem of organising lessons so that teachers can listen to 30 pupils reading in class, one after the other? Does he accept that many teachers have found it extremely difficult to fulfil that commitment during the past six or seven weeks while also carrying out the testing of seven-year-olds?

Mr. Clarke: I entirely accept that it is important that teachers listen to individual pupils reading. That is a key part of the tests for seven-year-olds that have just been carried out. I agree that we have had representations from teachers about the difficulties of managing that exercise and many schools have had to employ supply teachers while that is being done. We shall take all representations carefully into account when deciding on the form of next year's tests for seven-year-old but we cannot give up arrangements whereby each pupil reads to his or her teacher if we are to ensure that reading standards are of the required level in primary schools.

Dame Elaine Kellett-Bowman: Does my right hon. and learned Friend agree that primary school children's reading is greatly facilitated if they have an opportunity to attend a nursery school? Does he recall the hon. Member for Derby, South (Mrs. Beckett), when junior Education Minister, saying that nursery education was not a high priority and that the Labour Government would not increase funding to it?

Mr. Clarke: For many years, successive Governments have not been able to insist on the provision of universal nursery education because the cost is very high. However, I draw my hon. Friend's attention to the experience in Wandsworth, where the local education authority is funded on the same basis as other inner London boroughs but is able to provide nursery education for all three and four-year-olds who want it because of the sensible way in which it has organised the finances of the remainder of its education provision.

Grammar, Spelling and Punctuation

12. **Mr. Gerald Howarth:** To ask the Secretary of State for Education and Science what steps he is taking to ensure that school children have a proper understanding of grammar, spelling and punctuation; and if he will make a statement.

Mr. Kenneth Clarke: We are progressively implementing the national curriculum requirements for English. Spelling will be taken into account in the marking of GCSE examinations in 1991 in the usual way. I am awaiting advice from the School Examinations and Assessment Council about what additional steps can be taken in public examinations in 1992 and in subsequent years. In my opinion, the teaching of grammar and the correction of spelling and grammatical errors will resume their proper place in the classroom if they are known to be relevant to the marking of public examinations.

Mr. Howarth: My right hon. and learned Friend's remarks are welcome. Is he aware that a survey conducted in Birmingham by City 2000 found that there was widespread concern among employers in the city at the poor basic quality of skills in grammar, spelling and punctuation, particularly among support staff? Does he agree that, with the apostrophe being subjected to the most intolerable abuse and split infinitives everywhere, the

biggest favour that we can do young people today is to give them a thorough knowledge of the form and structure of the wonderful English language?

Mr. Clarke: My hon. Friend's description of the experience of employers and others in the west midlands is borne out by the experience of many other people, who feel that standards of spelling and grammatical use of English in this country have been deteriorating in recent years. It is important that we restore those standards and express parts of the English national curriculum will enable us to do just that.

Mrs. Margaret Ewing: Does the Secretary of State accept from someone who has trained as a learning support teacher that, where children are diagnosed through the correct administration of diagnostic testing, the urgent need throughout the education system is to ensure that resourcing is made available and that every primary school has access to a learning support teacher to enable children to cope with the difficulties that they experience?

Mr. Clarke: I am grateful for the hon. Lady's support of what she calls diagnostic testing and the need, after such testing, to help particular children, which is the basis of our current policy. It is also important that all schools are properly resourced, but all the evidence, including that from Her Majesty's inspectorate, shows that there is no direct correlation between the resourcing of a school and standards of performance in reading, spelling, grammar, and so on. Well-organised classes are required and they are achieved in well-resourced as well as less well-resourced schools. Organisation is the key to the whole subject.

Mr. Allason: Does my right hon. and learned Friend agree that, although grammar, spelling and punctuation are extraordinarily important, they are also sometimes indicative of learning difficulties in a particular area? Does he accept that Devon, although not apparently an area of difficulty, has special problems and that some parts of Devon might be classified as areas of social deprivation? Will he bear that in mind when he considers the grant for next year?

Mr. Clarke: In distributing grant to local education authorities we must take a variety of matters into account, including social deprivation. I have no doubt that we shall continue to do so when we make allocations to Devon and other counties this year. Again, success or otherwise in teaching children to read does not seem to be closely related to the children's social deprivation. There are some extremely successful schools in deprived areas and less successful schools in affluent areas. That is why it is so important to get the method of teaching, the curriculum and the testing system right, which is what the Government are doing.

Mr. Hain: Does the Secretary of State accept that his words amount to no more than hot air? The reality is of attacks on teachers, attacks on school budgets as local management of schools bites, attacks on standards and the undermining of education standards. When he leaves office he will leave a legacy that amounts to nothing more than criminal neglect.

Mr. Clarke: That rather curious outburst seems to have nothing to do with the question. I trust that the hon. Gentleman was at least capable of spelling it properly when he committed it to paper. We have spent this question session describing the increased resources in schools and their increased achievements. I refer the hon. Gentleman to the spectacular improvement in the number of people going onto further and higher education. Only one in eight people could go on to higher education when we came into office, one in five now do, one in four will shortly and one in three will go on to higher education by the end of the century. That is all solidly based on real improvement in education standards in this country, forwarded by our education reforms.

Grant-maintained Schools

13. **Mr. Butler:** To ask the Secretary of State for Education and Science whether he proposes to take any action to accelerate the trend towards grant-maintained schools.

Mr. Kenneth Clarke: The number of schools seeking and acquiring grant-maintained status is already increasing very rapidly. In the past sixth months alone, the number of schools voting in favour of seeking grant-maintained status has more than doubled. We shall continue to urge schools to consider the opportunities afforded by grant-maintained status.

Mr. Butler: Is it not the case that the new GM schools have proved popular with parents, teachers and pupils? Can my right hon. Friend say whether standards have risen in such schools?

Mr. Clarke: So far in the 88 GM schools that we have, my hon. Friend's assertion can be supported. As far as I can tell, all those running grant-maintained schools have found that the experience is popular with staff, parents and pupils. Obviously, in time we will be able to tell—from reports by Her Majesty's inspectorate and elsewhere—what effect they have on standards. However, it must be beneficial to raise staff morale in that way and to give complete control over policy in the school to headteachers and governors who are bound to be responsive to parents in the way that they carry out their duties.

Mr. Straw: Since only 14 per cent. of schools in the pipeline for opting out are in Labour-controlled education authority areas, while 66 per cent. are in Conservative-controlled areas, does not the evidence clearly show that parents in Labour-controlled LEAs have great confidence in the ability of their LEAs to run their education service? How can the Secretary of State come out with such nonsense about the number of grant-maintained schools growing rapidly, as he has just done, when the total number opting out or in the pipeline—236—is less than 1 per cent. of the country's 24,000 maintained schools?

Mr. Clarke: It is foolish for the hon. Gentleman to reduce every aspect of managing schools to a party-political argument about Labour and Conservative-controlled authorities. However, it is relevant that in the areas served by Labour-controlled authorities the most intense pressures are put on headteachers, governors and staff not to opt for grant-maintained status. That is because the Labour party is especially wedded to the defence of town hall bureaucracy in that as in many other areas. As regards the figures, the hon. Gentleman keeps making extraordinary claims that somehow the process is slowing up, when it is accelerating at a remarkable rate, as

he knows; 12 months ago there were only seven ballots pending and now there are more than 50. All the time that I have been in office, the rate at which grant-maintained applications are being received has steadily accelerated. When we return to office and people no longer fear pressure from Labour authorities, those applications will become a flood.

Primary School Testing

14. **Sir Anthony Durant:** To ask the Secretary of State for Education and Science if he will make a statement on the progress of testing for seven year-old primary school children.

Mr. Eggar: I refer my hon. Friend to the reply that I gave earlier today to my hon. Friend the Member for Gosport (Mr. Viggers).

Sir Anthony Durant: On the principle of testing, given that some teachers have expressed the view that the tests are complicated and occupy a great deal of classroom time, will my hon. Friend review that when he is looking at the future of testing seven-year-olds?

Mr. Eggar: I very much agree with my hon. Friend about the need for testing. Like the tests for 11, 14 and 16-year-olds, the tests for seven-year-olds must be simple, rigorous and objective. It is very much with that in mind that we are currently evaluating all the evidence that we have received from individual schools and teachers. Four conferences are taking place around the country and we are gathering evidence through the School Examinations and Assessment Council, the National Foundation for Educational Research, and Her Majesty's inspectorate. When we have put all that together, we shall be able to conduct a proper analysis of this year's national pilot scheme and to introduce our proposals for the testing of seven-year-olds next year.

Mr. Rees: If such testing reveals bad results from a particular child, is the Minister satisfied that schools have the necessary processes for finding out why, for example, because of dyslexia? Whose job is it to ensure that local authorities provide proper classes and special teachers for dyslexic children because, whether under Labour or Conservative authorities, the facilities in this country are not good enough?

Mr. Eggar: I share the right hon. Gentleman's concern about dyslexia. For years the education establishment has refused to accept dyslexia as a problem. Recognition of it is long overdue. My hon. Friend the Member for Darlington (Mr. Fallon) has made clear our commitment to try to help dyslexic children.

PRIME MINISTER

Engagements

Q1. **Mr. Ron Davies:** To ask the Prime Minister if he will list his official engagements for Tuesday 25 June.

The Prime Minister (Mr. John Major): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

Mr. Davies: Now that it is clear that the privatisation of the gas, electricity and water industries has led to bigger salaries for the bosses and bigger bills for the consumers, with no improvement in the level of service, how can the Prime Minister continue to argue that the privatisation of those industries has been in the public interest?

The Prime Minister: I am afraid that much of what the hon. Gentleman says is incorrect. It is precisely because Whitehall has stopped interfering in the privatised companies that electricity prices have fallen in recent years, that gas prices have fallen and that British Telecom's prices have fallen.

Mr. Onslow: Will my right hon. Friend assure the House that British troops will not leave Iraq until suitable assurances have been given to the Kurdish population?

The Prime Minister: Yes, I am happy to give my right hon. Friend that assurance. We have now met most of the humanitarian needs of the Kurds in Iraq. The United Nations has taken responsibility for the humanitarian relief operation in northern Iraq. It was never our intention to keep a permanent troop presence on the ground there, but before we or the other allies withdraw, we will need to have several things in place: first, an effective United Nations force on the ground; secondly, clear warnings to Iraq that any renewed repression will meet the severest response; thirdly, a continuing deterrent military presence in the region to back up those warnings and fourthly, the maintenance of sanctions against Iraq. Without that, we will not leave.

Mr. Hattersley: In the light of the Government's constant call for restraint, will the Prime Minister join me in condemning the salary increase of 58 per cent. that has been awarded to the chief executive of National Power?

The Prime Minister: Yes, Sir—*[Interruption.]*

Mr. Speaker: Order.

Mr. Hattersley: I am delighted by that not unexpected news—*[Interruption.]*

Mr. Speaker: Order. This is taking up a lot of time.

Mr. Hattersley: As the Prime Minister is against the increase, is not he now required to explain why the Government did not use their 40 per cent. shareholding to prevent it, and what action he will take before the annual general meeting?

The Prime Minister: Certainly. I am happy to remind the right hon. Gentleman that it was made clear in the prospectus that the Government had no intention of using their shareholding to intervene in financial decisions. As the right hon. Gentleman knows, we did that for good reasons.

Mr. Hattersley: In this as in so many other matters, the Prime Minister says one thing but is not prepared to act to back up his platitudes. If he had given me an honest answer to my original question, he would be prepared to take some action now. If he is not prepared to take the action which is within his power, no one will believe that his condemnation was anything other than feeble public relations.

The Prime Minister: If people want to hear something that is feeble, they should listen to what the right hon.

Gentleman has just said. I made it perfectly clear when I was Chief Secretary some years ago that I do not believe that excessive salary increases are right. That still remains my view. We explained perfectly clearly when we privatised those companies that it was in the interests of the users of them. It is for that reason that electricity prices have fallen over the past seven years in real terms, that privatised gas prices have fallen by 11 per cent., that British Telecom's prices have fallen by 20 per cent. and that 95 per cent. of British Telecom's call boxes now work. None of that happened when it was in public ownership.

Sir William Shelton: Will my right hon. Friend tell the House what he thinks would happen to the British economy if the basic rate of income tax were increased to 40p in the pound?

The Prime Minister: It would undoubtedly do very great damage to the economy. It would cut incentives, it would recreate the brain drain and recreate all the economic difficulties that we had during the 1970s when the Labour party pursued policies of precisely that kind.

Mr. Ashdown: As the Prime Minister seems prepared to isolate Britain in Europe over the word federalism, perhaps he will tell us what he thinks federalism means.

The Prime Minister: It would be interesting if the Europeans would tell us what they mean by federalism. In a treaty text we need to have language the meaning of which is clear. Federalism in the European Community means different things to different people. If it implies a central Government for the federation, that is not what people in this country want. If it means decentralisation, it sounds like subsidiarity, which many people in this country would find more acceptable. But in no way could we permit that word to appear in the treaty until or unless it is clear what it means and that it does not mean the centralisation of power.

Sir Charles Morrison: Can my right hon. Friend confirm that the Government have no intention of introducing a statutory minimum wage? Will he also say what effect a statutory minimum wage would have?

The Prime Minister: I can certainly give my hon. Friend that assurance. There is no doubt that as many trade union leaders have testified, a statutory minimum wage would dramatically increase unemployment in this country, as it has done in some other European countries.

Q2. **Sir Patrick Duffy:** To ask the Prime Minister if he will list his official engagements for Tuesday 25 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Sir P. Duffy: Does the Prime Minister accept that if the hope, now I am happy to say, widely entertained, of a new way forward between Ireland and England is to be realised —*[Interruption.]*—from the present talks over Northern Ireland, the best qualities that can be brought to those talks are first, the resolve that the right hon. Gentleman and Mr. Haughey expressed following their meeting last Friday night and secondly, the staying power displayed throughout by the Prime Minister's right hon. Friend the Secretary of State for Northern Ireland?

The Prime Minister: I am grateful to the hon. Gentleman for his remarks. I entirely agree with his analysis. I should like to pay a tribute to my right hon. Friend the Secretary of State for Northern Ireland, whose patience and skill ensured that the talks could begin. We all hope that they will be successful and that they will reach a conclusion that will enable a substantial transfer of power and responsibility to locally elected representatives. It would be a remarkable move forward for Northern Ireland if that were achievable. I hope and believe that it may be done.

Dr. Blackburn: Can my right hon. Friend confirm to the nation today the philosophy that this Government will offer to the people only that which they can afford and will not indulge in wild, exaggerated, uncosted promises?

The Prime Minister: I can certainly give my hon. Friend that assurance. I can also give him the assurance that if anyone else offers an uncosted agenda we shall cost it for them.

Mr. Rooker: When the Prime Minister goes for his audience later today will he take the opportunity to have a word with the colonel of the Grenadier Guards who also lives at the same address? In a letter to my constituent, Mr. Fred Crowton, he expressed his support for Sean Povey and his two colleagues getting fair and decent compensation from the Ministry of Defence. Given that the Palace now supports that justified case, why are we waiting for a decision?

The Prime Minister: The hon. Gentleman heard what I had to say about that last Thursday and I have nothing to add.

Q3. **Mrs. Maureen Hicks:** To ask the Prime Minister if he will list his official engagements for Tuesday 25 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mrs. Hicks: Can my right hon. Friend give a guarantee to the House today that his Government will continue to support and fund the Black Country urban development corporation, which has transformed areas of derelict land, created thousands of jobs and already attracted £195 million in private investment? Does he agree that, given the success of the 10 urban development corporations, it would be sheer folly to hand over their powers, as Labour suggests, to local councils? The Labour party suggests that they should be handed over to councils such as Birmingham and Liverpool which have a dreadful reputation and have done so much in the past to damage and hamper economic generation.

The Prime Minister: My hon. Friend makes her point with great force and vigour. I agree with what she said about the possible transfer of the powers of the UDCs to local Labour authorities. The Black Country urban development corporation has had a remarkable record in recent years and I hope and believe that it will continue to do so.

Q4. **Mr. Janner:** To ask the Prime Minister if he will list his official engagements for Tuesday 25 June.

The Prime Minister: I refer the hon. and learned Gentleman to the reply that I gave some moments ago.

Mr. Janner: For hundreds of thousands of British businesses the word recession has already acquired only one meaning—disaster. What does that word mean to the Prime Minister?

The Prime Minister: The hon. and learned Gentleman is aware of what the Confederation of British Industry, the Organisation for Economic Co-operation and Development—the OECD—and the Government's own forecasts have had to say about the future. All of us expect the economy to turn up in the second half of this year.

Mr. Conway: Does my right hon. Friend accept from one who was loath to support the Single European Act that his conduct during the European negotiations has been superb? As First Lord of the Treasury will he ensure that those who talk to the British people about the dream of a European super-state also understand fully the economic and taxation costs of that dream should it ever become a reality?

The Prime Minister: I entirely agree with my hon. Friend's remarks about an economic super-state in Europe. That is not what the majority of members in the Community wish to see and it is not what we wish to see. It will not be the outcome of the negotiations.

Q5. **Mr. Nellist:** To ask the Prime Minister if he will list his official engagements for Tuesday 25 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Nellist: Is the Prime Minister aware that 55-year-old Ernest Saunders, the former Guinness chairman, becomes eligible for parole this Friday, having served 10 months of a 30-month sentence in an open prison for the conviction of theft of more than £8 million? However, 71-year-old asthmatic Norman Laws is halfway through a 60-day sentence in the maximum security Durham gaol for non-payment of less than £300 poll tax. Does the Prime Minister think that there is one law for the rich and another for the poor?

The Prime Minister: I do know that the position of many people over the community charge may have been made far worse by the leadership that the hon. Gentleman gave in not paying the community charge. I know also that no one who sits in this House pretending to make the law has any right to break the law.

Mrs. Peacock: Is my right hon. Friend aware that he has the great support of many people in this country in his discussions in Europe? Is he also aware that people are confident that in his future discussions he will not sell them or future generations down the river?

The Prime Minister: I am grateful to my hon. Friend for what she said and I assure her that that will be the case.

Q6. **Mr. Andrew F. Bennett:** To ask the Prime Minister if he will list his official engagements for Tuesday 25 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Bennett: I am sure that the Prime Minister will be trying hard not to think about retirement, but is he aware that this country's laws on retirement are in a complete mess, and that we are in danger of losing cases before the European Court on the ground that we discriminate against both men and women through our different retirement ages? There are many men who would like to be able to retire at 60 and many women who would like to go on working after the age of 60. When will we sort out the problem and have a flexible retirement age—one that suits people?

The Prime Minister: That is a problem of some importance, as the hon. Gentleman says. He will know that for some years we have considered the principle of flexible retirement for both men and women. As he rightly added, I have no intention whatever of retiring for many years.

Mr. Gale: Will my right hon. Friend find time today to consider the positive attitude taken by the Minister for Corporate Affairs towards the establishment of a digital European television standard? Will he contrast that attitude with the efforts of the European Commission to throw European taxpayers' money down the drain chasing antiquated technology? Is not the latter activity typical of much antiquated European thinking and is it not right that this country should once again be taking a lead, as in so many other European matters?

The Prime Minister: I fear that my hon. Friend is right about the attitude taken in the Community, but he is also right to praise the activities of my hon. Friend the Minister of State.

Statutory Instruments, &c.

Mr. Speaker: With the leave of the House, I will put together the two motions on statutory instruments.

Ordered,

That the draft Access to Personal Files (Social Services) (Amendment) Regulations 1991 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Access to Personal Files and Medical Reports (Northern Ireland) Order 1991 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Wood.]*

Points of Order

3.31 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker. To find any kind of precedent—even an inexact one—for what occurred last night we must go back to 11 December 1974, and the colourful days of Bob Mellish. You, Mr. Speaker, were an Opposition Whip then, so you will remember those days well.

This is a matter for the Chair, and I assure you, Mr. Speaker, that I intend no criticism of Mr. Deputy Speaker's decision to allow the closure of the business at half-past two in the morning. The point of order for you is this: do you, as Speaker of the House of Commons, have any right of objection on behalf of the House to refuse amendments that have been devised in the other place, as in this case on the Natural Heritage (Scotland) Bill, which might not have been accepted by the Table Office of the House of Commons because they alter the basic structure of the Bill, so that we have gone through Second Reading and the Committee stage of that Bill on the basis of a false prospectus? The House gave a Second Reading to a Bill very different from that amended by the House of Lords, which was before us last night.

Will you, Mr. Speaker, reflect for 24 hours on the issues involved, and, having done so, make a statement to the House tomorrow?

Mr. Speaker: I do not think that I need do that. Although I was not present at 2.30 this morning, I have had the opportunity to discuss the matter with Mr. Deputy Speaker, who was in the Chair, so I am well aware what went on. The only reason I can rule out of order Lords amendments coming back to the House is if they have financial implications for the House of Commons which have not previously been provided for. Indeed, I shall be doing that later today.

Mr. Tim Devlin (Stockton, South): On a point of order, Mr. Speaker. During the next 24 hours, while you are reflecting on that matter, perhaps you would also reflect on what your position will be if, at the beginning of tomorrow's debate on the European Community, a very large number of Members on both sides of the House rise to speak—and I fully expect that to be the case, given the discussions that I have had with my colleagues of late. Would it be within your power, Mr. Speaker, to mention to the authorities of the House and the usual channels that the debate is fundamental to the future of the House and to the conduct of the intergovernmental conferences, with a view, perhaps, to extending the debate over two days so that all those hon. Members who wish to speak—there may be 650 of them, for all I know—may have an opportunity to do so?

Mr. Speaker: That is not a matter for me. If the hon. Gentleman spoke to his Chief Whip, he would probably get a better answer than I can give him. I am bound to say, however, that although I have not seen the full list of those who wish to participate in tomorrow's debate, I have seen a preliminary list and there are a great many names on it. It would certainly help the House greatly if we had more time.

Mr. Harry Ewing (Falkirk, East): On a point of order, Mr. Speaker. I apologise, but I want to refer to the point of order raised by my hon. Friend the Member for Linlithgow (Mr. Dalyell). I am not quite sure what it is that you will be doing later today. You said that you would be ruling amendments out of order. There can be no doubt, Mr. Speaker, that the amendments accepted last night took the provisions of the Natural Heritage Bill (Scotland) outside the terms of the money resolution. There can be no ifs or buts about that. Is it those amendments that you will be ruling out of order today or if not, what will you be doing? I was not quite sure what you meant.

Mr. Speaker: The hon. Gentleman is on to the right point. The amendments that I shall rule out of order today are those that go beyond the terms of the money resolution. The amendments selected yesterday did not go beyond the terms of the relevant money resolution, or they would not have been selected.

Mr. Stuart Bell (Middlesbrough): On a point of order, Mr. Speaker. In relation to the point of order raised by the hon. Member for Stockton, South (Mr. Devlin), can you confirm that, in accordance with the convention of the House, if a former Prime Minister—the right hon. Member for Finchley (Mrs. Thatcher)—puts her name on the list of speakers in tomorrow's debate, she will have the privilege of being called early?

Mr. Speaker: In making my selection, I have many difficult problems to consider, but it is, indeed, a convention of the House that former Prime Ministers are given some precedence in debate.

Vagrancy (Amendment)

3.37 pm

Mr. Ken Hargreaves (Hyndburn): I beg to move,

That leave be given to bring in a Bill to repeal sections 3 and 4 of the Vagrancy Act 1824.

The history of the Vagrancy Act is a lengthy one. The mischief at which the Act was aimed was not begging per se but vagrancy as a way of life—*[Interruption.]*

Mr. Speaker: Order. Will hon. Members who are not remaining in the Chamber for this matter please leave quietly?

Mr. Hargreaves: Vagrancy as a way of life was considered to be a threat to the economic stability of society.

The black death of 1348 resulted in a shortage of agricultural labour. In order to ensure that those capable of work did not remain idle, a law was passed shortly afterwards stating that giving alms to those deemed capable of work was an offence. An Act passed in 1530 made begging an offence but only if the defendant was fit and able to work. The emphasis was again on prosecuting vagrancy as a way of life.

The Vagrancy Act 1824 was introduced as a measure to deal with specific problems in Britain following the Napoleonic wars. The large numbers of soldiers who arrived, and who were discharged on to the streets with no job and no accommodation, were joined by a massive influx of economic migrants from Ireland and Scotland who travelled to England, and especially London, in search of work. The ancient pass laws were of no use in dealing with the increased numbers of homeless and penniless urban poor. The Vagrancy Act was therefore introduced as a method of dealing with a specific early 19th-century problem.

The Act makes it an offence to sleep on the streets or to beg. In essence, therefore, it is a crime in England and Wales to be homeless or to cadge subsistence money. When the Act was passed, criticism of it centred on the fact that it created a catch-all offence. To sleep on the streets or to beg subsistence became a crime, whatever reason an individual might have had for being in such a predicament. That provision still pertains today.

Until recently it was believed that the Vagrancy Act 1924 had largely withered away through lack of use. In recent years, however, as the number of homeless people sleeping out has risen, the use of the Act has increased dramatically, especially in the Metropolitan police district.

In 1988, in England and Wales, some 573 people were prosecuted and convicted under the Vagrancy Act. In May 1990, the National Association of Probation Officers carried out a survey of the prosecutions under the Act. That survey revealed that 1,250 prosecutions had been dealt with in 14 central London magistrates courts in that year, which represented an enormous leap in the number of prosecutions under the Act, especially in London.

The number of people sleeping out has indeed risen dramatically in recent years—again, especially in London. Homelessness is a great social problem, which only far-reaching policy initiatives can address. The abolition of the Vagrancy Act will not of itself solve the problem. Sleeping out and begging are the result of homelessness; they are social, not criminal, evils, and it is not and should not be the role of criminal law to punish those who have already been marginalised by their predicament. That applies particularly to the most vulnerable groups—the young and the mentally ill—who have been reduced to life on the streets.

The Vagrancy Act 1824 serves not to alleviate but to compound the problems of those who are forced to sleep out, and to beg to survive. Those who are convicted under the Act are frequently fined; to pay the fine, they have to beg. Other sentences include short periods in prison, probation orders and conditional discharges.

The aquisition of a criminal record further disadvantages the homeless person in the employment and housing markets. In 1980, the Select Committee on Home Affairs concluded that the offence of begging should not be regarded as a means of dealing with the problem of homelessness, but declined to recommend its repeal: it was felt that, if it were repealed, the police would be powerless to act in response to a complaint, or to mitigate a genuine public nuisance.

In 1986, however, Parliament passed the Public Order Act. The Act gives the police powers

"to act in response to a complaint or to mitigate a genuine public nuisance".

The very words used by the Home Affairs Select Committee in 1980 as a reason for not recommending the repeal of the Vagrancy Act were used in the 1986 Act that gave the police new powers.

On 11 December 1990, it was said in another place that the Act also provided for action against unlicensed pedlars, indecent behaviour on the part of common prostitutes and dishonest fortune tellers; but schedule 1 to the Statute Law (Repeals) Act 1989 repealed the legislation that had created those offences. Surely, whatever arguments there once were for retaining the Vagrancy Act have long since been made redundant.

Let there be no misunderstanding. My Bill does not seek to protect those who use violence or intimidation to obtain money; that offence is covered by section 5 of the Public Order Act 1986. It does not seek to protect the professional beggars whom we see on the streets of London; that offence is covered by section 15 of the Theft Act 1968. Nor does it seek to protect those who cause, permit or encourage a child to beg; that offence is covered by section 4 of the Children and Young Persons Act 1933. It does, however, seek to decriminalise vagrancy, and in so doing it has the support of the Law Society, the National Childrens Home, the National Association of Probation Officers and many other groups.

If, as we have been told in the past, the basic purpose of the vagrancy laws is to preserve public order and decency and to protect individuals from offence or injury, it seems clear that we are now adequately served—not least by the laws that I have cited. We have been told by the police that they arrest people only when there is an element of threatening or intimidating behaviour. Nowhere in sections 3 and 4 of the 1824 Act are the words "threatening" and "intimidating" used; the offence specified is begging itself.

If threatening or intimidating behaviour is used, the police should prosecute, but that should be done under section 5 of the Public Order Act 1986—which properly deals with such circumstances—and not under sections 3 and 4 of the Vagrancy Act.

In 1989, a total of 1,256 people were prosecuted and brought to London magistrates courts for the simple offence of begging. That can mean only that in those cases

[Mr. Hargreaves]

there was no element of threatening or intimidating behaviour, because, had there been, the police would have been obliged to prosecute under section 5 of the Public Order Act.

In a letter to the hon. Member for Newcastle-under-Lyme (Mrs. Golding) dated 22 February 1990, a Home Office Minister said:

"There is no specific power of arrest attached to the 1824 Act, and sleeping rough and begging are not arrestable offences under section 24 of the Police and Criminal Evidence Act 1984, but there is a general power of arrest in section 25 of the Act if the suspect's name and address are not known or the address given is doubtful, in which case it would be impossible to serve a summons; or where there are reasonable grounds to believe that arrest is necessary to prevent the suspect from causing unlawful damage to property, committing an offence against public decency or causing an unlawful obstruction of the highway."

As it is not possible to serve a summons on homeless people, they are always dealt with by way of arrest.

The Government correctly point out that the offences under sections 3 and 4 of the Vagrancy Act are not imprisonable—offenders are generally fined—but there is an additional sentence of imprisonment in default of payment. Homeless and penniless people therefore have two likely courses of action—to beg to raise money for the fine or to spend time in custody. Therefore, they are likely to be imprisoned for offences that in 1982 the Government felt were not sufficiently serious to merit such punishment.

The people about whom we are talking who appear in court on vagrancy charges will be cold and hungry, they neither ask for nor receive legal aid, they will not understand the court proceedings, and they will probably plead guilty. In practice, those who appear before the courts are summarily convicted. They are fined money that they do not have, and may then serve a 24-hour sentence in lieu of payment of fine. They then go back on the streets whence they came. How does that help them? How does it help society? Homelessness is a social problem, not a crime.

In recent years and months, the Government have sought to tackle the problem of homelessness by the provision of more accommodation. That, and help and advice, is a better way of dealing with these unfortunate people. The Bill would help to ensure that we treat them as human beings and not as criminals.

Question put and agreed to.

Bill ordered to be brought in by Mr. Ken Hargreaves, Mrs. Llin Golding, Mr. Robert Maclennan, Mr. David Evennett, Mr. David Alton, Mr. John Battle, Mr. Alistair Burt, Mrs. Elizabeth Peacock, Sir Charles Irving, Mr. Frank Field and Mr. Simon Hughes.

VAGRANCY (AMENDMENT)

Mr. Ken Hargreaves accordingly presented a Bill to repeal sections 3 and 4 of the Vagrancy Act 1824: And the same was read the First time; and ordered to be read a Second time upon Friday 28 June and to be printed. [Bill 194.]

Orders of the Day

Criminal Justice Bill

Lords amendments considered.

Resolved,

That the Lords Amendments to the Criminal Justice Bill be considered in the following order, namely, Nos. 44, 45, 1 to 43 and 46 to 175.—*[Mr. Kenneth Baker.]*

Lords amendment: No. 44, after clause 22, to insert the following new clause:

(" . No court shall be required to sentence a person convicted of murder to imprisonment for life.")

3.48 pm

The Secretary of State for the Home Department (Mr. Kenneth Baker): I beg to move, That this House doth disagree with the Lords in the said amendment.

Mr. Speaker: With this, it will be convenient to consider the following Lords amendments: No. 60 in clause 30, in page 21, line 44, after ("life prisoner") insert ("who has been convicted of murder")

Government motion to disagree.

No. 162, in schedule 12, page 95, line 15, at end insert—

("1965 c. 71.	The Murder (Abolition of Death Penalty) Act 1965.	In section 1 in subsection (1), the words from "and" to the end of the subsection; subsection (2); in subsection (4), the words from "in each of the said sections 70" to the end of the subsection; in subsection (5), the words from "but in lieu thereof" to the end of the subsection.")

Government motion to disagree.

Mr. Baker: With this amendment and those grouped with it, we return to the penalty for murder; that is the principal question before the House today. The debate also covers the procedures governing the administration of life sentences.

The first question is the penalty for murder—the mandatory life sentence. The Government are inviting the House to disagree with the Lords amendment which would abolish the mandatory life sentence for murder. We shall debate later the procedures for administering life sentences, where the Government are proposing substitute amendments to those made in the Lords in so far as they affect discretionary life sentences. That will be the second major debate of the day.

This is the third time during the proceedings on the Bill that the full House has discussed what the penalty should be for the crime of murder. The matter was also discussed in Standing Committee A on 7 February this year.

As I am sure the House will recall, just before Christmas, on 17 December, we debated whether capital punishment should be restored as the penalty for some or all categories of murder. The House rejected capital punishment by substantial majorities. I do not personally support the restoration of the death penalty, but I respect the sincerely held views on this subject of that substantial minority of our colleagues who support it.

The clear assumption underlying the debate on 17 December was that, if the death penalty were not restored, a life sentence would remain the mandatory sentence for the crime of murder. That was the assumption underlying all debates on capital punishment since 1964.

The Government made their position clear on the mandatory life sentence for murder in the White Paper which was published in February 1990. In paragraph 6.15, we said that we believed

"that the mandatory sentence of life imprisonment for the crime of murder should remain, to mark the heinous nature of this crime."

When the death penalty for murder was abolished in 1965, the Government of the day made it clear that murder would carry a fixed statutory sentence, which was life, and that the Home Secretary, in the exercise of his primary duty to protect the public, would retain complete discretion to release a murderer after a short or long period or, in some cases, not at all. The Home Secretary of the day, Sir Frank Soskice, took considerable pains to explain to Parliament how he would exercise that discretion to ensure that society was properly protected. During the debate on 17 December, I made absolutely clear my intention to continue my predecessor's policy of requiring those responsible for the worst categories of murder to serve at least 20 years in prison.

On Report, an amendment to abolish the mandatory life sentence for murder was tabled by the right hon. and learned Member for Warley, West (Mr. Archer). It was debated but not voted on. The Minister of State—my right hon. Friend the Member for Mitcham and Morden (Mrs. Rumbold)—made it clear then that the Government continued to regard the retention of the mandatory sentence as essential to mark the uniquely heinous nature of the crime of murder.

The other place, however, has approached the issue in a different way. Its Select Committee on murder and life imprisonment, which reported in July 1989, recommended that the life sentence should no longer be the mandatory penalty for murder. The other place has sought to give effect to that recommendation by Lords amendment No. 44, and Lords amendments Nos. 60 and 162, which are consequential.

The Government do not dismiss lightly the sincerely held views of the majority in the other place who support the abolition of the mandatory sentence. Like capital punishment, this is essentially a matter of judgment in which there is, properly, room for differing views to be held. Having reflected carefully on the views expressed in the other place, however, I have concluded that I must advise the House to disagree with their Lordships in these amendments in so far as they seek to abolish the mandatory life sentence in England, Wales and Scotland.

Those who want the mandatory sentence to disappear have argued that murder is not, in fact, a uniquely heinous crime. They say that certain kinds of murder are less heinous than some others. The right hon. and learned Member for Warley, West argued this in the debate on 20 February. I do not think that I do a disservice to his arguments by saying that, but I disagree with those arguments.

At the core of the crime of murder is the intentional taking of another person's life—killing someone, with an intent to kill or to do grievous bodily harm. It is all very well to talk about mercy killings or so-called domestic murders, but the fact remains that in each case another person's life has been intentionally taken away. It is a crime where there can never be any possibility of the victim recovering or receiving redress or compensation. It is a crime of dreadful finality.

I believe that the public perceive, rightly, a distinction between the seriousness of murder and that of other crimes. This justifies a unique penalty for those who commit it. The public have a right to expect that Parliament and the criminal justice system will take effective steps to punish those who commit this crime and to protect the public from offenders who have shown themselves capable of intentionally taking another person's life.

Of course murders and murderers vary, and the variations are reflected in the amount of time that the murderer actually spends behind bars. Where there are powerful extenuating circumstances and where there is no continuing danger to the public—such as, for example, it could be argued, in some mercy killings—the person might be released after a short period. On the other hand, someone who had committed a particularly brutal and sadistic murder could expect to spend a very long time behind bars.

In either case, however, the murderer's liberty would be at the disposal of the state for the rest of his days—and that, I believe, is as it should be. A murderer released for a life sentence can be recalled at any time. That is not the position for a person serving a determinate sentence—that is, a sentence of a set number of years. The mandatory sentence marks publicly and unequivocally the special nature of the crime that has been committed, while allowing wide flexibility to administer the sentence in the way that best suits the circumstances of the individual case.

I believe that the system proposed in the Lords amendment would undermine the public's confidence in the willingness and ability of the criminal justice system to deal with this particular crime. We should be clear that amendment No. 44 would allow any penalty, from an absolute discharge upwards, to be given for the crime of murder. One can imagine the outcry if, say, a probation order were given for murder.

Mr. John Greenway (Ryedale): My right hon. Friend has just put his finger on the most crucial part of this debate. Surely, what the people outside need to feel is that there is a penalty for murder which will deter killers from murdering. If any penalty could be given, there would be no deterrent.

Mr. Baker: My right hon. Friend is right, and I prefaced this part of my comments by talking about the confidence of the public. I believe that the public, whose views on capital punishment are clearly known, would feel very let down if there were a weakening in the mandatory sentence for murder, for the reasons that I have advanced.

It has been suggested that the definition of murder should be changed to exclude mercy killing. The law in this area was fully reviewed by the Criminal Law Revision Committee in 1980. The committee unanimously recommended against proposing a special offence of mercy killing or any special discretion when trying such cases. The argument was that relaxing the law could cause rather than prevent suffering, as the weak, the handicapped and

[Mr. Baker]

the elderly, who might be the victims of so-called mercy killings, would receive less protection from the criminal law. The Government agree with that view.

At the other end of the scale, if there were not a mandatory life sentence in very bad cases, judges might find themselves under pressure to pass determinate sentences longer than anything that would be regarded as appropriate in this country. We should recall that, under the early release provisions in part II of the Bill, a 60-year determinate sentence would need to be passed to ensure that the prisoner served at least 30 years. I doubt whether judges would really be happy passing sentences of that length. Nor is it realistic to expect them, at the point of sentencing, to look so far into the future to try to predict when society will have judged that the crime had been expiated, that the prisoner should be released and that it was safe to do so.

No, I submit that the best and fairest system is the one we have now, where the life sentence is fixed by law, and responsibility then passes to the Home Secretary of the day to decide how the sentence should be spent. That responsibility is part of the Home Secretary's general responsibility for the protection of the public, the preservation of the Queen's peace, and the maintenance of public confidence in the criminal justice system.

For those reasons, I invite the House to disagree with Lords amendment No. 44 now, and with amendments Nos. 60 and 162 when they are reached.

Mr. Roy Hattersley (Birmingham, Sparkbrook): The principal objection to the mandatory life sentence can be simply stated. It is an objection in principle on which the Home Secretary did not find it necessary even to touch. Sentencing should be the responsibility of the courts, not of the Executive, not of Ministers and not of civil servants. Yet in practice, in the sentencing of men and women convicted of murder and receiving the mandatory sentence, the custodial period of the sentence is determined by Ministers—members of the Executive.

In the House of Lords on 18 April, Lord Waddington illustrated the present state of affairs with alarming clarity. The Home Secretary made the same point—more subtly as one would expect, but equally wrongly. Lord Waddington said:

"the House of Commons has repeatedly voted against capital punishment for murder on the understanding that murderers would stay in prison for as long as Ministers thought necessary."—[*Official Report, House of Lords*, 18 April 1991; Vol. 1501, c. 1603.]

The determination of the length of a prison sentence should not be a matter for members of the Executive. Both the Home Secretary and Lord Waddington in the other place three months ago misjudged the real intention of the House.

4 pm

All of us wanted men and women convicted of murder to serve an appropriate sentence, but the idea that Ministers should, in effect, determine the length of the prison sentence is incompatible with the rules that should govern a free society in which the judiciary and the Executive are properly separated. That Ministers determine the length of the prison sentence is undoubtedly the case in practice.

I remind the House of what really happens, because the Home Secretary talks as if the mandatory sentence were basically what it sounds like—something imposed by the courts and then served out without ministerial adjudication or interference. A mandatory sentence being passed, the judge stipulates privately—or, as the noble Lords described it, "secretly"—to the Home Secretary what he believes the minimum sentence should be. It is mandatory life in theory and what the judge stipulates the minimum should be in practice. Again in theory, the Home Secretary —although to everyone's surprise it was revealed in the House of Lords that in practice, a junior Minister often decides the issue—decides whether the Home Office and the Government are prepared to endorse the judge's private recommendation on the length of sentence.

We were told in the House of Lords debate that in 1988, the last year for which figures are available, 106 recommendations on mandatory sentences were made by judges. In 60 cases, the Home Secretary or a junior Minister extended the sentence. In nine cases, the Home Secretary or a junior Minister reduced them. In 34 cases, they remained the same. Secretly—generally without the public knowing—the Home Secretary—or a Parliamentary Under-Secretary—is acting like a court of appeal, altering the recommended sentence which the judge has conveyed privately. They do that without hearing witnesses, without seeing the accused and without hearing the case for the prosecution or the defence. Ministers sit in their offices or take red boxes home at night and determine the length of the sentence. One has only to describe that state of affairs to realise that it is incompatible with a constitution that says that the judiciary and the Executive are wholly separate.

The final decision that is in Ministers' hands is whether, when they have secretly and privately decided the length of sentence, the man or women should be allowed out on licence before the secret period is up. The fact that Ministers, in effect, determine the length of sentences is in itself enough to justify support for the Lords amendment, but there are other reasons why the mandatory sentence is wrong in principle as well as in practice.

I have already made my point in describing the process, but I need to emphasise it in explaining our belief that the mandatory sentence amounts to a custodial award being made in secret. The prisoner leaves the court not knowing how long he or she is to serve. Again, that is a basic denial of a civil right. That is only the first denial of justice. The second is that there is no appeal against the sentence. The man may have gone to prison and the judge may have recommended that he serve 20 years. A woman may have gone to prison and the judge may have recommended that she serves five years. A convicted prisoner does not know and has no way in which to appeal against what the judge has proposed and what the Home Secretary has decided.

A sentence imposed by Ministers in secret and allowing no appeal is a clear denial of justice. It is therefore in no way surprising that the Lord Chief Justice sponsored the Lords amendment which the Home Secretary hopes to negate, and that he was supported by so many distinguished Law Lords and laywers of every kind. They proposed that a man or women convicted of murder should receive a stipulated sentence in open court, that the sentence should be subject to appeal and that a judicial tribunal with appropriate judicial rules should determine other questions of release. They believe that those three requirements are essential to the rule of law as it is

understood in this country in other courts and practices. I fear that this afternoon the Home Secretary has not begun to refute the argument that those changes are essential to the proper working of an independent judicial system which is not overruled or overrulable by Ministers acting arbitrarily and in secret.

Nor has the Home Secretary dealt adequately with the practical and adverse consequences of the present system. In the Lords a succession of lawyers, judges, barristers and solicitors returned time after time to the central theme, which is the vast variation in the real categories of murder. It is no good for the Home Secretary to say simplistically that all murders are murders. Of course they are. However, different murders have different consequences and different causes. Different murders have different degrees of moral guilt and varying mitigating circumstances, and the culpability of each murder inevitably varies according to the character, conduct, personality and the psychology of the accused which, as I shall demonstrate in a moment, courts take into account with great detriment to the legal system and its reputation.

Their Lordships, describing the definition of murder and the variations and the width of those variations, gave many examples from their own experiences as judges, barristers and instructing solicitors. Those included two teenage girls who killed a brutal father who, in the past, had assaulted them regularly. They did not kill him in self-defence when they were being assaulted because that might have been quite a different matter. They killed him when he was alone: they simply felt that they could stand his assaults no longer and they took the opportunity to kill him. Their Lordships put that at one extreme. The other extreme they cited as the terrorist who had callously gunned down a group of innocent civilians rather than risk arrest and conviction.

Their Lordships asked a rhetorical question to which I believe there can be only one answer. They asked whether any rational person believes that those are two comparable crimes which in court should be awarded the same sentence. As the law now stands, the two girls and the terrorist, when convicted of murder, would receive the mandatory life sentence. It seemed to their Lordships and it seems to me that sentences should be related to the nature of the crime and should publicly be seen to be related to the nature of the crime.

At the moment, it may well be that, after the Home Secretary's intervention, the sentence is related to the variations in murder which, to an extent, the Home Secretary has denied this afternoon. However, while those variations may eventually be related after the Home Secretary has imposed his will on the judge's recommendation, the public perception, about which the Home Secretary seems to be pleased, is that, at the time of sentencing, all murderers receive the same penalty.

I believe that to act as if all murders are the same, as if the guilt is the same and as if the moral culpability is the same, is not so much to bring the law into disrepute, as to bring it into contempt. The young girls I described went off to prison uncertain whether they would be there for five years or for 20 years. That seems to be denial of civil liberties. However, there is the other side of the coin: the effect on those who commit the most horrendous murders of the amorphous mandatory sentence and the idea that all murders are the same. In the words of the House of Lords Select Committee, the fact that life imprisonment is mandatory

> "dilutes what should be the awe-inspiring nature of the life sentence."

It is what happens to all murderers, and some actually serve their sentence. I certainly believe that the mandatory nature, far from acting as a deterrent, dilutes the feeling that the most wicked of murders will receive the most severe penalties.

Again, the home Secretary did not feel it necessary to draw the attention of the House to what the Lord Chief Justice thought right to tell the House of Lords. There is no doubt that the mandatory sentence, as now applied, distorts the whole criminal process in a way that is deeply damaging to the system. The House of Lords was given examples of convictions that had been diluted. I do not know whether the Home Secretary is disagreeing.

Mr. Kenneth Baker: I am listening.

Mr. Hattersley: I am relieved, pleased, flattered and optimistic that, on this occasion, there may be the remotest chance that, having listened, the Home Secretary will actually reply to the points that I have raised with him. I raise this point which, again, he did not think it necessary to draw to the attention of the House.

The Lord Chief Justice of England thought it right to make an explanation to the other place. Examples were given, not only by him but by other Law Lords, of occasions when convictions had been intentionally diluted from murder to manslaughter on the claim of diminished responsibility. They made the suggestion—it was openly made; there was no question about their judgment on this matter—that psychiatrists were called in, that juries were swayed and that judges were influenced by the fact that, although a person was technically guilty of murder, in their view a mandatory sentence was inappropriate, and therefore, instead of bringing in the verdict that a technical application of law required, they intentionally diluted it from murder to manslaughter. That cannot be right for the system.

The concluding quotation on the subject was given in the judgment of Lord Kilbrandon in Hyam *v.* the Director of Public Prosecutions, in which he said:

> "It is no longer true, if it ever were true, that murder as we now define it is necessarily the most heinous example of homicide."

It is a bad day for the criminal justice system when juries and judges sometimes say, "The law is so unreasonable that we are going to apply the law not according to statute but according to our judgment of what is proper."

Capital punishment in this country is constantly being removed from various crimes because juries refused to convict because they thought that it was an inappropriate sentence. According to the Law Lords, juries are now refusing to convict for murder and are convicting for manslaughter simply because they believe that the mandatory sentence is inappropriate and should not be applied.

Why, really, do the Government wish to pursue their irrational and deeply damaging course? My suspicion, which is fuelled by Lord Waddington's speech which everyone who heard it will know left their Lordships absolutely aghast, is that the Government resist change because of what they believe to be—*[Interruption.]* I thought that the passage that said that the readers of tabloid newspapers would not support any change in the law was a particularly moving and intellectual passage in a speech which was notable for its academic content. I

[Mr. Hattersley]

want to try to analyse the true reasons behind the Lords opposition and the Government's opposition to the improvement, which has everything to commend it in terms of rational reform.

I suspect that the Government resist change because of what they believe to be public opinion and because they fear a reputation for being soft on murder and murderers. In that suspicion and in that fear, they are not only mistaken but categorically mistaken. The system proposed by the House of Lords would clearly focus attention on the properly severe—by that I mean suitably long—sentence for those who are found guilty of the horrendous murder. It would focus attention on those men and women who, having committed murder, should, in the general opinion of the House, go to prison for 20 years or more. It would ensure that they do so and are sentenced to that long period in prison by the public court and against a background of headlines and reporting.

4.15 pm

The improvement would also calm public opinion in another sense. There is a widespread notion that the life sentence lasts, on average, from 10 to 12 years. I have no doubt that there is much resentment at the idea that a man or woman may commit a horrendous murder and be in prison for barely a decade. However, when the public complain about such a 10-year sentence, they do not complain about girls who kill their brutal fathers, but about terrorists who slaughter innocent bystanders. By lumping those different crimes together and producing a crude average of 10 or 12 years, we undermine people's confidence in the undoubted fact that the worst murderers should serve an appropriately long period in prison.

On the grounds of rational argument and sensible examination, there is everything to be gained in terms of liberty, deterrence and assuring public opinion, in focusing attention on the real sentences received by real murderers for truly wicked crimes. To perpetuate present policy is to blur the distinction and allow the British public to believe that we are soft on murder in general. We should demonstrate how hard we are on murderers who generally deserve a substantial period in prison.

There are other sectors where change is needed, but to make the proposed change would be one more attempt to bring British penal policy into line with that of other civilised countries. In this matter, as in other particulars. we are hideously out of line. In 1990, there were 3,503 life sentence prisoners in United Kingdom gaols—3,054 in Great Britain and the rest in Northern Ireland. There were more life sentence prisoners in British gaols than in all the rest of western Europe added together, where the total of life sentence prisoners was 2,688. That is partly as a result of our failure to distinguish between those convicted of murder who should receive the longest conceivable sentences and those who should not.

Mr. Michael Shersby (Uxbridge): I am listening with great interest to what the right hon. Gentleman has to say. Will he comment on the Home Secretary's point that it would be necessary for a court to pass a sentence of 60 years in the case of a terrible murder for the defendant to spend half that period in prison? Does the right hon. Gentleman believe that the courts of this country would, in those cases, be willing to pass sentences of that length? That is a matter which causes concern to many of us who are listening with great interest to the debate.

Mr. Hattersley: There are two answers to that question. If the Home Secretary wants to ensure that long prison sentences for the worst murders, as I have described them, are served, he should come to the House not with a proposal to abandon the Lords amendment, but to make adjustments to give it the practical reality that he says it lacks. I wonder whether even that would be necessary.

The hon. Member for Uxbridge (Mr. Shersby) asked whether judges would be prepared to impose sentences of the sort now necessary. It is clear that they would, as they said so in the House of Lords, where Law Lord after Law Lord rose to propose the system. We must assume that the Law Lords understand the ramifications of the law at least as well as the Home Secretary. They knew the technique that was necessary to achieve the proposed aim and were perfectly willing to apply it—indeed, they were as passionately anxious that it should be incorporated in the law.

Mr. Peter Archer (Warley, West): Will my right hon. Friend confirm that there is nothing in the Lords amendment to preclude a judge from passing a life sentence in the appropriate case?

Mr. Hattersley: As my right hon. and learned Friend knows and I have tried to explain, the effect of the amendment would be quite the opposite. Its purpose, which is why we support it, is to ensure that life sentences would be passed where appropriate, with all the advantages in terms of deterrence and public opinion—*[Interruption.]* I shall not give way again, because I know that the House wants to make progress. I think that I have already spoken for slightly longer than the Home Secretary. I have two minutes' worth of other comments to make, and hon. Members can then attempt to catch your eye, Mr. Speaker, if they want to make their own contributions.

The Lords proposal is a rational, sensible and practical way forward. It is not surprising that the Butler committee on abnormal offences in 1975, the Advisory Council on Penal Systems in 1978, the Lords Select Committee on murder and life imprisonment in 1980 all supported this reform. Indeed, in 1980—over 10 years ago—members of the Criminal Law Revision Committee were equally divided on whether the reform should be made. According to the Lords debate, I cannot comment on whether that was a correct judgment. Were they to consider the matter now, they would undoubtedly support the Lords view.

The simple argument is that murder varies enormously in viciousness, moral culpability and mitigating circumstances. To suggest that a mercy killer should receive the same sentence as a hired assassin and that that sentence should then be adjusted in private by a Minister working on his own discretion, without any evidence or arguments in front of him, is a clear denial of civil rights. We should have a more practical and more principled proposal.

The House of Lords was making and suggesting progress and we shall support it in the progress that the amendment would clearly bring to the Bill.

Sir Peter Emery (Honiton): First, I congratulate my right hon. Friend the Home Secretary on what I thought was support for a case that is widely accepted throughout

the country—the fact that people expect all forms of murder, heinous and terrifying as they are, to receive the maximum sentence that the courts can give.

I rise to draw to the attention of the House the fact that the Leader of the House has, as quickly as possible, arranged for an experiment to be carried out during this debate, in accordance with the recommendations contained in the second report of the Select Committee on Procedure. I hope that hon. Members will look at the way in which amendments are now marshalled and will note that for the first time the order paper shows the Government's view on the amendments. We never knew their view as papers were marshalled in the past. There is now just one order paper rather than the three with which we had to deal in the past. I hope that the House will approve of the experiment. Whether the Leader of the House decides to carry the idea forward will depend on the views expressed by hon. Members, so I hope that they will convey their views to the Leader of the House.

I sincerely support the view taken by my right hon. Friend the Home Secretary. I understand the arguments put by the Shadow Home Secretary, but they seem to be out of touch with the feeling of people in most constituencies—[HON. MEMBERS: "What about the Law Lords?"] Some people do not always believe that the Law Lords are in touch with ordinary people. Indeed, some hon. Members believe that they should not be there at all because they are so out of touch. I shall not follow that argument, but I believe that the House should support the line that my right hon. Friend the Home Secretary is taking today.

Mr. Archer: I have the misfortune to differ from the hon. Member for Honiton (Sir P. Emery) about the merits of the debate, but I echo his comments about the new marshalling of the amendments on the order paper. There, at least, there seems to be some common ground across the Chamber.

The arguments on this subject have been deployed at various stages in the Bill's progress, here and in another place. They have just been deployed persuasively by my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley). I rise only in the hope that, even now, it may not be too late.

I do not pretend that I can adduce any original arguments at this stage. My right hon. Friend the Member for Sparkbrook said that he hoped that the Home Secretary might listen and answer some of our arguments —I hope that he will do better than that, and that he will listen to some of our arguments and consider them.

Four principles are fundamental to our penal system, and they apply to every case. First, no one should receive a sentence greater than he deserves unless it is necessary to protect the public. That is the very principle running through the Bill—we have been reminded of it again and again from the Government Front Bench during debates on the Bill. That philosophy runs right through the system and applies, however grave or however venal the offence. An offender may have committed a horrifying and wicked offence and may be held to deserve a sentence of 20 years, but the principle still holds that he ought not to receive a sentence of more than 20 years, unless it is necessary to protect the public.

If that principle is to be applied, it is essential that we know what length of sentence he deserves so that it is known at what point we may be justified in considering whether a further sentence is necessary to protect the public. That will be the subject matter of our next debate, but I am a little disappointed that, having accepted that principle, the Government are applying it only to discretionary and not mandatory life sentences.

Mr. John Bowis (Battersea): I sought clarification from the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) about Opposition Members' arguments, and my argument was precisely the same as the hon. Gentleman's on the difference between the protection of the public and a deterrent. I entirely understand the view on heinous crimes to which he referred. I doubt whether a capital or a life sentence ever deterred anyone—people will still commit such crimes. Such sentences may help to deter people from committing the lesser types of murder that the right hon. Member for Sparkbrook described. However, surely it is worth protecting the public if it deters some people from committing that type of murder, given that those people are also protected by judges' recommendations and by the Home Secretary's discretion when listening to those recommendations.

Mr. Archer: With respect, the hon. Member for Battersea (Mr. Bowis) has misconceived what is meant by protecting the public in this context. What is meant by it in the Bill is imposing a sentence longer than the offence deserves, because it would be dangerous to let the offender out. That is rather different from the deterrent argument, and if the hon. Gentleman will forgive me, I shall return to that argument later.

If we are to incarcerate someone for longer than he deserves, we should at least know at what point we are considering incarcerating him for longer than he deserves. That seems to run right through our penal system and seems elementary. The Government have accepted that argument in relation to our next debate.

In that situation it must preclude our disposing of two cases, as my right hon. Friend the Member for Sparkbrook said, which might have different motivation, intention and wickedness—for example, the deliberate and heartless killing of a total stranger for gain, compared with the mercy killing of a beloved relative—in the same way. If we appear to do so in the court, it cannot be said that no one will serve a sentence longer than they deserve.

The second principle, to which my right hon. Friend the Member for Sparkbrook alluded, is that assessment of the appropriate sentence should be carried out by a judge, as a judicial exercise, and it is not an appropriate function for the executive. The rules according to which sentences are assessed are decided by the legislature and proposals are introduced by the Executive. Maximum sentences are laid down in that way. But, the decision on individual sentences properly belongs to the courts.

We are told that the public have strong views on these matters—we were told that yet again this afternoon. I am not sure what evidence we have heard for some of the opinions that have been expressed about the views of the public—perhaps we do not all meet the same members of the public. But whoever is in government and however well respected that individual might be, I am certain that the public are rightly suspicious of a member of the Government, who is subject to all kinds of political pressures, deciding the fate of individuals. That is why we

[Mr. Archer]

have got into difficulties when leaving to the Secretary of State the question of which convictions should be left to the courts and which should be overturned.

4.30 pm

The third principle is that the assessment of what is an appropriate sentence should be made by someone who has heard submissions on behalf of the offender and has seen whatever evidence can properly be submitted on his behalf. It is far preferable for that assessment to be made by the judge who has heard all the evidence in the trial. I do not believe that it would be acceptable to the public for such an assessment to be made by a politician or an official who has never even seen the offender—*[Interruption.]* The Secretary of State appears to be trying to drive a wedge between Opposition Members. I do not know whether evidence of that will emerge later. It is not a question of who is the Home Secretary or the junior Minister of the time who makes the assessment or of who is the official who makes the recommendation because, as far as the public are concerned—and they are right about this—the point is that those people are subject to political pressures that would not apply to the judiciary.

Mr. Kenneth Baker: As the House knows, the right hon. and learned Gentleman was a distinguished Solicitor-General for five years. Did he hold those views then?

Mr. Archer: Yes, I did—and not only did I hold them, but I expressed them on a number of occasions. The constitutional position remains the same, whoever is in government.

Mr. Baker: I am simply saying that there were five long years during which the changes that the right hon. and learned Gentleman is now advocating could not only have been brought to the attention of the Government, but could have been implemented. If the right hon. and learned Gentleman felt so strongly, was he not in a strong position, as Solicitor-General, to make those changes?

Mr. Archer: I shall come in a moment to the events that have occurred since the right hon. and learned Gentleman and his colleagues came into government, the number of people who have considered those events and the recommendations that have been made. If we had been in a position to consider all that, we might have reached a different conclusion.

My point is that whoever makes the decision now may have read written submissions, especially if the offender is articulate or has someone who is articulate to speak on his behalf, but that is no substitute for an oral process during which the judge can say which matters are troubling him and when those points can be answered by the advocate for the offender.

The fourth principle is that that process of hearing submissions and assessing the appropriate sentence should take place publicly. Again, my right hon. Friend the Member for Sparkbrook alluded to that. Offenders and the public are entitled to hear what is being said, to be assured that the judge has listened and to be told by the judge what assessment he has made.

Under the present system, the judge writes his assessment secretly and the Lord Chief Justice makes a further assessment in the interests of consistency which, as has already been said, adds to the already burdensome tasks facing him. Everything is secret up to that point—and the matter is then considered in secrecy again by someone at the Home Office. That person may disagree with the judge's assessment. In 1988, a Home Office Minister took it upon himself to increase the judge's assessment for 63 out of 106 mandatory sentences. The offenders were not to know that the Minister had disagreed with the judge, because they did not know what the judge had said in the first place. Not only is justice not seen to be done, but the offender embarks on his sentence without any idea of what the judge has assessed as the appropriate period for him to serve.

Since we first debated this issue in the House, we have all had the advantage of reading the Woolf-Tumim report. Fundamental to the recommendations of that report on the philosophy of the criminal justice system is the concept that prisons are part of the system of justice and that what happens to prisoners must be just and must be seen to be just. Yet this is the negation of justice.

On reading the debate in another place, I too was a little troubled by something that was said on behalf of the Government by Lord Waddington. He seemed to say that public confidence in the system might be shaken if the public knew the facts and the assessments that the judges were making. The suggestion that it is best to keep the public in ignorance because if they knew the facts they might misunderstand, is hardly one that we might expect to hear made on behalf of the Government in a democracy. Surely the public would be more reassured if they knew that the judge meant what he said in open court and that, when he recommended a life sentence, he meant that there should be a substantial sentence.

I am surprised that the amendment which the Government are introducing to meet the ruling of the European Court is confined narrowly to discretionary life sentences. I should have thought that the argument that operated for discretionary life sentences operated equally strongly in the case of mandatory life sentences.

I made passing reference to the events that had happened since we were last in government. It is perfectly true and I accept at once that in 1975 the Butler committee on mentally abnormal offenders recommended the proposal which has now been made by another place, and in 1978 the recommendation was repeated by the Advisory Council on the Penal System. But the proposal was reiterated by the all-party penal affairs group in 1986 and by the Select Committee under the chairmanship of Lord Nathan in 1988. Since then, the proposal has been supported by two former Home Office Ministers—Lord Windlesham and Lord Harris, Justice, the Quaker Council for European Affairs, the Lord Chief Justice and three Lords of Appeal. I should have thought that that was sufficient for the Government to allay any fears on the part of the public that the matter had not been properly considered.

One other benefit has been alluded to by my right hon. Friend the Member for Sparkbrook. If someone were seen publicly to address the degree of guilt and, consequently, the appropriate sentence, it would dispense with the need to make what many people may feel is an artificial distinction between murder and manslaughter by reason of diminished responsibility. We know the amount of court time and the resources which are diverted to making that distinction. It is not an appropriate distinction.

The distinction that should be addressed is between a case which deserves a long sentence and one which does

not. As my right hon. Friend said, it may be that the distinction distorts the system because we are receiving convictions for manslaughter where the appropriate conviction would be for murder. Undoubtedly that was what persuaded victim support and the Group for Parents of Murdered Children to support the proposal.

I am conscious of the passage of time, but I promised the hon. Member for Battersea that I would say a word about deterrence. For the most serious murders—the really wicked murders—long sentences will be given in any event. Any argument based on deterrence will apply equally to such cases. But where murders are committed under the stress of great emotion, I do not believe that people sit down and consider the sentence that they are likely to receive. That is the answer to the argument based on deterrence.

The last argument adduced—I almost said "dredged up" but I do not wish to be offensive—by the Secretary of State was that when, in December, the House decided by a substantial majority not to reintroduce the capital sentence for murder, some hon. Members may have voted against because the alternative was a mandatory life sentence. If that is a valid argument, it would rule out all proposals for change on any matter which may have influenced any hon. Member when the House took a decision. So a simple method of strangling all proposals for reform on any topic, for that Parliament at least, would be to introduce any single proposal which is voted down.

The Minister of State, Home Office (Mrs. Angela Rumbold): That is too lateral. *[Interruption.]*

Mr. Archer: If the hon. Member for Honiton (Sir Peter Emery) wishes to adduce further lateral arguments, he may do so.

The proposal may or may not mean that sentences are generally shorter. It may very well mean that some sentences are longer. No one argues that in an appropriate case there should not be a long sentence. But the proposal would mean that any individual sentence would be related, and manifestly seen to be related, to the merits of the case. That is what justice is about.

Mr. Shersby: As the House knows, I am parliamentary adviser to the Police Federation of England and Wales and I wish to declare that interest this afternoon.

The House will be aware that there is a thin blue line standing between evil men, and sometimes women, and the law-abiding citizens of this country. That thin blue line is the men and women of the police. Sometimes, tragically, that line is broken when police officers are murdered while protecting the public from the actions of vicious criminals and ruthless killers. When that happens the line is quickly joined as other officers take the place of their fallen comrades.

As my right hon. Friend the Home Secretary has said:

"At the core of the crime of murder is the intentional taking of another person's life—that is killing someone with intent to kill or do grievous bodily harm."

My right hon. Friend also reminded us

"It is a crime of dreadful finality."

I agree.

What protection do the police have against the intentional taking of lives by, for example, armed criminals who do not hesitate to shoot them down in the street? Until 1965 the death penalty existed, which most police officers consider a powerful deterrent to murder. However, Parliament abolished that penalty 26 years ago and in its place provided the life sentence for murder.

One of the first major tests of the use of long sentences for the murder of a police officer occurred in 1966, only a year after the abolition of the death penalty. It was found to be wanting.

Let me remind the House of what happened on a summer's afternoon in Braybrook street off Shepherd's Bush. Three policemen in an unmarked car became suspicious of a blue Standard Vanguard estate car parked near Wormwood Scrubs and they approached that vehicle. While one of the occupants of that car was being questioned—John Edward Witney was his name—another occupant, Harry Roberts, pulled out a gun and shot dead Detective Sergeant Christopher Head and Detective Constable David Wombwell. Another occupant of the car, John Duddy, then ran to the police car and shot Police Constable Geoffrey Fox in the head as he sat behind the steering wheel.

I remember that case very well because it so happened that I lived and worked in the area at the time. All three men were eventually caught, arrested and given life sentences for murder in 1966. At the trial, the late Mr. Justice Glyn-Jones said:

"I think it is likely that no Home Secretary regarding the enormity of your crime will ever think it fit to show mercy by releasing you on licence. This is one of those cases in which the sentence of imprisonment for life may well be treated as meaning exactly that."

He went on to say:

"Lest any Home Secretary in future be minded to consider your release on licence, I have to make a recommendation."

He recommended a sentence of imprisonment for 30 years.

As a result partly of that trial—many of us remember it and the loss of the lives of those three Metropolitan police officers—and the 30-year sentence that was awarded, the police, although they still wanted the return of the death penalty, felt that in the absence of that penalty they could at least rely upon the firm assurances of the Home Secretary of the day that no offender imprisoned for the murder of an officer would be released until the sentence had been completed.

Those assurances were confirmed subsequently; first by my right hon. Friend the Member for Witney (Mr. Hurd) when, as Home Secretary, he told the Police Federation conference in 1989:

"Since capital punishment was abolished in 1965, the Conservative view of the murder of police officers has been proved by a single telling fact; in that time not one person convicted of murdering a police officer has been released from prison."

4.45 pm

I well remember when my right hon. Friend said that, because I had just been appointed as parliamentary adviser to the Police Federation. I remembered that conference as it occurred early on in my new job.

A year later my right hon. and noble Friend, Lord Waddington, who was then Home Secretary, said to the Police Federation conference:

"Parliamentary policy is that offenders imprisoned for the murder of a police officer will not be released until their sentence is completed."

As a result, the federated ranks of the police gradually came to accept that their best protection, in the absence of the death penalty, was such assurances together with the belief that only as a result of the executive action of the Home Secretary of the day could those who had murdered

police officers be released. The police believed that those found guilty would either complete long sentences or be detained in prison for, as my right hon. Friend, the present Home Secretary, said today "the rest of his days." My right hon. Friend clearly envisages that, in a case of a serious murder, such as that which occurred in 1965, the individual concerned will remain in custody for the rest of his days.

Unfortunately that belief was undermined to some extent when, earlier this month, my right hon. Friend the Home Secretary advised the police that one of the men convicted of that terrible murder at Shepherd's Bush, John Edward Witney, was to be released on life licence five years before the end of the 30-year sentence recommended by the trial judge.

My right hon. Friend told the chairman of the Police Federation that that decision was taken after consultation with the Lord Chief Justice and that it reflected the view that Witney's case could be distinguished from that of his two co-defendants since he did not fire a weapon during the shooting. He also said that the Parole Board did not consider that Witney would present a risk and accordingly it recommended his release. I hope, as I am sure every hon. Member does, that my right hon. Friend is right.

What my right hon. Friend's decision has made crystal clear is, as he announced,

"Murderers of police officers should normally be expected to be detained for at least 20 years."

Mr. Robert Maclennan (Caithness and Sutherland): What conclusions does the hon. Gentleman draw from this experience about the matter under debate? Does he believe that his clients, the Police Federation, would have greater confidence in the decision of a judge who initially recommended 30 years or in that of some unknown Home Secretary some years on?

Mr. Shersby: I am grateful for that intervention and if the hon. Gentleman will bear with me for a moment I shall give the House my answer.

When my right hon. Friend announced his decision to release Witney, he said that 20 years was consistent with the Government's declared policy of ensuring that the time served by prisoners convicted of the worst offences of violence fully meets public concern about violence. However, it does not fully meet the concerns of members of the Police Federation. They expect the sentence imposed by the court to be completed, and that in the case of police murders the offender should lose his or her liberty to the state for the rest of his or her days.

As a result of the release of Witney this month, the federation is now calling on the House to sustain the Lords amendment, and to rely on the courts to ensure that the offender will not be released before a fixed period determined by the court.

Mr. Ivan Lawrence (Burton): Is that not the exact opposite of the view expressed strongly to us by the Police Federation six months ago?

Mr. Shersby: I shall return to that point in a few moments, but it is true that there has been some change from the views formerly held by members of the Police Federation. That change has undoubtedly been influenced by the Witney case.

I share the federation's concern, but I understand that, in advancing the case for overturning the Lords amendment, my right hon. Friend the Home Secretary must have very much in mind that in the end it is the Home Secretary and the Government of the day who have to take responsibility for the protection of the public. That is one of the most essential considerations affecting our approach to this difficult matter. I hope, therefore, that when my right hon. Friend the Minister of State replies to the debate she will tell us how she reconciles the release of Witney with the policy so clearly expressed by the Home Secretary:

"the best and fairest system is the one we have now, where the life sentence is fixed by law, and the responsibility then passes to the Home Secretary of the day to decide how the sentence should be spent".

I hope that, if my right hon. Friend the Home Secretary wishes—as I know that he does—to retain the full support of the police for his policy, he will give an assurance that there will be no more releases before the sentence fixed by the trial judge has been completed, especially in cases such as that which I have described, in which the recommendation was specific.

I realise how difficult a decision my right hon. Friend has had to face today in deciding how to deal with the amendment. I believe that he has done as he has because he recognises that it is his responsibility as Home Secretary —as it will be the responsibility of his successors in due course—to protect the public and to be able to reassure them that no one who commits such murders will receive any sentence other than one that will deter and will protect the public from ruthless and vicious killers.

Mr. Maclennan: The hon. Member for Uxbridge (Mr. Shersby) has holed the Home Secretary's argument below the water line. He has made it plain that the Police Federation, which is more continuously concerned than any other section of the community about the threat posed by murder to the public—and indeed, to the federation's own members—does not agree with the view that the Home Secretary sought to persuade the House was the general view of the public. It does not agree that a deterrent sentence, a mandatory life sentence, is the most effective response to the crime of murder.

Nothing in the Home Secretary's speech adduced any evidence that the public's view of the mandatory life sentence was as he suggested. That idea is remote from what I understand to be public opinion on the subject. I believe that the public recognise that mandatory life sentences are not life sentences. Many members of the public are sceptical about such sentences because they vary so much. They vary not according to the courts' perception of the seriousness of the crime, but according to the view of the Home Secretary of the day some years later.

I understand that the Minister of State is to reply to the debate, and I noticed that the Home Secretary, in an aside to her, spoke of his obligation to protect the public when he takes decisions on release. There is no doubt that that must be the predominant consideration in the minds of Home Secretaries when exercising their discretion, but it is not the predominant consideration that leads the public to criticise the mandatory life sentence. The public criticism is that too often a life sentence is too short. That is a more realistic appraisal of the public view of life sentences.

The argument is not new for those who have already spoken in such debates, but I have not had the opportunity to speak on the subject earlier in the Bill's progress, so I intend to put on record a few of the considerations that have led me to believe that the time has come for a change in the law.

When capital punishment was originally abolished I was satisfied that the mandatory life sentence was a sensible alternative, but as we have seen the law evolve and cases being decided it has become increasingly clear that the penalty does not in any sense match the crime. Although the court is undoubtedly best placed to assess the heinousness of the offence—the court is possessed of the evidence and has the opportunity to see the witnesses—it is not the court that determines how long the convicted murderer will remain in prison.

The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) described graphically what have been described in another place as the "secret communications" between the sentencing judge and the Home Office. It is not appropriate, and the public does not regard it as appropriate, that sentencing should be conducted in that manner—by secret negotiations with the Executive. Most members of the public regard judges as the appropriate people to make decisions about the seriousness of a crime and the length of prison sentence to be suffered by the convicted person.

The law as it stands invests in the executive arm of Government the effective power of sentencing for murder—a power exercised in secrecy, so that it does not allow of an appeal in the normal sense of the word, a fact which has brought us before the European Court of Human Rights. Our procedures have been seriously criticised in that court, and we have been found to be in violation of article 5(4) of the convention. I look forward to hearing the Home Secretary's argument on how he intends to deal with the Thynne case.

Moreover, the law as it stands does not distinguish properly between different degrees of murder. Clearly it is unsatisfactory that mandatory life sentences are automatically imposed in cases where patently less moral turpitude has been involved than in some of the more appalling cases that have come before the courts. It dilutes the sentence of life imprisonment, and the public perception that it may average nine years is perpetuated, when the truth is that a serious case of premeditated murder, of the kind that we all recognise, should mean true life imprisonment—that is, imprisonment for life. I believe that in such cases it should mean imprisonment for life, but that the law needs to be amended to enhance the deterrent effect of such true life sentences.

5 pm

Lord Nathan, who chaired the Select Committee in the other place, asked whether the existing law acted as a suitable or adequate deterrent and concluded that it did not because of the uncertainty, in practice, of the duration of the penalty.

The Lord Chief Justice, whose views were alluded to at no point in the Home Secretary's speech, was extremely critical of the law as it stood and, in particular, of the very argument that seems to underlie the approach adopted by the Home Secretary. I agree with the right hon. Member for Sparkbrook that the Home Secretary appears to be posturing in front of an audience which he considers—wrongly, in my view—is attracted to executive penalty and executive release.

Lord Lane said:

"It is no sign of weakness to replace what I suggest is a flawed system with one which at the very least offers an opportunity to achieve greater fairness and so greater justice."

I think that Lord Lane was right, and the fact that the exercise of executive discretion is very much a matter of whim has been illustrated by the practice adopted by successive Home Secretaries in the present Conservative Administration.

The right hon. and learned Member for Warley, West (Mr. Archer) referred to one of the Select Committee's findings. In 1988, a higher tariff was decided by Ministers in 63 out of 106 mandatory life sentences which had been reviewed. In a six-month period in 1984, however, after Mr. Leon Brittan, as he then was, had altered the rules for review, Ministers increased the penalties recommended by trial judges in 80 cases out of 195. I do not know whether any of those alterations were made with a view to changing public perception of the effectiveness of the deterrent or what the reasons for those changes were, but they were certainly changes and they did not reflect a consistent approach by Home Secretaries to the protection of the public.

These are difficult matters for Home Secretaries to decide. I have no doubt that there must be a procedure involving the Home Secretary in the case of those whose release would constitute a danger to the public. It is beyond question that that is not something that trial judges can take into consideration. It is also clear, however, that the Home Secretary is not so well placed as the trial judge to decide the penalty appropriate for the crime.

I fear that we shall not conclude our discussions of this subject today. Judging by the tone and shortness of the Home Secretary's speech, and given that he did not address any of the substantial arguments deployed by the many Committees that have considered the matter or the arguments made in the other place, we shall clearly be returning to this debate in future. I hope, however, that we shall see a movement in the consensus within the Conservative party which reflects the very general concerns expressed by those who have to administer the law at the highest levels about the injustices of the present system.

Mr. Lawrence: In my view, the Government are quite right, in the present climate of law and order, to reject their Lordships amendment. Since the abolition of capital punishment in 1962 there has been an alarming increase in murders, in crimes using guns and weapons and in the killing of police officers. In the five years to abolition, there were 290 murders a year, whereas in the past five years, there have been 647 murders a year—a doubling in the murder rate. In 1962, 2,000 crimes were committed with guns and weapons. Today, 10,000 crimes a year are committed with guns and weapons. That is a fivefold increase. In the 24 years to 1965, 14 police officers were killed in England and Wales, whereas in the 24 years since, 53 police officers have been killed. That is a threefold increase. In the past 20 years, 59 convicted murderers have been released and have killed again.

It is doubtful whether life imprisonment works adequately as a deterrent, and this is hardly the time at which to weaken or appear to weaken the law further. The reason why the mandatory life sentence is so important—although, for the overwhelming majority of British people who want capital punishment restored, it is second best—is that the crime of murder is not like other crimes. It is unique. It involves a life being taken by a deliberate act, and in the eyes of the public, it should be dealt with by a unique sentence. To do away with the unique sentence for that unique offence would undoubtedly weaken public

[Mr. Lawrence]

confidence in the system of law and order because it would remove an element of deterrence. That confidence would be further weakened, if, in certain circumstances, the sentence passed for a murder turned out to be too light because the crime itself was in reality less serious than it appeared.

One of the problems with the press today is its bad reporting of criminal trials. Its representatives are there at the start of the trial when the prosecution opens and they are there at the end but they are seldom there in the middle when the evidence is being given. The headlines scream, "Only two years for murder. This is a disgrace. Guilty judge, guilty jury, guilty system." That is nonsense but the public react and respond to the bad reporting in the media. Yet the facts of the case may be such that a sentence of two years may be quite adequate. Under the present system, a murderer gets life and the machinery of the system then determines whether he should be let out after two years. He may not spend his life in prison but the sentence will last for life and, if he offends or becomes a danger to the public once more, he will be recalled. The sentence of life imprisonment is a deterrent—albeit second best to the deterrent of capital punishment. The public will not be disturbed and their confidence will not be undermined because they know that, under the present system, there is an element of deterrence which continues and endures.

There is another side to the coin. If the judge feels that it would not reflect the wishes of the public if he passed a light sentence, he might well pass a more severe sentence than the criminality deserves. The effect of the amendment, supported by liberals, would be to harden sentencing. It would be counter-productive. It would not achieve what is wished and would distort the prison population still further.

The abolition of mandatory life sentences would have another effect. It would require the passing of sentences of 50, 60 or 70 years in the most heinous of cases. Will judges be prepared to pass such sentences? The logic of that would be to follow the American example. We hear of sentences of 99 years, to run consecutive to other sentences of 99 years. We hear of sentences of several hundred years passed on people who have committed a series of heinous offences. That makes a laughing stock of the sentencing system.

I concede at once that the public confidence aspect is less important than the justice of the case. The question is, would more justice be done if we abolished mandatory sentences? That would be the case if "life" always meant "life", in all circumstances, with all murders and with all offenders, and regardless of whether a mercy killing had taken place. That, however, is not the position. The Home Secretary, acting on the advice of the Parole Board, decides whether the circumstances warrant earlier release.

That is a fair way of dealing with such matters. It is not obvious to the public that they are being dealt with in that way, but, as I have already conceded, the justice of the case is more important than the public confidence aspect—although that too is terribly important.

The right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) said that actual sentences should be determined by a judge rather than by the Executive. At first, that may seem an attractive point; however, nowhere else in the sentencing system is the sentence determined by the judge. It is determined by the Parole Board, with the support of Parliament. The judicial sentence can then be reduced by two thirds, or by half, or sometimes in variance of the two.

In passing a judicial sentence, the judge is not allowed to take into account the date of parole, or the fact that the accused may be likely to have his sentence reduced by a third. The judiciary does not really determine the length of sentences, and rejection of the amendment would not breach the position relating to Executive and legislative release.

What of the right hon. Gentleman's argument that there should be a variation in sentences for murder? In the case of less heinous murders—the right hon. Gentleman gave the example of the two little girls—the answer is surely the same that we would give if we were discussing euthanasia. There may be some justification for a particular killing, but when the system says no to all killing we at least know that some deterrence exists—that people will be deterred from killing too easily, and that lives that should not be taken will occasionally be saved. That argument applies to euthanasia; it also applies to maintaining standard sentence—uniquely—in cases of murder.

I understand why their Lordships took the view that they did. They did not have to deal with the public, as we do. Although public confidence is a matter for their consideration, it is nothing like as much a matter for their consideration as it is for the consideration of Members of this democratically elected House of Commons. I would guess that public opinion was the reason behind the Cabinet's refusal to adopt the view of the right hon. and learned Member for Warley, West (Mr. Archer) when he served in a Labour Government.

Mr. Archer: Does the hon. and learned Gentleman concede that we can all become wiser with the passage of time, especially when a number of people have given thought to the issues and produced reports?

Mr. Lawrence: If that is the right hon. and learned Gentleman's explanation of his position, of course I accept it. I assumed that his position had remained consistent throughout, and that he did not consider the abolition of mandatory sentences acceptable. I know that that point of view was expressed when the last Labour Government were in power. My point is that that Government did nothing to change the position—not just because the right hon. and learned Gentleman held a different view at that time, but because public opinion did as well. The Labour Government took account of public opinion; now we are taking account of what we perceive to be public opinion.

Not only would the removal of the mandatory life sentence constitute a betrayal of the public—who, in a sense, entered into a bargain with the Government who abolished capital punishment that they would, while abolishing it, maintain the deterrence provided by life sentences—but it would constitute a betrayal of the hon. Members who supported the abolition of capital punishment on a number of occasions because the Government had said, "There will still be a deterrent—life sentences." If that deterrent is now removed, many hon. Members—certainly many Conservative Members—who have voted in the past for the retention of the abolition of capital punishment will feel that they would now reach a

very different conclusion. My hon. Friend the Member for Daventry (Mr. Boswell) indicates that he is one example: there could be no finer example.

5.15 pm

As I have said, acceptance of the Lords amendment would be a betrayal. In 1962, a kind of pact was made with the British public to enable the Labour Government to abolish capital punishment. Now, acceptance of the amendment would betray all those who were assured that the alternative to capital punishment was the life sentence. That is why my right hon. Friend has made his position clear on the basis of public confidence. He is absolutely right to do so, and his view demands our support as a matter of common sense.

The time may come when we shall be able to contemplate a change from the mandatory life sentence. Given a substantial reduction in the number of violent crimes, the public may then be in a frame of mind to accept the logic of the case. That time, however, is not yet here. Our view was held, after careful consideration, by the Crown prosecution service when it gave evidence to the Committee in the other place; it was also held—again, after careful consideration—by the Police Federation, until it decided to change its mind last week and a police murderer was released on parole. Right or wrong, such decisions are no less likely to be made when there is no mandatory life sentence than when there is.

Mr. Kenneth Hind (Lancashire, West): I support the rejection of the Lords amendment.

My hon. and learned Friend the Member for Burton (Mr. Lawrence) made a telling point when he reminded us that Members of the other place have no constituents. In many respects, their beliefs do not reflect the views of the public; they are not listening, in the pubs and clubs, to what the public genuinely feel about this important matter.

I speak not only as a representative of the public, but as one of the few hon. Members now present who has had the opportunity to defend accused persons in murder trials on more than one occasion. I shall never forget the atmosphere of those trials, and the sense of the seriousness of the matters with which they had to deal.

The background of today's debate is the rise in the number of murders in the United Kingdom in the past few years. Some of those murders involved the use of guns during the commission of offences of dishonesty; others involved the indiscriminate killing of victims unknown to their murderers. My hon. Friend the Member for Ryedale (Mr. Greenway) is clearly concerned to hear that. Murder is a heinous and terrible crime: the public recognise it as such, and so should we.

In 1967, the Labour Government abolished the death penalty. There was a free vote, and the matter was debated fully. The death penalty was abolished, however, on the understanding that it would be replaced by the life sentence. That reflected the strength of public feeling, and the seriousness of the offence in question. That feeling still prevails. How many hon. Members who are sitting here now receive letters from the public saying that the life sentence should mean life?

Mr. John Greenway: My hon. Friend asks how many hon. Members are sitting here, but not many hon. Members are here; it would be different if we were discussing dogs. Does not that show that the majority of Conservative Members support what the Home Secretary is doing?

Mr. Hind: Precisely.

The seriousness with which the public view the imposition of the life sentence for the offence of murder cannot be underestimated. Our sentencing policy does not follow the principle that life means life, but for serious offences such as terrorist murders, indiscriminate killings, gangland murders anmd other offences at the top of the scale, judges make recommendations. How many times have we read that a judge recommended that a minimum of 30 years be served? That is the way in which judges convey to the man in the dock, to the public and to the courts the seriousness with which they view such crime.

I defended a woman who suffered from post-natal depression and killed her child. I placed her in a different category from a gangland member who murders a drug courier because he betrayed the system. The gradations in offences can be met by the existing system.

We must respect the public's views. When somebody commits the offence of murder, the sentence must reflect the seriousness of the offence. The Lords amendment is an unnecessary dilution of the public's strong feelings and of the need to emphasise the terrible nature of the offence.

I support one point that the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) made. He sensibly said that the judge hears all the evidence and sees all the witnesses, including the accused if he gives evidence, and reads the social inquiry and psychiatric reports. Where the judge recommends what the sentence should be, it should be followed by the Home Office. I feel much disquiet about sentencing by Ministers and not by judges. The split between the independence of the judiciary and of Ministers is being eroded. I urge Ministers to take note of what the judge says. The existing system can continue without the interference of the Lords amendment and I recommend that the House rejects it.

Mr. John Greenway: I must refer to the comments of my hon. Friend the Member for Uxbridge (Mr. Shersby), whose views I much respect. I was deeply shocked by his remarks. What he suggested as the policy of the Police Federation is an ill-thought-out policy that it should reconsider and, in due course, reverse.

I share my hon. Friend's passionate belief that our police deserve all the protection that Parliament can provide. On 17 December last year, I opened the debate on the restoration of the death penalty, and I share my hon. Friend's profound belief that, if the death penalty were available for the murder of a police officer, less police officers would be murdered.

Mr. Hattersley: Fewer.

Mr. Greenway: I stand corrected.

We must accept the decision of the House, but it is an important point and not one to be made the subject of a trivial intervention. If we cannot have capital punishment for the murder of a police officer, we want a certain penalty. It is better to have the certain penalty of a mandatory life sentence, flawed though that is—the thrust of the debate has been the extent to which it is flawed and where we should strike the balance—because life does not

[Mr. Greenway]

mean life under the present system, and even less so under part II of the Bill, where we are trying to achieve more certainty in sentencing.

My hon. Friend the Member for Uxbridge is wrong in his assessment that the courts will provide a deterrent in sentencing someone who has murdered a police officer and that that is a greater deterrent than the mandatory sentence. No one will be aware of the sentence until after a police officer has been murdered. We are on the slippery slope of finding out subsequently.

I have considerable sympathy with the Police Federation's disappointment at the decision of my right hon. Friend the Secretary of State. I know well that many police officers were disappointed, but I say to my hon. Friend the Member for Uxbridge and to the Police Federation that the one man who knows what it is like to make the difficult decision whether to release on parole the murderer of a police officer, following the recommendation of the Parole Board, is my right hon. Friend the Home Secretary. He has argued well this afternoon for the retention of the mandatory life sentence, and therefore the retention of a system in which he and his successors will be confronted with that difficult decision.

Mr. Shersby: As a former Metropolitan police officer, my hon. Friend understands only too well, as he said in his speech, the reaction of the Metropolitan police and of other police forces to the circumstances surrounding the Shepherd's Bush murder. He will know that when I spoke to the police conference in May, I made it clear that in my judgment it was an important issue for it to consider. I left it in no doubt that the 20-year sentence was important. In my final remarks, I paid tribute to my right hon. Friend the Home Secretary and pointed out that he had to make that difficult decision, of which I fully approved.

Mr. Greenway: I am grateful for my hon. Friend's comments, but the decision that the Police Federation has taken, which he announced to the House this afternoon, is based on a knee-jerk reaction to one difficult case and is not properly thought out.

Mr. Kenneth Baker: My hon. Friend kindly referred to me and he will know that the Home Secretary often has to make difficult decisions. In the Shepherd's Bush case, I was bound by decisions that had been taken by my predecessors, as the House knows. I have no doubt that the Police Federation will reconsider its views, for the simple reason that, if it supports the Lords amendments, the undertaking that Sir Leon Brittan gave the House in 1983, and which was confirmed by me—that anybody convicted of killing a policeman would serve at least 20 years—then falls. I doubt whether the Police Federation has considered that, but I am sure that my hon. Friend the Member for Uxbridge (Mr. Shersby) will draw it to the federation's attention.

5.30 pm

Mr. Greenway: I am grateful to my right hon. Friend. His comments will have been helpful to the House and to people outside.

Some points made in the interesting speech of the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) go to the heart of the difference between our views. He said, in effect, that not all murderers deserve a life sentence. But every murder victim has already been subjected to a life sentence. More important, the balance which must be struck should surely be in favour of ensuring that those who should receive a life sentence do so. Only a mandatory sentence delivers that certainty.

Lord Lane argued about the arrangements under the Criminal Justice Acts 1987 and 1988 whereby the Attorney-General has the right to appeal against a lenient sentence—something opposed by the Labour party. I do not believe that we can expect with certainty that the right sentence will be passed on appeal any more than we can expect that the right sentence will be passed by the judge who heard the case. Therefore, there are differences between us as to a murderer's rights.

The right hon. Member for Sparkbrook talked about a civil right and justice being denied because of mandatory sentences. Again I ask: justice for whom—for those who kill or for those who are killed? The fulcrum of the problem rests on that issue. Do Members of Parliament believe that there is a sentence for those who commit the most heinous crime of murder which can deter some murderers? I happen to be one of those who believe that it can deter. That is why I believe that the Government and my right hon. Friend the Home Secretary are right to come down firmly against their Lordships' amendment and to call upon the House to reject it.

Mr. Hind: Will my hon. Friend give way?

Mr. Greenway: I shall not give way because I wish to make further comments, and time is pressing.

We must bear in mind the far-reaching changes in sentencing policy that are already included in the Bill, particularly the provision for the early release of prisoners under part II. There will be major, fundamental changes in sentencing policy.

In simple terms, before we even consider whether we should abolish the mandatory sentence, we should see how the new provisions in the Bill work in practice. In essence, we are saying that a person who is sent to prison for 15 or 20 years for having committed a serious crime, such as manslaughter, rape or armed robbery, will serve half the sentence. As the right hon. and learned Member for Warley, West (Mr. Archer) pointed out, if the mandatory life sentence is abolished, it is still open to the courts to impose a life sentence. I strongly suspect—my right hon. Friend the Home Secretary enunciated this point—that, in practice, judges will impose a fixed term, rather than a life sentence. That will mean that the criminal will serve only half his sentence.

I joined the police just after the murders in Shepherd's Bush. I share the disappointment of my hon. Friend the Member for Uxbridge that the 30-year sentence became only a 25-year sentence, but I do not for one moment believe that judges these days would impose a 50-year sentence. That idea does not stand up. Until we have seen how the arrangements in part II work in practice, we should not go so far as to abolish the mandatory sentence.

Mr. Hattersley: Will the hon. Gentleman turn his mind to a point repeatedly made not by woolly-minded readers of *The Guardian* but by Law Lords? The Law Lords said that the mandatory sentence was blunting the edge of the deterrent, because it was assumed in popular fiction that every sentence was the same and that it turned out to be nine or 10 years. They believed that what was really needed as a deterrent was a series of headlines stating,

"Policeman's killer sentenced to prison for 25 years." The Law Lords thought that the mandatory argument was working in the other direction.

Mr. Greenway: I should have thought that potential murderers of police officers would see the publicity surrounding the release of John Witney after serving 25 years. I should have thought that potential murderers would hear the message from the House—certainly from Conservative Members—that that is the minimum term that we would expect murderers of police officers to serve.

Those of us who wish to reverse the decision made by their Lordships believe that there is a greater certainty that murderers will serve long sentences if the mandatory life sentence is maintained rather than abolished.

Mr. Barry Sheerman (Huddersfield): I do not intend keeping the House long. This has been an interesting debate. Having read the proceedings in Standing Committee and in the other place, I do not know whether, if I were in my old job as a university teacher and were marking the debate out of 100, the score would be better in the other place than in this House, but I suspect that it would be.

Two important principles have come out of the debate. The Government have fallen into some confusion because they have no consistent principle in this complicated matter. Once one gives up pursuing a consistent principle in this matter, one loses one's way. The principle of what goes on in our judicial system was thoroughly discussed in the other place by people involved in the sentencing process.

My right hon. and learned Friend the Member for Warley, West (Mr. Archer) put his finger on the point, referring to four essential principles. He was challenged to say why he did not introduce this change when he was a member of the Labour Cabinet. He was right to say that one does not start where one wants to stop. During the past 15 years, there has been an interesting change in the attitude of influential people in our judicial system—at one end, the judicial lobby and, at the other, the justices and those who represent them in the other place.

There has been an important change in thinking. It has taken a long time for that to happen. Labour Members believe that time is important. We have had 15 years of well-informed debate on this matter, with committee of inquiry after committee of inquiry. Many people at the highest levels of the judiciary have changed their minds in the light of experience. As we pointed out consistently in Standing Committee, most people with some expertise in this matter believe that it is time for a change. If the Lords amendment is reversed, an opportunity will have been missed.

Some people, including the hon. Member for Lancashire, West (Mr. Hind), have talked about the views that will be expressed in the pubs and clubs. We believe that it is important to listen to those views in addition to those of the people involved in the judicial system, but at the end of the day, we must judge, and our judgment is that the country wants an effective deterrent. What the judiciary wants matches what the men and women in the pubs and clubs want. In other words, they want an effective deterrent.

It has become clear from the debate in another place and from the many committees of inquiry that, if the same mandatory penalty were passed for all crimes of murder, the whole issue of deterrence and the whole range of murders would be confused. As my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) clearly stated, we feel very strongly that the wicked men who shoot policeman should receive the sentence that they deserve, but there is a difference between such murders and other murders. If the penalty is used right across the board and if the same sentence is given to, at the one extreme, the wicked men who shot three policemen in Shepherd's Bush and, at the other extreme, to the agonised spouse who, at the end of his or her tether, helps his or her partner to die, it will make the deterrent ineffective.

I refer to two hon. Members——

Mr. Hind: The hon. Gentleman referred to what he believed to be the view of people in the pubs and clubs. Does he agree that the man in the street understands that if a bank robber tries to shoot his way out of a corner and kills a police officer, that bank robber knows that he will receive a life sentence and probably more? That is the simple message. The bank robber will receive not merely a life sentence, but probably a recommendation to go with it. The bank robber understands that and will think about it when he has his finger on the trigger.

Mr. Sheerman: That issue is interesting in itself, but it has nothing to do with the debate.

We are not arguing against having a life sentence for the wicked people who perpetrate the crime that the hon. Member for Lancashire, West describes. We want a mandatory life sentence for such an evil deed. However, I wish to refer to the hon. Gentleman's speech.

Another principle that we pursued in judging whether to accept the amendment was that it should not be the job of the Executive to make the decisions or to interfere with the decisions which are properly those of the judiciary. If I remember correctly, the hon. Gentleman said at the end of his speech that there was one issue on which he disagreed with the Home Secretary although he would go dutifully into the Division Lobby at the appropriate time. The hon. Gentleman said that sentences should be determined by judges, not by Ministers. That was the whole point of the remarks made by my right hon. Friend the Member for Sparkbrook—that, at the moment, the Executive has a very dubious role in these cases.

It has been made clear in the debates in another place—and former Home Secretaries have also been candid about this issue—that it is not the Home Secretary who makes the important decision, but a junior Minister. It is not a junior Minister who has read all the proceedings of the trial, but one who perhaps has a little help from an appropriate civil servant. It is not a Minister who has been briefed or who has read the ramifications of the case. We know what happens and we know that justice is not being done in such cases.

5.45 pm

I refer to the speech made by the hon. Member for Uxbridge (Mr. Shersby). If, as the hon. Member for Caithness and Sutherland (Mr. Maclennan) said, the hon. Gentleman's speech holed the Government ship beneath the waterline, surely that of the hon. Member for Lancashire, West blew away the main mast. The hon. Member for Uxbridge made an important point. He said that the Police Federation had changed its mind, and that is an important decision. I know that Conservative Members do not like that, because they prefer the Police

Federation to agree with the broad thrust of their policies. It was the particular case of three policemen who were murdered in a ghastly way about 26 years ago which made the federation realise the problems of having the Executive —a Minister—interfering with what should be left to judges. We may want judges to make specific recommendations of very long, determined sentences for people such as the Shepherd's Bush murderers. That would seem to be the logic of our position and there is nothing wrong with that. We shall defend that logic and, in this instance, we believe that the Police Federation's change of mind shows eminent good sense.

We believe that ideas have changed and that there is now a consensus, not a party-political consensus but one of informed people who believe that the time has come to change the law. We have had a good debate, and there was an excellent one in another place. The Government would be shirking their responsibilities in their duties to the country and to the criminal justice system if they did not, at this late stage, change their mind and support the amendment.

The Minister of State, Home Office (Mrs. Angela Rumbold): I do not disagree with the hon. Member for Huddersfield (Mr. Sheerman) that we have had a good debate. We have discussed several issues, including the part played by the Home Secretary and by Ministers in the decisions on the length of time that people will spend in custody and the length of time that they will spend out of custody but still on life sentences.

My first point relates to an issue raised by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). Of course the sentence should be passed by the judge. It is the judge who makes the decision, following and acting on the mandatory penalty set out by Parliament that the crime of murder requires a life sentence. At that point, the case goes to Ministers for them to consider the proportions of the sentence to be spent in custody and those which will be spent on licence.

We also considered the Home Secretary's decisions and discretions and his accountability to Parliament for those decisions. Opposition Members seem to find that accountability difficult to comprehend.

Mr. Gerald Bermingham (St. Helens, South): Will the right hon. Lady give way?

Mrs. Rumbold: No. [HON. MEMBERS: "Go on, give way."] Not at all. I want to develop my argument a little longer, if I may. The hon. Gentleman has entered the Chamber only recently and has not sat throughout the debate. It would be courteous for me to take the opportunity to answer some of the points made by my hon. Friends. I do not feel that I shall be tempted to allow the hon. Gentleman's interventions.

As I said earlier, one of the most important aspects of the decisions that are taken by the Home Secretary is that he is ultimately accountable to the public. We have heard a great deal about the public's view of the way in which murder is treated and about the way in which the judgments passed by the courts and by the Home Secretary act as a deterrent against more people committing the crime of murder. If Parliament is representative of the people and speaks for them, surely the Home Secretary, who is charged with the keeping of good order and with ensuring that good order is seen to be kept, is also held to be accountable for his decisions about the length of time that different types of murderers serve.

My hon. Friend the Member for Uxbridge (Mr. Shersby), in his capacity as spokesman for the Police Federation, rightly pointed to the recent release of Mr. Witney. Mr. Witney has served 25 years of imprisonment for committing a heinous crime. The crime of killing police is considered heinous by all Members of the House of Commons. The hon. Member for Huddersfield and, I suspect, the right hon. and learned Member for Warley, West (Mr. Archer), endorse that view, as did my hon. Friend the Member for Uxbridge. No one wants people who commit the crime of killing police to be treated other than with the most serious commitment to custody. I must tell my hon. Friend the Member for Uxbridge that we consider a sentence of 20 years to be the very minimum.

The decision on the case was taken after consultation by my right hon. Friend the Home Secretary with the Lord Chief Justice. In 1985, Sir Leon Brittan decided, after consultation with the Lord Chief Justice, that a distinction could be drawn between Witney, who did not fire any shots, and his two co-defendants, who did. The decision to release Witney is based on the advice of the Parole Board that he no longer presents a risk to the public. The risk factor is the cogent factor in the decision making of Ministers or of the Home Secretary about the point at which a person has served the length of time that is suitable as retribution. The remaining issue to be decided is whether the person presents a risk to the public if he is released.

Mr. Archer: Will the right hon. Lady give way?

Mrs. Rumbold: I should be grateful if the right hon. and learned Gentleman would allow me to continue, because I have one more point to make about the importance of murder.

My hon. and learned Friend the Member for Burton (Mr. Lawrence) summed up the position well. I find it difficult to accept the notion that one can distinguish between one murder and another. I understand the difficulties that people have, because some murders are premeditated, and are especially ghastly and horrific. For other murders, there may be reasons for saying that one could think more kindly of the person who committed the crime. Essentially, human beings do not have the right to take the life of another person. We have never decided that that is the case. I seriously suggest that, when Opposition Members try to distinguish between one type of murder and another, they do no great service to the general public's view that murder is a serious crime which should attract the most serious penalty—life imprisonment.

Our debate has been interesting. I say to hon. Members who have argued that we should accept the amendment that it would not be a wise move for the House at present if we take seriously into consideration the feelings of the general public about the importance of having clear signals of deterrence for the worst crimes that can be committed by people against others. I for one hope that we shall retain the present system which allows my right hon. Friend and any future Home Secretary the right to take the decision for which he and he alone is accountable to the democratically elected House of Commons.

Question put:—

The House divided: Ayes 236, Noes 158.

Division No. 191] **[5.55 pm**

AYES

Adley, Robert
Alison, Rt Hon Michael
Allason, Rupert
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Rt Hon Sir William
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Currie, Mrs Edwina
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir Anthony *(CambsSW)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Latham, Michael
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Rt Hon Peter
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Malins, Humfrey
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Morrison, Sir Charles
Moss, Malcolm
Mudd, David
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Porter, David *(Waveney)*
Price, Sir David
Raffan, Keith
Rhodes James, Sir Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Rt Hon Sir Wyn
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Sir Ian
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Trippier, David
Twinn, Dr Ian
Viggers, Peter
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy

Tellers for the Ayes:
Mr. Tom Sackville and
Mr. Irvine Patnick.

NOES

Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Beckett, Margaret
Bell, Stuart
Bellotti, David
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Boyes, Roland
Bray, Dr Jeremy
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Carr, Michael
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, Sir A. E. P.
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Edwards, Huw
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foulkes, George
Fyfe, Maria
Garrett, Ted *(Wallsend)*
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Hain, Peter

Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Henderson, Doug
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Livingstone, Ken
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
Macdonald, Calum A.
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Owen, Rt Hon Dr David
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Richardson, Jo
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Spearing, Nigel
Steel, Rt Hon Sir David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thomas, Dr Dafydd Elis
Thompson, Jack *(Wansbeck)*
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jimmy Dunnachie and
Mr. Thomas McAvoy.

Question accordingly agreed to.

Lords amendment No. 44 disagreed to.

Lords amendment: No. 45, after clause 22, to insert the following new clause—*Court's duty on passing sentence of life imprisonment*—

" .—(1) Where a court sentences a person to imprisonment for life it shall state in open court—

(a) its reasons for passing that sentence; and

(b) the sentence of imprisonment the court would have passed ("the penal term") if it had not been open to it to pass a sentence of imprisonment for life and it had not taken into account the risk of serious harm to the public if the offender were to be released after a determinate number of years' imprisonment.

(2) The penal term shall be subject to appeal against sentence in the same manner as the sentence of imprisonment for life actually passed on the offender."

Mrs. Rumbold: I beg to move, That this House doth disagree with the Lords in the said amendment.

Mr. Deputy Speaker (Mr. Harold Walker): With this, it will be convenient to consider the following amendments in lieu of the Lords amendment: (a) a new clause—*Duty to release discretionary life prisoners*—

'.—(1) A life prisoner is a discretionary life prisoner for the purposes of this Part if—

(a) his sentence was imposed for a violent or sexual offence the sentence for which is not fixed by law; and

(b) the court by which he was sentenced for that offence ordered that this section should apply to him as soon as he had served a part of his sentence specified in the order.

(2) A part of a sentence so specified shall be such part as the court considers appropriate taking into account—

(a) the seriousness of the offence, or the combination of the offence and other offences associated with it; and

(b) the provisions of this section as compared with those of section 27(2) above and section 28(1) below.

(3) As soon as, in the case of a discretionary life prisoner—

(a) he has served the part of his sentence specified in the order ("the relevant part"); and

(b) the Board has directed his release under this section,

it shall be the duty of the Secretary of State, subject to subsection (7) below, to release him on licence.

(4) The Board shall not give a direction under subsection (3) above with respect to a discretionary life prisoner unless—

(a) the Secretary of State has referred the prisoner's case to the Board; and

(b) the Board is satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined.

(5) A discretionary life prisoner may require the Secretary of State to refer his case to the Board any time—

(a) after he has served the relevant part of his sentence; and

(b) where there has been a previous reference of his case to the Board, after the end of the period of two years beginning with the disposal of that reference; and

(c) where he is also serving a sentence of imprisonment for a term, after he has served one-half of that sentence;

and in this subsection "previous reference" means a reference under subsection (4) above or section 32(4) below made after the prisoner had served the relevant part of his sentence.

(6) In determining for the purpose of subsection (3) or (5) above whether a discretionary life prisoner has served the relevant part of his sentence, no account shall be taken of any time during which he was unlawfully at large within the meaning of section 49 of the Prison Act 1952 ("the 1952 Act").

(7) The Secretary of State may defer a prisoner's release under this section for a period not exceeding six months if he is satisfied that exceptional circumstances exist which justify such a deferment in the public interest.

(8) In this Part "life prisoner" means a person serving one or more sentences of life imprisonment; but—

(a) a person serving two or more such sentences shall not be treated as a discretionary life prisoner for the purposes of this Part unless the requirements of subsection (1) above are satisfied as respects each of those sentences; and

(b) subsections (3) and (5) above shall not apply in relation to such a person until after he has served the relevant part of each of those sentences.'

(b), a new clause—*Life prisoners transferred to England and Wales*—

'.—(1) This section applies where, in the case of a transferred life prisoner, the Secretary of State, after consultation with the Lord Chief Justice, certifies his opinion that, if—

(a) he had been sentenced for his offence in England and Wales after the commencement of section (*Duty to release discretionary life prisoners*) above; and

(b) the reference in subsection (1)(a) of that section to a violent or sexual offence the sentence for which is not fixed by law were a reference to any offence the sentence for which is not so fixed,

the court by which he was so sentenced would have ordered that that section should apply to him as soon as he had served a part of his sentence specified in the certificate.

(2) In a case to which this section applies, this Part except section 28(2) above shall apply as if—

(a) the transferred life prisoner were a discretionary life prisoner for the purposes of this Part; and

(b) the relevant part of his sentence within the meaning of section (*Duty to release discretionary life prisoners*) of this Act were the part specified in the certificate.

(3) In this section "transferred life prisoner" means a person—

(a) on whom a court in a country or territory outside England and Wales has imposed one or more sentences of imprisonment or detention for an indeterminate period; and

(b) who has been transferred to England and Wales, in pursuance of—

(i) an order made by the Secretary of State under section 26 of the Criminal Justice Act 1961 or section 2 of the Colonial Prisoners Removal Act 1884; or

(ii) a warrant issued by the Secretary of State under the Repatriation of Prisoners Act 1984,

there to serve his sentence or sentences or the remainder of his sentence or sentences.

(4) A person who is required so to serve the whole or part of two or more such sentences shall not be treated as a discretionary life prisoner for the purposes of this Part unless the requirements of subsection (1) above are satisfied as respects each of those sentences; and subsections (3) and (5) of section (*Duty to release discretionary life prisoners*) above shall not apply in relation to such a person until after he has served the relevant part of each of those sentences.'

(c), in clause 26, page 20, line 10, leave out 'discharges functions' and insert 'makes recommendations'.

(d), in page 20, line 14, leave out '(4)' and insert 'and'.

(e), in page 20, line 17, at end insert—

'(4) The Board shall deal with cases as respects which it gives directions under this Part on consideration of all such evidence as may be adduced before it.'

(f), in page 20, line 24, leave out 'making any recommendations' and insert 'discharging any functions'.

(g), in page 20, line 31, leave out subsection (7).

(h), in clause 30, page 22, line 6, leave out subsection (5) and insert—

'(5) The Secretary of State shall not include on release, or subsequently insert, a condition in the licence of a long-term or life prisoner, or vary or cancel any such condition, except—

(a) in the case of the inclusion of a condition in the licence of a discretionary life prisoner, in accordance with recommendations of the Board; and

(b) in any other case, after consultation with the Board.'

(i), in clause 32, page 23, line 5, leave out from ("Where") to end of line 7 and insert

'on a reference under subsection (4) above the Board—

(a) directs in the case of a discretionary life prisoner; or

(b) recommends in the case of any other person,

his immediate release on licence under this section, the Secretary of State shall give effect to the direction or recommendation.'

(j), in clause 35, page 24, line 14, leave out 'the Prison Act 1952'.

(k), in clause 37, page 25, line 15, leave out 'directe' and insert 'ordered'.

(l), in page 25, line 19, leave out subsection (2).

(m), in clause 41, page 27, line 11, leave out from 'above' to end of line 19 and insert

'in subsection (5)(a) after the words "in the case of" there shall be inserted the words "the licence of a long-term prisoner or", and subsection (6) shall be omitted.'

(n), in clause 42, page 27, line 26, at end insert—

'"discretionary life prisoner" has the meaning given by section (*Duty to release discretionary life prisoners*) above (as extended by section 36(2) above;'.

(p), in page 27, line 27, leave out '28(4)' and insert '(*Duty to release discretionary life prisoners*)(8)'.

(q), in page 27, line 35, at end insert—

'"sexual offence" and "violent offence" have the same meanings as in Part I of this Act.'

(o), in page 27, line 39, at end insert—

'(3) Nothing in this Part shall require the Secretary of State to release a person who is serving—

(a) a sentence of imprisonment for a term; and

(b) one or more sentences of imprisonment for life,

unless and until he is entitled under this Part to be released in respect of each of those sentences.'

(r), in page 27, line 39, at end insert—

'(3) Subsections (2) and (3) of section 25 of this Act shall apply for the purposes of this Part as they apply for the purposes of Part I of this Act.'

(s), in schedule 10, page 90, line 26, at end insert—

'*Repatriation of Prisoners Act 1984 (c.47)*

.—(1) In section 2 of the Repatriation of Prisoners Act 1984 (transfer of prisoners out of United Kingdom), in subsection (4)(b), for sub-paragraph (i) there shall be substituted the following sub-paragraph—

"(i) released on licence under section 27(1)(b) or (2), (*Duty to release discretionary life prisoners*)(3) or 28(1) or (2) of the Criminal Justice Act 1991;".

(2) In section 3 of that Act (transfer of prisoners into United Kingdom), after subsection (8) there shall be inserted the following subsection—

"(9) The provisions contained by virtue of subsection (1)(c) above in a warrant under this Act shall, in the case of a prisoner to whom section (*Life prisoners transferred to England and Wales*) of the Criminal Justice Act 1991 (discretionary life prisoners transferred to England and Wales) applies, include provision specifying the relevant part of his sentence within the meaning of section (*Duty to release discretionary life prisoners*) of that Act (duty of Secretary of State to release discretionary life prisoners)."

(3) In paragraph 2 of the Schedule to that Act (operation of certain enactments in relation to prisoners transferred into United Kingdom)—

(a) in sub-paragraph (1), for the words from "section 60" to "of that section" there shall be substituted the words "section 27(1)(b) or (2), (*Duty to release discretionary life prisoners*)(3) or (5) or 28(1) of the Criminal Justice Act 1991 whether the prisoner has at any time served a particular proportion or part of his sentence specified in that provision,"; and

(b) in sub-paragraph (2), for the words "one third" there shall be substituted the words "any particular proportion or part".

(4) In paragraph 3 of that Schedule, for the words "section 61 of the Criminal Justice Act 1967" there shall be substituted the words "section 28(2) of the Criminal Justice Act 1991".'

(t), in schedule 11, page 93, line 13, at end insert—

'6A.—(1) This paragraph applies where, in the case of an existing life prisoner, the Secretary of State certifies his opinion that, if—

(a) section (*Duty to release discretionary life prisoners*) of this Act had been in force at the time when he was sentenced; and

(b) the reference in subsection (1)(a) of that section to a violent or sexual offence the sentence for which is not fixed by law were a reference to any offence the sentence for which is not so fixed,

the court by which he was sentenced would have ordered that that section should apply to him as soon as he had served a part of his sentence specified in the certificate.

(2) In a case to which this paragraph applies, Part II of this Act except section 28(2) shall apply as if—

(a) the existing life prisoner were a discretionary life prisoner for the purposes of that Part; and

(b) the relevant part of his sentence within the meaning of section (*Duty to release discretionary life prisoners*) of this Act were the part specified in the certificate.

[Mr. Deputy Speaker]

(3) In this paragraph "existing life prisoner" means a person who, at the commencement of Part II of this Act, is serving one or more of the following sentences, namely—

(a) a sentence of life imprisonment;

(b) a sentence of detention during her Majesty's pleasure or for life under section 53 of the 1933 Act; or

(c) a sentence of custody for life under section 8 of the 1982 Act.

(4) A person serving two or more such sentences shall not be treated as a discretionary life prisoner for the purposes of Part II of this Act unless the requirements of sub-paragraph (1) above are satisfied as respects each of those sentences; and subsections (3) and (5) of section *(Duty to release discretionary life prisoners)* of this Act shall not apply in relation to such a person until after he has served the relevant part of each of those sentences.'

Lords amendment No. 57, after clause 25, to insert the following new clause—*Review of life sentences by Tribunal*—

".—(1) The Secretary of State shall refer the case of every life prisoner to the Tribunal for review not later than two years before the expiry of the penal term applicable to his case.

(2) The Tribunal may direct—

(a) the release on licence of a life prisoner convicted of murder;

(b) the release of a life prisoner convicted of an offence other than murder—

(i) on licence; or

(ii) unconditionally.

(3) In determining whether to direct release the Tribunal shall have regard to the risk of the life prisoner's committing further serious offences and the need to protect the public against that risk.

(4) The Secretary of State may revoke the licence of any life prisoner whose release on licence has been directed by the Tribunal and recall him to prison if it appears to the Secretary of State that it is expedient in the public interest to do so and shall in that event refer the case of the prisoner so recalled to the Tribunal for further consideration so soon as practicable.

(5) A life prisoner whose case is referred to the Tribunal under this section shall have the right—

(a) to make representations to the Tribunal either orally or in writing;

(b) to be legally represented before the Tribunal; and

(c) to call witnesses on his behalf,

and shall be given such information about his case and about the matters under consideration by the Tribunal as will enable him effectively to exercise those rights.

Provided that the Tribunal may direct that there shall be no disclosure of any material which the Tribunal considers that it would not be in the public interest to disclose.

(6) If the Tribunal determines not to direct the release of a life prisoner (whether convicted of murder or of some lesser offence) the Secretary of State shall refer his case to the Tribunal for further consideration within such period (not being longer than three years from the date of the previous determination) as the Tribunal may direct.

(7) Where the Tribunal directs the release of a life prisoner other than one convicted of murder it may also direct the length of time for which the licence is to remain in force.

(8) If the Tribunal gives no direction as to the length of a licence under subsection (7) above, it shall review the licence—

(a) within three years from the date of the Tribunal's decision to release the offender on licence; and

(b) before the expiry of any subsequent period of three years,

and shall on any such review either terminate the licence or direct the length of time for which it is to remain in force.

(9) It shall be the duty of the Secretary of State to give effect to any directions given by the Tribunal in regard to a life prisoner whose case is referred to it under this section.

(10) In this section "penal term" means the sentence of imprisonment which the court is required by section *(Court's duty on passing sentence of life imprisonment)* to state in open court as being the sentence it would have passed had it not passed a sentence of imprisonment for life and it had not taken into account the risk of serious harm to the public if the offender were to be released after a determined number of years' imprisonment.

(11) In this Part "life prisoner" means a person serving a sentence of imprisonment for life."

Government motion to disagree.

No. 58, in clause 28, page 21, line 20, leave out subsections (2) to (4).

Government motion to disagree.

Government amendments to Lords amendment No. 58: (a), in page 21, line 21, leave out 'and' and insert 'together'.

(b), in page 21, line 22, leave out 'a life prisoner on licence' and insert

'on licence a life prisoner who is not a discretionary life prisoner'.

(c), in page 21, line 26, leave out subsection (4).

No. 62, in page 22, clause 32, line 35, leave out ("or life")

Government motion to disagree.

No. 65, in page 27, clause 41, line 6, leave out ("in subsection (1)")

Government motion to disagree.

No. 66, in page 27 clause 41, line 8, leave out ("subsection") and insert ("section")

Government motion to disagree.

No. 67, in page 27, clause 42, line 27, leave out ("28(4)") and insert

("*(Review of life sentences by Tribunal)* (11)")

Government motion to disagree.

Mrs. Rumbold: This group of amendments is concerned with the arrangements for determining when life sentence prisoners should be released from custody. The amendments propose new procedures that would apply to all life sentence cases both where the life sentence is mandatory—that is, murder—and where it is discretionary.

My right hon. Friend the Home Secretary argued earlier that a life sentence should remain the mandatory sentence for the crime of murder and that the Home Secretary should retain the responsibility for deciding when offenders convicted of that crime should be released. I invite the House to disagree with the amendments in so far as they seek to apply to mandatory life sentence procedures which place the decision on the release of convicted murderers in the hands of a tribunal once the period set by the trial judge has expired.

You, Mr. Deputy Speaker, have already ruled amendments Nos. 56 and 115, which seek to set up a life sentence tribunal, out of order on the ground that they are outside the terms of the money resolution.

We should bear in mind that the background against which we must consider changes to our procedures in life sentence cases is the judgment of the European Court of Human Rights in the case of Wilson, Gunnell and Thynne. That judgment concerned only discretionary life sentence cases, and the courts drew a clear distinction between mandatory and discretionary cases.

Dr. Norman A. Godman (Greenock and Port Glasgow): Is the right hon. Lady's position on this issue compatible with the equivalent legal provisions concerning prisoners in Scottish prisons?

Mrs. Rumbold: Separate legislation governs the review and release of discretionary life sentence prisoners in

Scotland. There are differences in practice and procedure between Scotland, England and Wales. The same principles apply, however, and we recognise that Scottish legislation will also need amending to take account of the findings of the European Court of Human Rights.

The court's reasoning, with which I agree, was that in mandatory cases, as opposed to discretionary cases, the lawfulness of detention for life is determined from the outset by the trial judge. The sentence does not fall into the successive elements of punishment for the offence, followed by detention for so long as is necessary to protect the public, as it does in discretionary cases. It therefore does not follow that mandatory life sentence prisoners are entitled, after a certain part of the sentence has been served, to have their cases reconsidered by an independent judicial body.

The Government amendments that are offered in lieu of Lords amendment No. 45, and the amendments to the words restored by disagreement with amendment No. 58, concern only discretionary life sentence cases. There has never been any doubt that our procedures in those cases would need to be changed in the light of the judgment of the European Court of Human Rights. On 20 February, I said that my right hon. Friend would give the matter full consideration and would lay proposals before the House when he had completed various considerations. We are now doing that.

My right hon. Friend would not conceal that he would have preferred to have a little longer to digest all the implications of the judgment and to consult rather more widely about the proposals. However, we have been asked by the House and by the other place for amendments to be introduced in the Bill—that is what we are now doing. The amendments in my right hon. Friend's name do precisely what we have been asked. I will now outline their main features. The House will see that, in substance, the procedure proposed is quite similar to that proposed in the Lords amendments.

Provision is made for the trial judge to announce in open court the term within a discretionary life sentence which is commensurate with the seriousness of the offence. That term will be open to appeal in the same way as a determinate sentence. One the term set by the trial judge has been served, the prisoner's continued detention will be based on the risk that he poses to the public, rather than the seriousness of the offence.

It would be open to the trial judge, exceptionally, not to set a term. That would be an indication that the crime which had been committed was so wicked that detention for life was justified according to the seriousness of the offence alone, irrespective of the risk to the public. Such a life sentence prisoner would therefore be in the same position as a mandatory life sentence prisoner. The question of his eventual release would therefore be a matter for the Secretary of State.

In all other discretionary life sentence cases, the prisoner would be entitled to have his continued detention after the term set by the trial judge reviewed by an independent body having the status of a court for the purposes of the European convention on human rights. We propose that that body should be the Parole Board, operating under a special set of procedures which would be laid down in rules made by the Secretary of State under clause 26(5).

We intend that the panel of the Parole Board which will consider discretionary life sentence cases will be chaired by a judge who is a member of the board, and one of its members will be a psychiatrist. The prisoner will be entitled to appear before the panel and be legally represented. If the panel concludes that the prisoner's continued detention is no longer necessary to protect the public, the Parole Board will direct the Secretary of State to release him. The Secretary of State will then be obliged to release the prisoner on licence, subject only to a power, exceptionally, to delay release for up to six months if it is in the public interest to do so—for example, because the release of a terrorist prisoner would otherwise coincide with some sensitive terrorist incident.

The proposals include transitional provisions for prisoners who are already serving discretionary life sentences. They will become eligible for review by the Parole Board in its new capacity once their existing tariffs have been served. My right hon. Friend's proposals also cover a number of other cases not dealt with in the Lords amendments, including prisoners sentenced concurrently to more than one life or determinate sentence, and prisoners transferred from other jurisdictions to serve their sentences in England and Wales.

Dr. Godman: I am extremely grateful to the Minister of State for showing her characteristic courtesy in giving way. With such a prisoner, where stands the local review committee? Is it to be bypassed by the panel that the right hon. Lady mentioned? The panel will be made up of, among others, a psychiatrist and a judge. Am I to take it that the local review committee has no place in the scheme of things?

Mrs. Rumbold: That is the case in respect of the proposals that we are bringing forward for England and Wales. The Parole Board will subsume the work done by the local review committee. I shall take account of the hon. Gentleman's question about the situation in Scotland and report to him.

The proposals meet in full the requirements of the European Court. I hope that the House will accept them in preference to the tribunal amendments introduced in the other place.

6.15 pm

Mr. Sheerman: We do not want to make a meal of this, but it is interesting to note the Government's transformation in terms of the speed and the manner in which they have reacted since the Bill went from a Committee of this House to another place. We welcome some of the reactions that the Government have announced, but we are still worried that what the Minister of State has announced will not quite meet the criteria that the European Court of Human Rights has erected. If that is the case, we shall certainly force the matter to a Division.

The new proposals still leave the United Kingdom in breach of the European convention on human rights and liable to challenge before the European Court on a future date. We all know—we have long discussed it—that the new clauses do not meet all the points in the two judgments, which stem from a long time ago. Characteristically, the Government have waited a long time to respond to the judgments in the case of Weekes of 1987 and Thynne, Wilson and Gunnell of October 1990.

The Government's thought process started in 1987, which is a long time ago. When we pressed the matter in Committee, we were told that there was still a long road

[Mr. Sheerman]

ahead before we could get any definitive answer. We now seem to have an answer, because the Government have been pushed by the other place to make some decisions.

The proposals from the other place are superior to the Government's reaction, so unless the Minister of State has a total change of heart and mind, we shall oppose the Government amendments.

Subsection (7) of the new clause gives the Home Secretary power to defer an offender's release for up to six months after the date directed by the Parole Board

"if he is satisfied that exceptional circumstances exist which justify such a deferment in the public interest."

We have sought eminent legal opinion on this matter, but that subsection flies in the face of the European Court's ruling, which requires an open court-like body, not the Executive, to decide on a release date. I do not want to return to the debate that we have just had, but one of our central reservations about both the mandatory life sentence and the discretionary life sentence clauses is that we believe that the principle of the Executive interfering in the judicial process is fundamentally wrong. We believe that the European Court of Human Rights will not accept such further executive interference. It is surprising that the Government have acted as they have, given that they were given a clear direction from the court. I am sure that their legal counsel must be saying, as ours is, that their proposal will not meet the criteria set down.

It is hard to envisage why the Home Secretary needs the additional power. The Parole Board could delay a prisoner's release until a suitable hostel was available. In what circumstances would there have to be a delay? We should hate to be political, but would the delay occur when a release would be politically embarrassing, such as just before a general election? Do the Government want the reserve power of six month's grace for reasons of political sensitivity? We want to know why that delay should be built in.

The European Court has made it clear that the decision must be made by a court. We should like to have the details spelt out, and we are not satisfied that the "court-like" criterion specified by the European Court will be met by statutory regulation. The Minister should fill in a little more detail about how the system will work. Our legal counsel suggested that, within the framework of the Bill, statutory regulations could not introduce a sufficiently court-like body. We may be wrong, and we never like to be too categorical about such legal matters, but our eminent counsel has suggested that that is so. Will the Minister clarify that point? We should love to know why the Government could not announce their proposal in Committee. It seems that what the Minister has suggested would not allow a totally open hearing, in which the prisoner could appear and be legally represented.

The Government's proposals do not seem to provide any safeguards. Government amendment (e) to Lords amendment No. 45 merely states:

"The Board shall deal with cases as respects which it gives directions under this Part on consideration of all such evidence as may be adduced before it."

That is fairly opaque. Will the Government be making new rules to that effect? The Bill gives the Government power to make rules about the board's proceedings, but such basic rights should surely be on the face of the Bill. This is an important issue and it worries us that it is being introduced through the back door and not on the face of the Bill.

Given the Minister's previous responsibilities, she will know only too well that the nearest equivalent to the Parole Board's role in respect of lifers is the mental health tribunal, where patients can be represented and obtain legal aid for the purpose. We believe that, without legal aid and representation, lifers will have little chance of arguing their case in a meaningful way. Unfortunately, many of them are mentally disordered. For example, Thornton received a life sentence for setting fire to two curtains, Bilton received a life sentence for setting fire to a bed and Block received a life sentence for setting fire to a dustbin in an empty warehouse and then calling the fire brigade. All those tragic cases involved people who were mentally disordered. The Minister should state clearly whether legal aid will be available in such cases.

The burden of proof as to whether a prisoner is safe seems to have been reversed. Now, the prisoner must satisfy the board that he or she is safe, rather than the board having to demonstrate that the prisoner's incarceration is necessary. The Minister did not make that clear.

The Government have introduced the provision at a late stage, and it is not possible for us to amend it. That is a disgraceful way to deal with a major Bill in this Parliament. The Government have not had a heavy legislative timetable, and this was the main Bill in the Queen's Speech. Surely it deserved better treatment through the legislative process, and we should have been forewarned of such developments. Given the time that the Government have had to think about the legislation, it has been handled in a disgraceful way.

We tabled amendments from Committee stage onwards, but the lawyers involved in bringing the original case before the European Court are understandably angry that, having spent years trying to get the legislation changed, they do not now have the opportunity to comment, as they would have done if the change had been introduced a little earlier. If the Government had made their reaction to the judgment of the European Court clear, the people most involved would have had a chance to react, not just in a negative way, but so as to make the legislation better.

As worded, the Government's proposal applies only to life sentences imposed for violent or sexual offences. It is feasible that a person could receive life for other offences. Does the definition include, for example aggravated burglary? Will such offences be covered by the Government's provisions?

The wording suggests that the proposals come into effect only where the original sentencing court orders that they should. Does that mean that the original court can effectively veto the prisoner's right to use procedures under the European convention? That is not clear from what the Government have said to date. That point must be clarified now because this is the last opportunity to do so.

My remarks have been based on two factors. First, the Government should have met the strictures and criticisms of the European Court much earlier than they have. Secondly, due to the late timing of the Government's proposals it will be difficult to refine the legislation. The Minister knows that, during the passage of the Bill, we have had some bitter, contentious and principled arguments and disagreements, but we have also had some

lively co-operation. I think that Ministers and Committee members will agree that the Opposition have improved the Bill no end during its process. That is our constitutional duty and right as Her Majesty's Opposition. We have tried to fulfil that duty and we have bitterly opposed some aspects of the Bill. Unless we receive satisfactory replies, we shall have to disagree with the proposition that the European Court's strictures have been met in full.

Mr. Maclennan: I share the anxieties of the hon. Member for Huddersfield (Mr. Sheerman) about whether the Government's proposals will rectify the wrong to which the European Court of Human rights has drawn attention. I am not satisfied that the Goverment's provisions, which were tabled late, are sufficient for the purpose.

Although the facts of the Thynne case that found this country to be in breach of article 5.4 of the European convention turned on a discretionary life prisoner's sentence, I am not entirely clear whether the court rested its arguments on the fact that the life sentence was discretionary as opposed to mandatory. There is a risk that other cases involving mandatory life sentences may now go before the European Court. The Minister of State, the right hon. Member for Mitcham and Morden (Mrs. Rumbold) referred to the narrowness of the finding, and the case certainly deals with a non-mandatory situation. Has the Minister taken advice on the width of the European Court's finding?

6.30 pm

This exceptional new clause, which allows the Secretary of State to

"defer a prisoner's release . . . for a period not exceeding six months"

seems to run across the court's finding. On what provision of the European convention do the Government rely in importing the exceptional provision set out in subsection (7)? That alone may result in our being drawn back into contention in the European Court.

I have tried to follow the Minister's description of the new procedure, but it does not seem to meet the underlying reasoning of the European Court, which was clearly set out in the judgment. It said that the review that it considered necessary should be

"sufficiently wide to consider the conditions justifying, according to the Convention, the special type of deprivation of liberty ordered against these applicants".

Its findings reaffirmed the Weekes judgment that neither the Parole Board nor judicial review proceedings satisfy the requirements of article 5(4). The Government appear to be refining the procedures to be followed by the Parole Board. It seems to me as a layman that the European Court will not be satisfied that the review will be sufficiently wide to

"consider the conditions justifying, according to the Convention, the special type of deprivation of liberty".

The Minister delivered her speech with a great deal of celerity and I should like to hear more, because the issue is important. It is embarrassing for this country to be dragged back and forth to the European Court on such issues. Moreover, it is late in the Bill's proceedings for the Government to make such a proposal in the feasance of the proposals from another place, which have been carefully considered by a number of lawyers who have tried to meet the European Court's objections to this country's proceedings. I hope that the Minister will reply at some length on those points.

Mr. Tom Cox (Tooting): I agree with the hon. Member for Caithness and Sutherland (Mr. Maclennan) about the problem of our going backwards and forwards to the European Court, which will continue to happen increasingly unless we straighten out the clause.

We must give hope to those now serving life sentences in our prisons. I have experience of prisons because Wandsworth prison is in my constituency and I also serve on the board of Wormwood Scrubs, which is the life assessment area unit for the south of England. Over the years, I have met and got to know many men serving life sentences. Some of them have committed the most horrendous offences and will say—if they are honest with themselves, as they start to become after a while—that the severity of their crimes were such that they would expect to remain in prison for the rest of their lives. I fully accept that anyone who takes life has committed a serious offence.

The Minister of State, the right hon. Member for Mitcham and Morden (Mrs. Rumbold), is doing the rounds of prisons so she must also get to know inmates and hear about their case records. I often wonder, when I meet men who are serving life sentences, what I would have done in those circumstances. My hon. Friend the Member for Huddersfield (Mr. Sheerman) outlined the kind of person that we are discussing—they have little hope of ever being released—but there are others who need to be given some hope.

I fully accept that judges who hear a case have a right to make an observation to the Home Secretary, and the Home Secretary has a right to bear in mind the information that he receives from those who work in the establishments where lifers are kept. However, when a prisoner appeals for consideration of release, far too many inmates serving life sentences are given no hope that there will come a time when they can appeal and be given a date for their release. That must surely be an important criterion if we want genuine reforms in our prisons. I assume that all hon. Members, irrespective of party, want reforms. One certainly hears repeatedly from Ministers that the Government seek such reforms. If the ever-increasing number of inmates serving life sentences follow the rules and are not put on report, they should have the right to be given a degree of hope that there will come a time when they can appeal for release, with all the conditions that then follow.

When I meet lifers in Wandsworth prison and Wormwood Scrubs, they complain bitterly to me about the lack of opportunity that they are given. That is why, as the hon. Member for Caithness and Sutherland said, they feel that the way in which the Home Office is dealing with their case is unjust. They then ask the Court of Human Rights to deal with it.

What does subsection 5(a) mean by the words

"after he has served the relevant part of his sentence"?

What period of time are we talking about? I am concerned about inmates serving life sentences who hope that one day they will be released. Many inmates find it increasingly difficult to find out when they might be released, because so much secrecy surrounds the reasons why inmates are not given the dates on which their sentences will be terminated and for how much longer they will remain in prison.

Within the past few days, I have received a letter from the Minister of State concerning a constituent of mine who is serving not a life sentence but 12 years for an offence

[Mr. Tom Cox]

involving the use of firearms, which I accept is a serious matter. My constituent has served about five years, has applied for release and has been turned down. No reasons were given. As an inmate in a category C prison, as a result of downgrading from a category A to a category C prison, surely he has some right to believe that he will be released in the near future. I beg the Minister to try to understand the problems caused for governors and prison officers when an inmate, who has followed all the rules of behaviour as he or she understands them and has not committed the most horrendous of crimes—we are not arguing about that—has been knocked back, to use the jargon, about the date of release.

It is about time that the Government were open about what is being proposed, and especially about this amendment. I should have thought that the comments and observations of the Law Lords and of the other place are very relevant to it, and it is regrettable that the Home Secretary is seeking to remove it.

As other hon. Members have said, the Home Secretary or the Minister of State should spell that out. Irrespective of party, Members of Parliament have to deal with inmates who write to them in great detail and with great frequency asking, "Why is this happening to me?" It would be helpful if the hon. Lady could answer some of my questions about secrecy. Why is there not more openness about the reasons for decisions which go against an inmate? Why is more hope not given to inmates who, although they may have committed a serious crime by taking someone else's life, feel that they have no hope of being given a release date so that they can start to live a normal life with their families and, one hopes, start to become of benefit to society? That is surely what prison reform in its broadest sense means, and I hope that we shall hear about that from the Minister when she replies.

Mrs. Rumbold: The hon. Member for Huddersfield (Mr. Sheerman) raised many issues, but began by castigating us for not coming forward with our responses to the European Court's judgment earlier. I remind him that that judgment in October 1990 was not a foregone conclusion and had no predictable outcome, as he well knows. He also suggested that the Lords amendments were a superior solution to the amendments that the Government have tabled. That is not correct, because, among other things, they failed to confer new review rights on existing prisoners such as Gunnell, Wilson and Thynne, and the Government amendments provide for such review procedures.

The hon. Members for Huddersfield and for Caithness and Sutherland (Mr. Maclennan) asked about the way in which the new parole boards will operate. Our amendment provides that the parole boards will have the final say about the release of discretionary life sentence prisoners —that is the effect of subsection (3) of amendment (a) which is proposed by the Government in lieu of amendment No. 45.

The panel of the parole board that considers such cases will be chaired, as I said in my opening remarks, by a judicial member of the board and the prisoner will be able to present his case and be legally represented. In answer to the hon. Member for Huddersfield, prisoners whose cases are before the board will be eligible for legal aid under the normal rules.

The prisoner will be present and the board will have exactly the same status and procedures as a court, as the European Court of Human Rights proposes. The hon. Member for Caithness and Sutherland seems to doubt whether that will be the case. Parole board tribunal arrangements will be very different from those referred to by the European Court of Human Rights in the Weekes judgment, to which he referred. The board, operating as a tribunal, will be a court and will be accepted as such for ECHR purposes and I hope that that reassures him.

Specific procedures are not set out in the amendment, but will be dealt with in rules made under clause 26(5) of the Bill, as I am sure the hon. Member for Huddersfield will be glad to know.

6.45 pm

Cases in which a term will not be set will be entirely a matter for the sentencing judge's discretion, if he feels that it is right to state a minimum. We think that it would be wrong to limit his discretion.

The hon. Member for Huddersfield asked whether aggravated burglary would qualify and the answer is yes, if a life sentence is given. The hon. Members for Huddersfield and for Caithness and Sutherland both mentioned the Home Secretary's power to delay release, and I think that the hon. Member for Caithness and Sutherland suggested that that might be a loophole. The judgment of the European Court of Human Rights recognised that a limited power to deny release might be justified in some circumstances on the grounds of what it termed expediency.

The Home Secretary is always accountable to Parliament for any decisions to use that power, and he has a responsibility to protect the public and to prevent serious disorder, as we said in earlier debates. I submit that he must be in a position to discharge that responsibility by delaying a lifer's release when there are compelling reasons to believe that it would cause some form of public outrage.

In my opening remarks, I cited the example of the release of a terrorist on the anniversary of a tragedy caused by his actions which was to be marked by a public meeting. That might turn a peaceful demonstration of public feeling into something very different and very nasty. I am certain that the House will agree that the Home Secretary should be in a position to prevent that by delaying release for a short period. I assure the House that that power would be used only in the most exceptional circumstances.

At the end of the debate, the hon. Member for Tooting (Mr. Cox) mentioned a number of matters and asked what the "relevant part" of a life sentence means. It means that part of the sentence that is the number of years announced by a judge in open court at the time of sentencing. This time period is also subject to appeal in the normal way, as he may know. The hon. Member spoke at some length about inmates who have no information about when their sentence may come to an end. That is not quite correct, as it is my understanding that most lifers are told early in their sentence when the first formal review of their case will be heard, which gives a clear sign of the length of time that they are likely to be in custody.

Although it is not apparent that the hon. Member for Huddersfield is paying a great deal of attention to the responses that I have given, I think that it is clear to hon. Members who have listened that they have satisfactorily answered the matters that he raised. I believe that the Government's proposals, as outlined in the amendments,

are the correct ones and that they will satisfactorily answer the points that were raised by the European Court of Human Rights.

Question put:—

The House divided: Ayes 219, Noes 147.

Division No. 192] **[6.49 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Beaumont-Dark, Anthony
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'ls)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Rt Hon Sir William
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Curry, David
Davies, Q. *(Staml'd & Spald'g)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir Anthony *(CambsSW)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Latham, Michael
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Rt Hon Peter
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Malins, Humfrey
Maples, John
Marland, Paul
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Mills, Iain
Mitchell, Sir David
Moate, Roger
Montgomery, Sir Fergus
Mudd, David
Neale, Sir Gerrard
Neubert, Sir Michael
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Cranley
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Raffan, Keith
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Sir Ian
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Trippier, David
Twinn, Dr Ian
Viggers, Peter
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim

Tellers for the Ayes
Mr. Tim Boswell and
Mr. Timothy Kirkhope.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Beckett, Margaret
Bell, Stuart
Bellotti, David
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Boyes, Roland
Bray, Dr Jeremy
Bruce, Malcolm *(Gordon)*
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, Sir A. E. P.
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Edwards, Huw
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Garrett, Ted *(Wallsend)*
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Henderson, Doug
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy

Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Leadbitter, Ted
Lestor, Joan *(Eccles)*
Livingstone, Ken
Lofthouse, Geoffrey
Macdonald, Calum A.
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Richardson, Jo
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Spearing, Nigel
Steel, Rt Hon Sir David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Thomas McAvoy and
Mr. Jimmy Dunnachie.

Question accordingly agreed to.
Lords amendment No. 45 disagreed to.
Government amendments (a) to (t) made in lieu thereof.

Clause 1

RESTRICTIONS ON IMPOSING CUSTODIAL SENTENCES

Lords amendment: No. 1, in page 1, leave out lines 9 to 13 and insert

("punishable with a custodial sentence other than one fixed by law.")

7 pm

The Minister of State, Home Office (Mr. John Patten): I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this we will also discuss Lords amendments Nos. 2, 4, 5, 6, 8 and 14.

Mr. Patten: These amendments bring offences which are triable only on indictment within the scope of the restrictions on the use of custody in clauses 1 and 2. We debated this issue in Committee and the issues have been well aired both on the Floor of the House and in Committee. We have also had the benefit of some extremely good debates in another place. The amendments substantially improve the present position on indictable offences.

Question put and agreed to.

Lords amendments No. 2 agreed to.

Lords amendment: No. 3, in page 2, line 25, leave out subsections (7) and (8).

Mr. Patten: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this amendment we will discuss Lords amendments Nos. 7, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 29, 49, 50, 51, 52, 53, 54, 55, 133, 134 and 141.

Mr. Patten: The main purpose of this group of amendments is simply to clarify and to some extent restructure the arrangement of the provisions of part I of the Bill. That reflects the views expressed in another place, especially by the judiciary. The changes do not affect the substance of the provisions in any way, although the opportunity has been taken to remove any possibility of inconsistency in the interpretation of the provisions as they affect multiple past or current offences. We have benefited from debates in Committee and in another place on these amendments.

Mr. Sheerman: I shall speak briefly to Lords amendment No. 9. This amendment and the subsequent linked amendments provide that the courts must normally consider a pre-sentence report before imposing a custodial sentence for an offence which is triable only on indictment. Those changes were made by the Government in response to Opposition amendments. When the Government react to Opposition amendments, we are always pleased. But before the changes the Bill required the courts to consider a pre-sentence report, which would normally be prepared by the probation service, before imposing a custodial sentence for an offence which was summary or triable either way.

If an offence was triable only on indictiment, courts could pass custodial sentences without considering such a report, if the offender had previously served a prison sentence.

There are two reasons why it is right that a requirement for pre-sentence reports should be extended to indictable-only offences. It is worth repeating them, even though, as the Minister said, the matter has been covered elsewhere.

First, such reports explore possible alternatives to a custodial sentence and advise the courts of them. That helps to ensure that courts do not pass custodial sentences without considering possible alternatives. Consideration of alternatives is just as relevant to many indictment-only cases as it is to offences which are summary or triable either way.

Secondly, probation reports contain objective information about the offender's background and circumstances and about his or her attitude to the offence. Those may be important factors in assessing how far mitigating factors are present. That can be crucial, first, to the decision on whether the offender deserves custody and secondly, if he deserves custody, to the decision on the length of the sentence in the light of the offender's degree of culpability.

The considerations that I have described are just as relevant in indictment-only cases as in summary or either-way cases. The second consideration that I mentioned answers the argument by people who ask what is the point of insisting on a pre-sentence report in cases where the offence is so serious that realistically the only question is how long the sentence will be.

When the matter was debated in Committee, the Government strongly resisted similar amendments. Their change of heart since the Bill was considered in the House of Lords is to be welcomed, even if it is belated.

Question put and agreed to.

Subsequent Lords amendments agreed to.

Lords amendment: No. 13, after clause 3 to insert the following new clause—*Additional requirements in the case of mentally disordered offenders*—

(".—(1) Subject to subsection (2) below, in any case where section 3(1) above applies and the offender is or appears to be mentally disordered, the court shall obtain and consider a medical report before passing a custodial sentence other than one fixed by law.

(2) Subsection (1) above does not apply if, in the circumstances of the case, the court is of the opinion that it is unnecessary to obtain a medical report.

(3) Before passing a custodial sentence other than one fixed by law on an offender who is or appears to be mentally disordered, a court shall consider—

(a) any information before it which relates to his mental condition (whether given in a medical report, a pre-sentence report or otherwise); and

(b) the likely effect of such a sentence on that condition and on any treatment which may be available for it.

(4) No custodial sentence which is passed in a case to which subsection (1) above applies shall be invalidated by the failure of a court to comply with that subsection, but any court on an appeal against such a sentence—

(a) shall obtain a medical report if none was obtained by the court below; and

(b) shall consider any such report obtained by it or by that court.

(5) In this section—

"duly approved", in relation to a registered medical practitioner, means approved for the purposes of section 12 of the Mental Health Act 1983 ("the 1983 Act") by the Secretary of State as having special experience in the diagnosis or treatment of mental disorder;

"medical report" means a report as to an offender's mental condition made or submitted orally or in writing by a registered medical practitioner who is duly approved.

(6) Nothing in this section shall be taken as prejudicing the generality of section 3 above.")

Mr. Patten: I beg to move that this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may take the following: amendment (a) to the Lords amendment: after subsection (4) insert—

'(4A) For the purpose of facilitating the making and submission of medical reports, the Secretary of State shall by regulations make provision for the establishment of duty psychiatrist schemes in courts to which this section applies.

(4B) Regulations made under subsection (4A) above may be made so as to apply only in specified areas.'

(b) in line 32, at end insert—

"'duty psychiatrist scheme" means a scheme which provides for the psychiatric examination of the mental condition of offenders by a registered medical practitioner who is duly approved.'

Lords amendments Nos. 48, 101 and 107 to 110.

Mr. Sherman: The intention of Lords amendment No. 13 is to require courts normally to consider a medical report before passing a custodial sentence on an offender who is or appears to be mentally disordered. The amendment was tabled by the Government in response to amendments tabled by Peers in the all-party penal affairs group, with the support of the Opposition.

Following discussions on this issue in the House of Commons, in the Committee stage in another place the Government initially amended clause 3 to require a court before passing a custodial sentence on a mentally disordered offender, first, to consider any information before it which relates to his mental condition, whether in a pre-sentence report, a medical report or otherwise, and, secondly, to consider the likely effect of such a sentence on that condition and on any treatment which may be available for it.

However, that measure did not require the court to obtain a medical opinion if such an opinion was not already before it. Therefore, it achieved little, because it is likely that a court would in any case consider any information that it had available on the offender's mental condition.

The strengthened amendment to place a duty on the court normally to obtain a medical report is therefore a significant improvement on the present legal position. However, if the provision is to work properly, it will require the establishment of a duty psychiatrist scheme at courts throughout the country to enable reports on mentally disordered defendants to be prepared speedily. Otherwise, the courts may obtain reports by remanding defendants to the suicide-inducing conditions of prison medical wings. That would be far from the intention of all those who have pressed for the provision in Lords amendment 13 to be included in the Bill. The case for including in the Bill a statutory requirement to establish duty psychiatric schemes is important to us. I wish to speak about that too because our amendments and the Government's amendment are part of this group.

We were keen to amend the Bill in Committee because even the research by Professor Gumm—inspired and financed by the Home Office—found that possibly 20 per cent. of people in our prisons are suffering some kind of mental disorder. That number has steadily increased.

It is not surprising that the Government are criticised for their care in the community policy, because we have all seen people in our constituencies who are in need but who are no longer sent to mental institutions for treatment and care. Because of that policy an increasing number of men and women suffering from some kind of mental disorder are on our streets, perhaps begging. Crisis at Christmas investigated those sleeping rough in London the Christmas before last and found that a high percentage were suffering from a mental disorder.

Nowadays, an increasing number of people who go to prison for a range of criminal acts, usually of a reasonably minor nature, are suffering a mental disorder. Should the Minister ever visit prisons and talk with prison governors, I am sure that he would accept that the constant refrain one hears on such occasions is: "These people should not be here. They never used to be. We are not trained to look after and care for them. They belong in a special category."

In Committee, we tabled an amendment to introduce a duty psychiatric scheme whereby psychiatrists would be on call in courts so that a rapid assessment could be made of the mental state of a person should anyone in the court suggest that that person had a problem. The essential reasoning behind our amendment is a desire to change the existing circumstances for those suffering from a mental disorder. We want to offer courts another option instead of the traditional one of remanding someone in custody for psychiatric reports. We want to deter the courts from such action.

People who are under great stress and who have a history of mental disorder are sent to prison—to some of the worst, dark Victorian institutions. That is most dangerous. It is tragic, but not surprising, that a large

[Mr. Sherman]

number of such people proceed to attempt to commit suicide, many successfully. Others do ghastly things to themselves, such as self-immolation.

We want to introduce an early-warning system so that a psychiatrist can appear at a court to give a rapid assessment of a defendant so that that person does not have to go to prison. We are seeking to achieve that early warning system with the introduction of a duty psychiatric scheme.

In response to our amendments, the Government have argued in this House and another place that a scheme would place too onerous a responsibility on the medical profession at this time. However, if we phased in that psychiatric scheme, surely that would be an acceptable solution to any problem.

Successful experiments have already been undertaken in a number of courts in London and Peterborough. We believe that the psychiatric scheme should be spread to other courts as resources allow. If the Government accept the amendment, we believe that that would act as an incentive for the introduction of such schemes. *[Interruption.]* The Minister and his hon. Friends may ask whether I have the resources, but the psychiatric scheme would save thousands of pounds. When a prisoner is remanded in custody for psychiatric reports it is usually for two weeks. I believe that the scheme could be cost-neutral at the very least, because every time we stop someone from going into prison who should not be there we are saving enormous amounts of money.

7.15 pm

The report that the Government commissioned from the Home Office showed that possibly 20 per cent. of prisoners suffer from a mental disorder. If we cut that number in half, the savings to the Exchequer from that 10 per cent. who avoided prison would still be prodigious. The Minister is aware that that is true. Avoiding sending some people to prison represents an enormous saving every week and every month. I do not believe that the duty psychiatric scheme would be an expense. It would save money, but perhaps I should hedge my bets and say that it would be cost neutral. If we proved that cost neutrality we should extend the scheme throughout the country. We are confident that remarkable savings would be made.

We believe that the Bill should contain a duty on the Government, as resources become available, to extend a psychiatric advice scheme to all our courts. The scheme could be introduced on the basis of priority, as I believe that the inner-city courts have a greater need for such a scheme than other courts.

We believe that the amendment is common sense, and we hope that even at this late stage we have converts in the Minister and the Government.

Mr. John Patten: While responding to the hon. Member for Huddersfield (Mr. Sheerman) on the Opposition amendment to amendment 13, I will, if I may, speak strongly in favour of Lords amendment No. 13. I shall also speak to Lords amendment Nos. 48 and 101 and Nos. 107 to 110.

We discussed the problems associated with the sentencing and treatment of mentally disordered offenders a number of times during the passage of the Bill. We all agree that more should be done to ensure that courts have the necessary information when sentencing an offender who might be mentally disordered so that wherever possible he received treatment as well as punishment or, best of all, treatment without punishment, from health or social services departments under the Mental Health Act 1983. That is our desire.

I have been much influenced by the words of wisdom that I have received over the years from my hon. Friend the Member for Cheltenham (Sir C. Irving) who has taken such a notable interest in the problems facing the mentally disordered.

As I said on Report on 20 February, the problem is to find a way of squaring the circle to enable the courts to identify and to obtain reports quickly on those suspected of being mentally disordered without defeating the pourpose of the exercise by having to put them on remand in custody for a long period awaiting those reports. I said then that we would continue to work on the problem and that we would introduce amendments in another place. We have done so and the amendments before us now are the fruits of those labours.

Lords amendment No. 13 makes new provision for the obtaining of psychiatric reports in cases where the offender appears to be mentally disordered. An exception is provided in subsection 2 of the new clause introduced by the amendment for cases where the court does not consider it necessary to obtain a medical report. That may, for example, be because the court already has sufficient information about the offender's mental condition without needing to call for a new report to be prepared.

The House will agree that the provision represents a considerable step forward in ensuring that full account is taken of an offender's mental condition before sentence is passed.

With regard to the Opposition amendment to Lords amendment No. 13, there is no disagreement between the hon. Member for Huddersfield (Mr. Sheerman) and myself about the value of duty psychiatrist schemes. I have visited such schemes, and have been a strong proponent of the experimental schemes that have pleased the hon. Gentleman so much. The question is simply whether an amendment such as that proposed is necessary in order to achieve the objective of promoting the development of new schemes.

The Opposition amendment seems to imply that those concerned with the running of magistrates courts are thought unlikely to create duty psychiatrist schemes unless the Secretary of State compels them to do so by means of a statutory instrument. I can assure the House that that is not the case. Courts such as that in Peterborough, and projects in Hertfordshire such as the Hertfordshire Care Trust, have introduced some valuable schemes. I stress that those are local initiatives, centrally supported. That is the advantage of schemes that arise in response to local conditions rather than being imposed from the top downwards, as the hon. Member for Huddersfield would wish.

The Government have introduced a substantial package of measures which will be of considerable benefit in ensuring that mentally disordered offenders are properly taken care of within the criminal justice system, yet which avoids the dangers to which I referred throughout earlier debates. I hope that the House agrees that those measures more than fulfil the commitments that I gave in Committee. I commend them to the House.

Question put, That the amendment be made:

The House divided: Ayes 137, Noes 181.

Division No. 193] **[7.21 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Beckett, Margaret
Bell, Stuart
Bellotti, David
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blunkett, David
Boateng, Paul
Boyes, Roland
Bruce, Malcolm *(Gordon)*
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Carr, Michael
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Doran, Frank
Duffy, Sir A. E. P.
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Edwards, Huw
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fearn, Ronald
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Hattersley, Rt Hon Roy
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Hood, Jimmy
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Livsey, Richard
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
Macdonald, Calum A.
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
Owen, Rt Hon Dr David
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Rees, Rt Hon Merlyn
Richardson, Jo
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Spearing, Nigel
Steel, Rt Hon Sir David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Winnick, David
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Ken Eastham and
Mr. Jimmy Dunnachie.

NOES

Adley, Robert
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Bright, Graham
Bruce, Ian *(Dorset South)*
Burns, Simon
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Rt Hon Sir William
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Favell, Tony
Field, Barry *(Isle of Wight)*
Fookes, Dame Janet
Forman, Nigel
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hordern, Sir Peter
Howarth, Alan *(Strat'd-on-A)*
Irvine, Michael
Irving, Sir Charles
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knox, David
Latham, Michael
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Rt Hon Peter
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Marland, Paul
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mills, Iain
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Raffan, Keith
Roberts, Rt Hon Sir Wyn
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speller, Tony
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter

Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Woodcock, Dr. Mike
Yeo, Tim

Tellers for the Noes:
Mr. Timothy Wood and
Mr. David Davis.

Question accordingly negatived.
Lords amendment No. 13 agreed to.
Subsequent Lords amendments agreed to.

Clause 9

COMMUNITY SERVICE ORDERS

Lords amendment: No. 22, in page 8, line 22, leave out ("sections 17A and 17B below") and insert ("paragraphs 3 and 4 of Schedule *(Reciprocal enforcement of certain orders)* to the Criminal Justice Act 1991 (reciprocal enforcement of certain orders)")

7.30 pm

Mr. John Patten: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker (Miss Betty Boothroyd): With this, it will be convenient to take Lords amendments Nos. 23, 105, 112, 135 to 137, 164, 166 to 168 and 171.

Mr. Patten: This group of amendments makes sensible arrangements for persons subject to certain community sentences imposed by a court in England or Wales to carry out the sentence in Scotland—incidentally, I see that the hon. Member for Greenock and Port Glasgow (Dr. Godman) is with us—or Northern Ireland if that is their normal place of residence. It also makes arrangements for an offender convicted or sentenced in Scotland or Northern Ireland to carry out the sentence in England or Wales if that is where he or she lives. The amendments bring the existing provision for reciprocal enforcement up to date in the light of the new framework for community penalties provided in the Bill, which has been widely welcomed.

Question put and agreed to.
Subsequent Lords amendments agreed to.

Clause 15

INCREASE OF CERTAIN MAXIMA

Lords amendment: No. 24, in page 12, line 19, leave out ("or disobediences")

Mr. John Patten: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this, it will be convenient to take Lords amendments Nos. 25 to 28, 30 to 40, 113 and 114.

Mr. Patten: The amendments deal with unit fines. Most of them improve and clarify the unit fine arrangements set out in clauses 16 to 18. The unit fines system has been widely welcomed and we are extremely grateful to the official Opposition for the welcome in principle that they have given to unit fines.

The amendments make no significant changes to the principle of the unit fines system as debated in the House. They simply deal with certain practical difficulties in the operation of the scheme, identified both in Committee and in the other place, or bring the unit fine provisions more closely in line with existing legislation concerning the imposition of fines, or are consequential on other drafting changes in part I of the Bill.

Mr. Maclennan: The Minister referred to the welcome given to the unit fines system by the official Opposition. Let me take this opportunity to make it clear that my right hon. and hon. Friends had been advocating day fines long before they became known as unit fines, so we, too, welcome the proposals.

Question put and agreed to.
Subsequent Lords amendments agreed to.

Clause 22

COMMITTALS FOR SENTENCE

Lords amendment: No. 41, in page 18, line 3, leave out second ("the").

Mr. John Patten: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this, it will be convenient to take Lords amendments Nos. 42, 43, 46, 47, 139, 140, 148 and 170.

Mr. Patten: Taken together, the amendments make a number of minor changes to committal proceedings. In particular, I would bring to the attention of the House one very important amendment—amendment No. 46, which increases the maximum penalties that may be imposed on those found guilty of bomb hoaxes. In the magistrates courts, an offender will now be liable to a maximum sentence of six months—the longest sentence that such a court may impose for a single offence—as opposed to three at present. The maximum sentence that a bomb hoaxer might receive in the Crown courts will increase from five years to seven years—and quite right too. I am sure that I say that with the agreement of the whole House, because a bomb hoax is an irresponsible waste of other people's time and efforts. It can cause great inconvenience to many people. It can also endanger lives by making it harder to identify and respond to genuine warnings.

Let me give one example to show why we consider the amendment so important. The House will recall that, last February, a bomb was discovered at Paddington. In the 24 hours after that bomb was discovered, 84 hoax calls were made by people with sick and demented minds and a further 800 hoax calls were made the following week. In view of that spate of hoaxes, I announced at an earlier stage during the passage of the Bill that I would conduct a review of the maximum penalties to be made available. The new maximum penalties provide a clear indication of the seriousness with which the House regards the offence, and I believe that the general public will welcome the new provisions. I note that increasingly severe sentences have recently been handed down within the old maximum of five years—and quite right, too.

Mr. Sheerman: The official Opposition certainly agree with what the Minister said about bomb hoaxers. I should, however, like to make two points, very briefly.

We all regret not only the terrorism that was responsible for the ghastly events at Victoria station—and, indeed, the recent spate of bombings—but the resulting death and serious injuries. It was because we were in the

midst of the Committee stage of the Bill when the Paddington and Victoria bombs exploded that we debated the subject at such length.

We support the Government's determination to deal firmly with the hoaxers, but I should like to introduce a word of caution. Either intentionally or because of a slip of the tongue, the Minister said that a number of hoax calls were made by sick and demented people. The Opposition believe strongly that psychiatric services should be available in courts; we also believe that there are far too many mentally disordered people in prison.

We do not want the amendment to catch in the net even more people who, being mentally disordered, are very suggestible, and may be tempted to commit such stupid crimes. I agree with the Minister that, whoever commits them, they can result in an ineffective response to genuine emergencies and crises, and must therefore be dealt with seriously: we recognise that stringent penalties should be applied. Hoax calls are a dangerous game; indeed, they are hardly a game at all, for they are playing with people's lives. I hope, however, that it will be possible to differentiate between normal hoax callers and mentally disordered people who are sucked into such activity, and thus to deter those who should know better.

Mr. John Patten: I am extremely grateful to the hon. Member for Huddersfield (Mr. Sheerman), who picked up my loose use of English. Rather than simply referring to "sick and demented minds", I should have used the words "sick and demented, or evil and bad". I believe that the majority of people who carry out bomb hoaxes deserve the severe punishment that the amendment would provide, because I believe in evil and in the vileness of human nature.

Mr. Sheerman: Many of the amendments that we are discussing are being taken in clusters, but I feel that some that might not otherwise be debated should be "flagged up". On this very day, a ten-minute Bill relating to the abolition of the Vagrancy Act 1824 was passed, having been presented by a Conservative Back Bencher. Given that his party is currently in power, it was an historic occasion. It is, surely, not entirely coincidental that we should now be debating a group of amendments one of which—No. 47—proposes a change in the penalties imposed on those who sleep rough.

The Opposition do not intend to divide the House on the amendment, but we feel that it represents only a tiny step in the right direction. We are disappointed that the Government did not grasp the opportunity offered by Opposition amendments to repeal sections 3 and 4 of the Vagrancy Act. Homelessness is an appalling problem. We believe that the explosion in the number of roofless people sleeping rough in the streets has been generated by three main areas of Government policy: cuts in benefit, the disastrous implementation of the "care in the community" programme—which resulted in the closure of mental institutions—and the discharge of mentally ill people into the streets without any support. A further problem has been the dramatic contraction in the amount of affordable housing.

Only today—ironically—I was telephoned by the prison department of the Home Office. I was asked whether I, as the local Member of Parliament, could give the department the name and address of a prisoner who had been writing to me regularly. The Department did not know where to write to the prisoner, because he had been discharged to "no fixed abode".

7.45 pm

That telephone call brought home to me very starkly how much more needs to be done to improve the prison system, and to implement the recommendations of the Woolf report. The prisoner in question—a Mr. Sheehan—used to be one of my constituents; he used to write to me. Following his release, no one knows where he is. I shall, of course, try to track him down: I shall refer to all the addresses that I have on my file. None the less, he may be one of the vagrants who will sleep rough tonight in central London. In any event, I wish him well; I hope that he has a job, and a roof over his head.

The Government's response to the problem has been to provide some accommodation in London this winter—and to use the criminal law to sweep the streets clean of homeless people. They still see homelessness as a crime.

Mr. John Patten: I am grateful to the hon. Gentleman for allowing me to intervene in what I expected to be a short and uncontentious speech.

The hon. Gentleman said that, during the winter, the Government provided some accommodation and then proceeded to use the criminal law to sweep the streets clean. At that time, my hon. Friend the Minister for Housing and Planning provided more than an adequate number of housing places in central London for anyone who wanted to take them. I am sorry to say—it does the hon. Gentleman's argument no good at all—that some people simply refuse to take such places even when they are available.

Mr. Sheerman: I am tempted to break into a song called, I believe, "The Streets of London", and to ask the Minister not exactly to walk down those streets hand in hand with me, but to meander down some of the streets that I visit regularly in the evenings on the way back to my flat. I should like to show him all the homeless people who are still living on the street.

The Opposition do not believe that the Government's response has been adequate so far. Some extra places have been provided to shelter the homeless, and the Metropolitan police have tried harder to move people away from the city centres. Part of the Government's response, however, has been to clean up the streets so that homeless people are not visible, because of the volume of public protest about them.

Even if they are not visible, the homeless are still there. Although none of us likes it, begging is a manifestation of poverty and homelessness. Young people who are denied employment, benefits and housing often have no alternative. They must beg to survive. An amendment tabled in the other place would have denied the courts power to fine people who were sleeping rough and begging peacefully, and left them power to deal with professional beggars. After the Napoleonic wars, many returning soldiers were considered a nuisance, but surely we have no place for such laws today. Young people are often denied the power to free themselves from the streets.

As I have said, the Government had a perfect opportunity to throw out the Napoleonic statute and to accept that homelessness is a social problem. They seem, however, to be rather confused about the issue. They have introduced some measures to tackle homelessness in

[Mr. Sheerman]

London, but they have done too little, too late. This was yet another desperate attempt to ameliorate some of the worst consequences of the past 12 years of Conservative Government.

Independent experts estimate that between 1,000 and 1,500 people still sleep rough in London—two or three times as many as the Government estimate. I challenge the Minister to dispute that. Although Government policy has not gone far enough, there appears to be some recognition that homelessness is a social problem and that social solutions are necessary to resolve it.

The Minister thought that I would be non-controversial, but I shall quote the comments of Earl Ferrers in another place. He has the measure of the problem and understands its underlying nature, although he was unwilling to accept the logic of repealing the Napoleonic code. He said:

"It is important to get one issue absolutely straight. Homelessness and poverty are social matters of great concern. They should be tackled. One likes to think that that has been done albeit not hard enough or successfully enough under other legislation . . . The fact that there may be more beggars coming on to the streets is a matter for great regret. It is also something which we are all greatly concerned about."—[*Official Report, House of Lords*, 18 April 1991; Vol. 527, c. 1635.]

If homelessness is not a criminal problem but a social one, the Vagrancy Act should be repealed. The amendment goes but a little way towards doing so, but it is typical of the Government to sit on the fence. They should visit a London court in the morning and see the lot of the vagrant. The way in which we use the Vagrancy Act, which could have been swept away, is shameful. The greatest pressure to get rid of the Act is coming from barristers and solicitors who work in the courts of London and other big cities because they know what a ghastly travesty it has become.

Question put and agreed to.

Subsequent Lords amendments agreed to.

Madam Deputy Speaker: We have now reached Lords amendment No. 56. I am satisfied that the Lords amendment imposes a charge upon the public revenue, such as is required to be authorised by a resolution of the House and that such charge has not been so authorised, and accordingly, pursuant to paragraph (3) of Standing Order No. 76, the Lords amendment is deemed to be disagreed to.

Lords amendment No. 57 disagreed to.

Lords amendment No. 58 disagreed to.

Government amendments (a) to (c) made to the words so restored to the Bill.

Lords amendment No. 59 agreed to.

Lords amendment No. 60 disagreed to.

Lords amendment No. 61 agreed to.

Lords amendment No. 62 disagreed to.

Lords amendment No. 63 agreed to.

Lords amendment: No. 64, after clause 39, to insert the following new clause—

Persons extradited to the United Kingdom

(".—(1) A short-term or long-term prisoner is an extradited prisoner for the purposes of this section if—

(a) he was tried for the offence in respect of which his sentence was imposed—

(i) after having been extradited to the United Kingdom; and

(ii) without having first been restored or had an opportunity of leaving the United Kingdom; and

(b) he was for any period kept in custody while awaiting his extradition to the United Kingdom as mentioned in paragraph (a) above.

(2) If, in the case of an extradited prisoner, the court by which he was sentenced so ordered, section 67 of the 1967 Act (computation of sentences of imprisonment) shall have effect in relation to him as if a period specified in the order were a relevant period for the purposes of that section.

(3) The period that may be so specified is such period as in the opinion of the court is just in all the circumstances and does not exceed the period of custody mentioned in subsection (1)(b) above.

(4) In this section—

"extradited to the United Kingdom" means returned to the United Kingdom—

(i) in pursuance of extradition arrangements;

(ii) under any law of a designated Commonwealth country corresponding to the Extradition Act 1989;

(iii) under that Act as extended to a colony or under any corresponding law of a colony; or

(iv) in pursuance of a warrant of arrest endorsed in the Republic of Ireland under the law of that country corresponding to the Backing of Warrants (Republic of Ireland) Act 1965;

"extradition arrangements" has the meaning given by section 3 of the Extradition Act 1989;

"designated Commonwealth country" has the meaning given by section 5(1) of that Act.")

Mrs. Rumbold: I beg to move, That this House doth agree with the Lords in the said amendment.

The amendment addresses the vexed issue of prisoners who have spent time in custody abroad awaiting extradition to this country and responds to the concern expressed in Committee by the right hon. and learned Member for Warley, West (Mr. Archer).

Mr. Stuart Randall (Kingston upon Hull, West): As the Minister said, the amendment deals with people who are extradited to the United Kingdom. It was referred to in Committee by my right hon. and learned Friend the Member for Warley, West (Mr. Archer). It was moved by the Government in response to an amendment moved by the noble Lord Thomas of Gwydir at the request of Prisoners Abroad and supported by the official Opposition and peers on the parliamentary all-party penal affairs group.

Although the Lords amendment does not go so far as the amendment moved in Committee by the noble Lord Thomas, it has been welcomed by Prisoners Abroad as a useful compromise. It enables the judge to recommend that a specified period spent in custody abroad should count towards the sentence. By taking account of that time, the new clause should end the anomaly of such prisoners being sentenced to less than the proper term. The Opposition would have liked those held in custody abroad to be given the same automatic credit as those held on remand in this country. Nevertheless, we welcome the new clause as a move in the right direction.

Question put and agreed to.

Lords amendments 65 to 67 disagreed to.

Clause 45

VIDEO RECORDINGS OF TESTIMONY FROM CHILD WITNESSES

Lords amendment: No. 68, in page 29, line 20, leave out ("and proceedings in youth courts")

8 pm

Mr. John Patten: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to take Lords amendments Nos. 69 to 73 and 116 to 118.

Mr. Patten: I hope that the hon. Member for Newcastle-under-Lyme (Mrs. Golding) is not about to leave the Chamber. I am about to pay her a compliment and I should like her to be in the Chamber to receive it.

The amendments make further refinements to the Bill's provisions about the rules of evidence and procedure for child witnesses—the so-called Pigot clauses, about which we had extremely good debates in Committee. The amendments are intended to bring about an easier and more uniform application of the new provisions. I pay due compliments to the representatives of the official Opposition who made their voices heard in Committee. I cannot do the same in respect of the Liberal Democrats because, alas, they were not represented there, for reasons which I understand. I know of the long-standing interest of the hon. Member for Caithness and Sutherland (Mr. Maclennan) in this matter.

If I may speak over the heads of the colleagues of the hon. Member for Newcastle-under-Lyme, I should like to say that the hon. Lady made a splendid, substantial and lasting contribution to improving the way in which children and their plight are dealt with in court. She did so because of her interest in this issue over the past two or three years.

The amendments will be widely welcomed, and I commend them to the House.

Mrs. Llin Golding (Newcastle-under-Lyme): I thank the Minister for his kind words, but we do not have the system right yet. I welcome the Lords amendments because they strengthen the clause on video-recording children's testimony.

I deeply regret the fact that an amendment allowing further implementation of the Pigot report was lost in the other place, partly because the Liberal Democrats voted against allowing children to give video-recorded evidence in pre-trial proceedings. The amendment would have saved many children the trauma of having to wait a long time to give evidence in a trial, and even though the amendment would not have affected a court's flexibility to recall a case if new evidence having a significant effect on the outcome was produced, the Liberal Democrats voted against it.

I very much regret the fact that the Bill does not include a measure for which I have fought for many years and which would have permitted video-recorded evidence to be used if a child's life was likely to be placed at serious risk if he or she appeared in court. That small amendment would have been rarely used but would have strengthened the Bill.

Having commissioned the Pigot report, the Government appear to have decided that it goes too far down the road towards providing a fair trial for a child and the accused. Despite all their fine words and all the injustices that have been done to children over many years, they have failed to give true justice to children in our courts.

I ask the Minister one last favour. Will he undertake to provide official data to enable research to be carried out into delays in the prosecution of child abusers? I understand that the Nuffield Foundation is providing funding to Joyce Plotnikoff and her team to carry out research. It would help if official data were supplied to that lady. The evidence may help the Minister to do another U-turn and implement all the recommendations in Judge Pigot's report.

Dr. Godman: I hesitate to speak in an English debate, but I agree with the Minister that the Lords amendments refine clause 45, on video recording the testimony of child witnesses, and clause 46, which is an important clause.

I was not a member of the Standing Committee, but I am gratified by the Minister's comments about the involvement of my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) in these matters. I offer my compliments to the Minister, his colleagues and officials for what is, from a Scottish perspective, astonishing legislation.

The Bill is remarkable, and I say that without rancour or resentment. Last year, I attempted to change the law in Scotland by plagiarising these clauses and including them in the Law Reform (Miscellaneous Provisions) (Scotland) Bill. The Parliamentary Under-Secretary of State for Scotland, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton), paid me the compliment of accepting an amendment on television links but, disappointingly, he refused to accept a remarkable innovation enabling video-recorded interviews to be used, where appropriate as evidence.

It is important to interview, as soon as humanly possible after an investigation, a child who may be involved in the appalling circumstances about which we are speaking. The longer the delay between investigation and an interview using video recordings, the greater the dangers. All that was said in Standing Committee.

I should like to warn the Minister. I appreciate the fact that the Orkney cases are under investigation, but there was severe criticism of the way in which children alleged to have been involved in sexual abuse cases were interviewed by so-called professionals. Will cognisance be taken in the guidelines of the mistakes made in the Orkneys?

How many courts have television links and how often have those links been used in child abuse cases? Has the Home Office commissioned research into the use of such links? What training will be given in interviewing children where video recordings are used in evidence?

I profoundly regret the fact that the Minister's Scottish Office colleagues chose not to follow the path taken in the Bill. Investigations are carried out in Scotland into allegations about dreadful cases of sexual and child abuse. I am convinced that, if we had similar legislation in Scotland, children would be spared the humiliating ordeal of giving evidence in court within a few feet of the accused.

One of the most modern courtrooms in the United Kingdom must be Glasgow sheriff court. I do not know the names of the architects, and perhaps they should remain nameless, but in that most modern court which deals with child abuse cases—they are also dealt with in the High Court—the child witness is placed within 12 feet of the alleged perpetrator of the abuse. From an architectural point of view, if nothing else, that is a living disgrace. The architects should have been advised to take into account the problems facing child witnesses in such cases.

Despite some of the excellent extant legislation on family law and children, there is no doubt that in

[Dr. Godman]

attempting to ease the burden faced by children in such circumstances, English law is ahead of Scottish law. To me, as a Scottish Member of Parliament, that is a matter of deep regret.

Mr. John Patten: I thank the hon. Member for Greenock and Port Glasgow (Dr. Godman) for his kind words about the Home Office and Home Office Ministers. I am used to bouquets coming to me from all angles from Scottish hon. Members—for instance from my hon. and learned Friend the Member for Perth and Kinross (Sir N. Fairbairn), who is not in the Chamber tonight—but I rarely receive them from Glasgow. A compliment from the hon. Gentleman is extremely welcome, and I thank him for it. The design of the sheriff courts in Scotland is not a matter for me, but I shall draw the hon. Gentleman's strictures on architectural matters to the attention of the Lord Advocate who, I believe, has ministerial responsibility for such issues north of the Border. As always, there is a difference between the two jurisdictions, but I am sure that my right hon. Friend the Secretary of State for Scotland will consider carefully whether there are any lessons for Scotland in the new provisions.

With regard to interviewing techniques and guidance, we are drawing up codes of practice which will take account of all relevant experience. I will ensure that copies of those codes of practice are sent to the hon. Gentleman. The hon. Gentleman also asked about research, and that is one thing that we have plenty of in the Home Office. Yes, there will certainly be a full programme of research and monitoring. I do not have statistics about the numbers of courts equipped with video equipment, which was the last issue raised by the hon. Gentleman, but I will write to him with the statistics. I have seen some of the experiments being carried out, and I am sure that the police or others in the Metropolitan area would make it possible for the hon. Gentleman to visit them. I am sure that he would see much of interest to him.

In reply to the hon. Member for Newcastle-under-Lyme (Mrs. Golding), that will be the last time that I drag her back into the Chamber to receive a complaint. She asked me to make three U-turns and stirred up a debate when there was not meant to be one; it was not part of my game plan, and I had intended to make a quick compliment and get on with the next group of amendments.

The Home Office will make available to Mrs. Plotnikoff any details that we have. We are aware of her research and welcome it, and we shall do all that we can to help her in her work by the provision of data.

Question put and agreed to.

Subsequent Lords amendments agreed to.

Clause 47

ATTENDANCE AT COURT OF PARENT OR GUARDIAN

Lords amendment: No. 74 in page 33, line 12, at end insert—

"(3) For the purpose of facilitating the attendance in court of parents or guardians, the youth court in each area shall hold at least one sitting fortnightly outside the times at which the court normally sits if in the opinion of the court this is justified by the number of cases where to require a parent or guardian to attend court at the times at which the court normally sits would jeopardise the employment of the parent or guardian or would be undesirable for any other reason."

Mr. John Patten: I beg to move, That this House doth disagree with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to take the following: Lords amendment No. 75.

Lords amendment No. 76, in clause 49, page 34, line 16, leave out from "years" to end of line 18 and insert—

"(a) to exercise those powers if it is satisfied, having regard to the circumstances of the case, that their exercise would be desirable in the interests of preventing the commission by him of further offences; and

(b) where it does not exercise them, to state in open court that it is not satisfied as mentioned in paragraph (a) above and why it is not so satisfied."

The following amendments to Lords amendment No. 76: leave out '(a)'.

(b), leave out from 'offences' to end of line 8.

Lords amendments Nos. 77 and 151.

8.15 pm

Mr. Patten: I shall also speak to amendments Nos. 75 to 77 and 151 which refer to the provisions for binding over the parents of young offenders. I shall then deal in the second part of my speech with an issue that I know concerns the official Opposition. That may be convenient for the Opposition's spokesman.

As the House will know, we firmly believe that the binding over of parents of juvenile offenders can play an important role in helping to prevent further offending by young people. We wish the courts to make much more and better use of this power. That policy was set out clearly in the White Paper "Crime, Justice and Protecting the Public", and that is what the provisions of clause 49 are intended to achieve.

Where the offender is 16 or 17, we think that the courts should have the power to bind over the parents and should have the full discretion to use that power as and when they think it appropriate to do so. Clause 49 already achieves that. However, where the young person is under the age of 16, we think that the courts should be under a duty to consider the question of binding over the parents of a juvenile offender in every case. We also think it right that such powers should be used wherever the court considers it helpful in preventing reoffending by the young person. Amendment No. 76 would achieve that.

Where the juvenile is under the age of 16, the court will be required to do three things. It will be required to consider exercising the bind-over power in every case. It will be required to exercise the powers if, having regard to the circumstances of the case, it is satisfied that their exercise would be desirable in the interests of preventing the commission of further offences by the young person. Where the court does not exercise the powers, it will be required to state in open court why it has chosen not to do so.

The reference to the use of the power to bind over parents to help to prevent reoffending by the young person is especially valuable. It directs the court's attention very clearly to the positive purpose and benefits of binding over. It also makes it clear that there is no compulsion to bind over a parent when it is clear that the parent is not in a position to exercise the control that would prevent further offending.

It may be convenient if I now speak to Opposition amendments (a) and (b) to amendment No. 76. One of the main points of clause 49 is that a court will always have to consider whether to bind over the parent or guardian of a young offender aged under 16. Either it exercises its power to bind over or it gives its reasons for not doing so. That is the theory and the practice that we want to see. The Opposition's amendments would remove the second half of that provision. We would effectively be returning to the law as it stands and we do not want to do that. The Government believe that the magistrates' existing discretion to bind over parents or guardians is not used as often as it might be, and if amendments (a) and (b) were accepted, there would be no additional obligation on magistrates even to consider whether they should exercise their powers to bind over.

I turn now to amendment No. 77. Clause 49 allows the courts to bind over parents for up to three years. During such a period, family circumstances may change. For example, it is possible that a child whose parents are bound over when he or she is 14 or 15 and still at school, may leave school, get married and leave home before the bind-over period of this length has ended. To allow for such changes in circumstances, amendment No. 77 provides the courts with a power to revoke or vary an order binding over a parent if it would be in the interests of justice to do so.

Mr. Maclennan: I want to ask the Minister for his view on amendment No. 74 which is grouped with this amendment, but which he has not dealt with. It would be of interest to know the Government's view.

Mr. Patten: I shall do my best.

In the interests of justice, the parent or guardian must make an application to the court, and the court must be satisfied that there is a relevant change of circumstance.

Amendment No. 75 is a technical amendment. As the Bill is drafted, it is the court that convicts the young offender which would be required to consider the binding over of parents. However, the convicting court may not be the court that sentences the young offender.

In amendments Nos. 75 to 77 and No. 151, we have made some sensible improvements to the Bill. That brings me to the end of the first half of what I said I would deal with. I now deal with the second part—amendment No. 74, which concerns the hon. Member for Caithness and Sutherland (Mr. Maclennan). I cannot, under any circumstances, commend it to the House.

Amendment No. 74 is designed to make it easier for parents to attend court when their child appears as a defendant, by requiring the courts to inquire into possible difficulties that parents in employment might experience in attending court during normal working hours and, if necessary, to hold at least one sitting a fortnight outside normal hours to accommodate them. That alone would cost between £7 million and £10 million.

I see no advantage in compelling a court, before setting a date, to seek out the defendant's parents and to see whether, in the court's view, their employment might be jeopardised by coming to court during normal hours. A parent reluctant to attend might seize the opportunity to claim that his job would be in danger, or might give some other fallacious reason, if he had to be absent for even part of a day. The court would then have to confirm with the parent's employer that that was the case, with all the attendant costs and all the delays in the criminal justice system which would flow from that. As we all know, one of the best things to do with juveniles is to get them brought before the court as quickly as possible and dealt with as quickly as possible so that they learn the lesson before they have forgotten it.

It should also not be forgotten that many of those in employment are engaged in shift work or work at weekends. Such work patterns seem to provide considerable flexibility for parents. Not only parents, but victims must be taken into account. The House of Lords did not mention victims and the inconvenience caused to victims who have to appear as witnesses and who may have to come out after dark in the evening. Why should victims have to come out in the evening, for example, and make an attendance at court as witnesses at great inconvenience to themselves?

Mr. Sheerman: Will the Minister give way?

Mr. Patten: I really cannot——

Mr. Sheerman: Will the Minister give way?

Mr. Patten: The hon. Gentleman must restrain himself.

We need to take into account the perfectly proper considerations of all court users. We must take into account not only the accused and the accused's parents, but witnesses and victims. In taking a balanced view of amendment No. 74, we taken into account the convenience not only of parents, but of all court users. Does the hon. Member for Huddersfield (Mr. Sheerman) want me to give way? I did not think that he did——

Mr. Sheerman: I had resigned myself to coming back to the subject of victims in my remarks in response. The Minister knows—and I do not know how he did not blush when he made the point about victims—that we tried to put the whole role of victims in the court system high on the agenda. The Minister knows that he and his Government would not allow victims to be discussed when the Bill was in Committee.

Mr. Patten: If the Opposition wished to deal with the serious problems facing witnesses in court, and the fact that the elderly, the disabled and other victims might have to turn out at night to attend court sessions, they would have taken them into account in tabling their amendments, and would not have tabled them in their present form. I cannot recommend amendment No. 74 to the House.

Mr. Sheerman: I will start with the "Home and Away" part of the Minister's remarks, rather than with the "Neighbours" bit of his speech—*[Laughter.]* My hon. Friend the Member for Kingston upon Hull, West (Mr. Randall) said that the first half was "Neighbours" and the second half was "Home and Away", and that they were as bad as each other. It was a bit dismal to listen to the Minister's rather negative response.

In Committee, the Minister opposed the ideas in the amendment. He has had to change his mind, because he has been defeated in the Lords and he has to make some concessions. However, he does not have the good grace to say that he was wrong in Committee, that he has learnt his lessons and that he is trying to improve. Instead, he threw in the gratuitous insult about victims, although we desperately tried to get victims on the agenda of the Bill

[Mr. Sheerman]

and were prevented from doing so by the long title of the Bill. Every time we sought to amend the Bill, we were knocked back because the amendments were out of order.

Like the Minister, I will start by discussing amendment (a) to Lords amendment No. 76. It would remove from the Bill the requirement for courts to give reasons if they do not bind over the parents of juvenile offenders. In its original form, the Bill provided that, when a juvenile was convicted of an offence, the court must bind over the parents to take proper care of him or her and to exercise proper control, unless it considered that that was unreasonable.

On Report in the Lords, the Government removed the statutory presumption in favour of binding over parents in response to amendments moved by peers in the all-party penal affairs group. We are always grateful for small mercies, and that was a positive change from what the Minister said in Committee. We had argued from the beginning in Committee that the bind-over proposals were wrong and were opposed by all who worked in the system as doctrinaire nonsense which would create far more problems than it would solve.

The Minister has staked his reputation on legislating for happy families. We have told him that one cannot do it, that, if one imposes a £1,000 fine on parents for their children's good behaviour, it will not work, and that it will destroy families rather than unite them. We told him that until we were blue in the face. It was not until those in the other place told him that, that he had to accept that some part of our argument was right.

We stressed that the proposals were likely to increase rather than reduce juvenile crime by placing an additional burden on many families who were already under pressure. Amendment No. 74 was a welcome modification of a quite unworkable proposal. Through amendment (a), we are saying that the new version of the clause would require courts to give reasons if they did not bind over parents. Although an improvement on the original proposals, that will still—*[Interruption.]* We had strictures from the right hon. Member for Mitcham and Mordern (Mrs. Rumbold), the Minister of State, earlier about my not concentrating fully on her remarks. I was not, because I was trying to follow how we had lost a couple of clauses. I hope that the Minister has not lost a couple.

The power for the courts to give reasons if they do not bind over parents is still not good enough. Although an improvement on the original proposal, it will still place inappropriate pressure on courts to use a measure that, in the vast majority in cases, would do more harm than good. It is misguided to place pressure on the courts to use that power in cases in which they do not currently regard as sensible to do so.

Binding over parents and requiring them to forfeit money if the child reoffends is likely to increase parents' resentment and to aggravate further relationships between them and their children, putting the children more at risk than ever. It will increase the pressures on many families who are already struggling to survive against great odds. In some cases, it will accelerate the trend for parents to throw their children out of the house to join the growing ranks of the young homeless. We have talked about the homeless, and about the Vagrancy Act 1824 and the missed opportunity to get rid of it. The problems that I have described would have been more serious if the Bill had not been amended by the Lords.

We believe that a further refinement would be for the Minister at last to say that the provision was a bit of an ideological wheeze which he thought might go down well at the Conservative party conference and might impress some Back-Bench Members. He should say that, because of the implacable opposition of the Magistrates Association, the Justices Clerks Association and everyone who does the job in juvenile justice, he has taken some notice. He should go the full way and forget the proposal.

The "Neighbours" part of my speech concerns amendment No. 74, which is better than the first part—which is hard to believe. I will not render this bit with an Australian twang. The amendment requires youth courts to hold at least one sitting a fortnight in the evening or at weekends when that is justified—I hope that the Minister will listen—by the number of cases that would be dealt with more appropriately at such a time. The amendment was moved not by some radical firebrand, but by Baroness Faithfull, a constituent of the Minister. I know that he has great respect for that lady. She moved the amendment on behalf of the all-party penal affairs group and it was carried on Third Reading by 79 votes to 75, against the Government's wishes.

One result of the amendment will be to reduce the risk that requiring parents to attend court with their children would jeopardise their employment. Perhaps if one is of the aristocratic persuasion in a marginal Oxford constituency, one may feel that it is irrelevant to consider how the courts cater for people. The Opposition have consistently said that the real change that needs to be made to the courts system is that the system should be more consumer-oriented. The people who use the courts should find friendly courts and places which are not aloof. The courts should be people's courts where people can find justice. They should be run for the people and not for the barristers, lawyers and others who are there to serve. It is about time that we had a legal system based on the principle of serving people who use them rather than those who work in the courts.

8.30 pm

The Minister of State may be contemptuous of the idea that ordinary working people and single-parent families must attend court. Perhaps the Minister of State should be reminded of the number of homeless people in the marginal Oxford constituency that he represents. He would be surprised at the number. There are many in my much less marginal constituency of Huddersfield. Those families need to be able to attend courts at more convenient times than at present.

What is wrong with weekend or evening courts? The Minister plucks figures out of the air. He seems capable of adding up only in tens. His proposals seem to cost £10 million, £100 million or £1,000 million.

Mr. John Patten: I said £7 million.

Mr. Sheerman: Well, £7 million to £10 million. The proposal has not been costed properly. We should at least be able to experiment in the areas where there is greatest need. We might then make the courts people's courts instead of lawyers' courts. The Opposition believe that justice and access to justice is what this Bill could have been about. Unfortunately, that has not been the case. The

one small measure that Baroness Faithfull managed to propose in the other place could be a sign that the Government are at least prepared to accept that change.

I am sorry that the Minister has been contemptuous of this, sensible amendment which would have opened up the courts and made them more amenable to those who have jobs in which they lose pay if they do not turn up. The proposal would have made matters more convenient for single parent families and those who suffer from the kind of discrimination that I have described at work. If those people do not turn up at work, they are not paid and the family is not fed or shod.

Mr. Maclennan: I was more surprised by the Minister's reasons for opposing amendment No. 74 than by the fact that he opposed it. There is no requirement to hold courts at the convenience of the parents or guardians of young people brought before the court. There is a requirement to hold such courts only when that is justified. Therefore, the amendment is unnecessary because, as I understand it, it is open to the courts to hold evening sittings if they so choose at the moment.

As it is desirable that the courts should hold evening sittings if that is in the interests of justice including the interests of the witnesses, the amendment must be unnecessary. I understand that courts increasingly choose to sit in the evenings. That makes a great deal of sense. It saves time and it expedites hearings. It also meets the convenience of many people who are not necessarily professionally engaged in court, and it may even be for the convenience of those who are so engaged, who may prefer to handle a long list of cases rather than a short list and have to return on another occasion.

The Minister's over-the-top opposition to the amendment was uncharacteristically unsympathetic. I hope that he does not disapprove of the holding of evening courts. I was surprised by his suggestion that the costs would increase. I was also surprised that he was able to cost matters in that way. It must be difficult to judge how often courts would choose to sit in the evenings. I would like to know the Minister's assumptions and how he made his calculation of £7 million to £10 million of additional expenditure. If courts could dispose of matters which they would otherwise have to bring back on another day, that would save money. I hope that the Minister can reassure me that the Government do not oppose evening courts.

Question put:—

The House divided: Ayes 202, Noes 132.

Division No. 194] **[8.36 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beaumont-Dark, Anthony
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Butler, Chris
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Sir William
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knox, David
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Maitris, Humfrey
Marland, Paul
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Mudd, David
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Owen, Rt Hon Dr David
Patnick, Irvine
Patten, Rt Hon John
Pawsey, James
Roberts, Rt Hon Sir Wyn
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stevens, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann

Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim

Tellers for the Ayes:
Mr. Tom Sackville and
Mr. Nicholas Baker.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Barnes, Harry *(Derbyshire NE)*
Beckett, Margaret
Bell, Stuart
Bellotti, David
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blunkett, David
Boyes, Roland
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Carr, Michael
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Corbyn, Jeremy
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Duffy, Sir A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Edwards, Huw
Ewing, Harry *(Falkirk E)*
Fearn, Ronald
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, Ted *(Wallsend)*
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Heal, Mrs Sylvia
Hood, Jimmy
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Rees, Rt Hon Merlyn
Richardson, Jo
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Spearing, Nigel
Steel, Rt Hon Sir David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Wallace, James
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Winnick, David
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Jack Thompson.

Question accordingly agreed to.
Lords amendment No. 74 disagreed to.

Madam Deputy Speaker: Do I understand that the hon. Member is not now pressing his amendments (a) and (b) to Lords amendment No. 76?

Mr. Randall: Yes, Madam Deputy Speaker.

Subsequent Lords amendments agreed to.

Lords amendment: No. 78, after clause 49, insert the following new clause—*Detention etc. pending trial*—

. In section 38 of the Police and Criminal Evidence Act 1984 (duties of custody officer after charge), for subsections (6) and (6A) there shall be substituted the following subsections—

"(6) Where a custody officer authorises an arrested juvenile to be kept in police detention under subsection (1) above, the custody officer shall, unless he certifies—

(a) that, by reason of such circumstances as are specified in the certificate, it is impracticable for him to do so; or

(b) in the case of an arrested juvenile who has attained the age of 15 years, that no secure accommodation is available and that keeping him in other local authority accommodation would not be adequate to protect the public from serious harm from him,

secure that the arrested juvenile is moved to local authority accommodation.

(6A) In this section—

'local authority accommodation' means accommodation provided by or on behalf of a local authority (within the meaning of the Children Act 1989);

'secure accommodation' means accommodation provided for the purpose of restricting liberty;

'sexual offence' and 'violent offence' have the same meanings as in Part I of the Criminal Justice Act 1991;

and any reference, in relation to an arrested juvenile charged with a violent or sexual offence, to protecting the public from serious harm from him shall be construed as a reference to protecting members of the public from death or serious personal injury, whether physical or psychological, occasioned by further such offences committed by him." ")

Read a Second time.

Mr. Randall: I beg to move, amendment (a) to the Lords amendment, leave out paragraph (b) and insert—

'(b) in the case of an arrested juvenile who has attained the age of 15 years, that keeping him in such accommodation with such supervision as the local authority proposes to make available would not be adequate to protect the public from serious harm from him before he is brought before the magistrates' court to which he is charged to appear.'.

Madam Deputy Speaker: With this, it will be convenient to take the following amendments to the proposed amendment: (b), in line 24, leave out

'secure accommodation means accommodation provided for the purpose of securing liberty'.

(c), in line 26, leave out "'sexual offence" and "violent offence" have the same meaning as in Part I of the Criminal Justice Act 1991'.

(d), in line 29, leave out

'charged with a violent or sexual offence'.

Lords amendments Nos. 79 and 80,

Lords amendment No. 81, a new clause—*Transitory provisions pending provision of secure accommodation*—and amendment (a) to the Lords amendment.

Lords amendments Nos. 97, 119 to 121, 130 to 132, 144, 152 and 163.

Mr. Randall: Amendment No. 78 was a response by the Government to concerns expressed in another place by Lord Elton and opposition to the continued detention of juveniles in police custody in circumstances in which local authorities have offered to accommodate them until their court appearance. The purpose of the Government's amendment is to lay down restrictive criteria that will help to meet those concerns. We welcome the proposal, and our amendment is intended to improve the measure by clarifying some of the wording.

We are concerned that the Government's intentions could be thwarted unless the wording is modified. There are two problems, the first of which lies in the wording of paragraph (b) of Lords amendment No. 78, where there is a risk that the reference to "secure accommodation" could send the wrong message to police custody officers by suggesting to them that, where no secure accommodation is available, they are almost automatically entitled to regard other sorts of accommodation as inadequate to protect the public. Local authorities have effective ways, other than secure accommodation, of ensuring security and the surveillance of arrested juveniles, whom they usually have to hold for no more than one night before producing them at the next available court.

The reference to "secure accommodation" reinforces the tendency for police custody officers to regard other sorts of accommodation as inadequate and will produce wide inequalities between different districts. Children in regions without immediate access to secure accommodation will be at risk of being held in police cells. Moreover, local authorities that take their duty to provide accommodation for detained juveniles seriously, and have access to secure accommodation, will have to choose whether to earmark secure accommodation beds exclusively for that purpose. Secure accommodation is an expensive and valuable resource, but the proposals to end remands in custody will place extra demands on it. To leave paragraph (b) as it stands will place an irrational demand on this limited facility.

The second problem lies in the wording of paragraph (b), which refers to the notion of protecting the public from serious harm, but defines "serious harm" only in terms of violent and sexual offences. The custody officer is given no guidance on how to interpret "serious harm" in relation to other offences. Our proposals will ensure that the term "serious harm" means protecting the public from death or serious personal injury, whether physical or psychological, whatever the offence for which the juvenile is arrested. That will ensure consistency between the courts. I hope that the Government will accept our proposals in the constructive manner in which they have been presented and are intended.

Lords amendments Nos. 79 to 81 set out stricter criteria for the remand of juveniles in custody in the short term and provide for the ending of such remands in the long term. The important short-term changes are that such remands will be restricted to cases where they are needed to protect the public from serious harm from the defendant, and that no juvenile can be remanded in custody unless he or she has been offered legal representation. That is unquestionably a welcome and substantial step in the right direction.

However, we believe that the real need is to end completely the remanding of juveniles to adult prisons and remand centres, and we have debated that issue at considerable length. Where it is necessary to remand a juvenile, it should be to a secure place in a community home staffed by those specialising in working with children, not to a prison department establishment. While the Government have committed themselves to ending juvenile remands in custody eventually, they have not committed themselves to a timetable for doing so. They have said that they will end such remands where sufficient local secure accommodation is available, but they have not announced a specific timetable.

In February, the Home Office issued a consultation paper entitled "The Remand of Alleged Juvenile Offenders". The Home Office proposed to restrict custodial remands in the short term on the lines of the Bill's provisions—to establish between 30 and 35 more secure beds for juveniles in local authority homes and to review the position, but not necessarily to end juvenile remands in custody, over the next four years.

There has been mounting concern at the remand of juveniles in custody, and many cases can be quoted. The Minister knows only too well that there were some frightening problems relating to young remand prisoners in Hull prison. We should all compliment the staff there, who have to cope in such difficult circumstances. The conditions in which some young people, but not as many as before, are now held are much worse than those for sentenced young offenders in young offender institutions—indeed, they are the worst conditions in the whole penal system. The young people are often confined for most of the day in overcrowded, insanitary cells. Boys of 15 and 16 are held with older teenagers up to the age of 21, many of whom are much tougher and more experienced offenders. That is a recipe for criminal contamination, bullying and suicide attempts.

In the 12 months to end of June 1990, 1,300 boys aged 15 and 16 were remanded to prisons and remand centres. However, the number of juveniles on remand in penal establishments at any one time is much smaller. On 30 April 1990, there were 65 untried and 19 convicted, unsentenced boys under the age of 17 in prisons and remand centres. The Opposition believe that, with such numbers, it should be possible to plan a timetable strategy.

In their consultation paper, the Government estimated that the necessary secure accommodation should be ready in four years' time. However, four years is a disturbingly long time in view of the gravity of the problem. Even more disturbing is the lack of a firm commitment to end the custodial remand of juveniles at that date. Although, ideally, we should like to see a more rapid timetable for ending that practice, the amendment is limited to providing that it should be discontinued at the time when the Government have established that the necessary secure accommodation is in place.

The amendments are positive and constructive and tackle a terrible problem for which the Government have failed to come up with a timetable. I hope that the House will support them.

9 pm

Mr. John Patten: Amendment (a), which is the first of the two amendments to Lords amendment No. 78, would remove the reference to secure accommodation from new subsection 6(b) and insert a reference to supervision. Having listened carefully to the hon. Member for Kingston upon Hull, West (Mr. Randall), I argue that the nature of the accommodation alone should not determine whether the police can safely transfer 15 and 16-year-olds to the local authority, but that the quality of the supervision should also be considered. I happen to agree that quality is important and Lords amendment No. 78 allows the quality of supervision to be taken into account. It does not compel the police to hold on to 15 and 16-year-olds if they are satisfied with local authority arrangements.

However, I cannot commend the Opposition amendments to the House because, alas, they have an undesirable side effect. They would widen the discretion of the police to hold young people in police cells. I am sure that that is not what the hon. Gentleman wants. Lords amendment No. 78 requires the police to make the transfer if secure accommodation is available. The Opposition's amendments as drafted would remove that requirement. I know the drafting style of the hon. Member for Kingston upon Hull, West and I am sure that he did not draft the amendments. Perhaps they were drafted by the learned counsel to whom the hon. Member for Huddersfield (Mr. Sheerman) referred earlier. If they were drafted at great cost to the Labour party by some outside source, I hope that it was done on a no foal, no fee basis because it is extremely badly drafted and produces the opposite to what the Opposition set out to achieve. It would allow the police to hold a 15 or 16-year-old, even if secure accommodation were available, if the police certified that that accommodation offered inadequate protection to the public. That cannot be right and I am sure that it is not what the Opposition intend.

The remaining Opposition amendments to Lords Amendment No. 78 deserve serious consideration but would further restrict police power to hold an arrested juvenile aged 15 or 16. Provided that no local authority secure accommodation is available, Lords amendment No. 78 allows the police to hold 15 and 16-year-olds where there is a risk of serious harm to the public. It does not matter whether that serious harm would be caused by a sexual or violent offence or in some other way. For example, it may be another in a series of bad domestic burglaries of the homes of elderly people after dark. Unfortunately, the Opposition's amendment would limit the concept of serious harm to death or serious personal injury. That simply does not recognise the reality of the problem.

The public have a right to expect protection and consideration for their fear of further attack or burglary by 15 or 16-year-olds. We should not underestimate the harm that a serious domestic burglary can cause. It is not easy to judge serious harm but I believe that the police will be called upon to make difficult decisions, often on the basis of limited information. A balance must be struck between the needs of the young person and those of the public, but the police must have the discretion to strike that balance, at least overnight, and the Opposition's amendments would deprive them of that. Moreover, they could expose both the young man—it normally is a young man rather than a young woman—to further harm.

As for Lords amendment No. 81, on which the hon. Member for Kingston upon Hull, West spoke towards the end of his speech, there is not a scintilla of difference between us on the end that we both want to achieve—the ending of remanding young people in prison. The hon. Gentleman was right to pay tribute to staff at Hull prison, who have done an extremely good job. However, the amendments to Lords amendment No. 81 would set a firm date of four years after the enactment of the Bill for prison remands to be ended. The Government are committed to ending such remands as quickly as possible and I happen to think that that deadline will be met but—it is a big but—let us suppose that the deadline cannot be met in some part of the country for, say, a combination of planning reasons. Local protest groups, local authorities not granting planning permission or appeals to the Department of the Environment could all prevent that deadline from being met. If the deadline of four years were not met in such areas, dangerous young people would remain on the streets. I am afraid to say that, while I agree with the sentiment of what the hon. Member for Kingston upon Hull, West said, I cannot agree with the actuality of the amendment, nor can I commend it to the House, and I hope that hon. Members will resist it.

Question accordingly negatived.

Lords amendment No. 78 agreed to.

Subsequent Lords amendment agreed to. [Special Entry].

Lords amendment: No. 81, to insert the following new clause—

Transitory provisions pending provision of secure accommodation

(".—(1) In relation to any time before such day as the Secretary of State may by order made by statutory instrument appoint, section 23 of the 1969 Act as substituted by section (*Remands and committals to local authority accommodation*)(1) above shall have effect with the following modifications.

(2) In subsection (1), immediately before the words "the remand" there shall be inserted the words "then, unless he is declared by the court, after consultation with a probation officer or a social worker of a local authority social services department, to be a person to whom subsection (5) below applies".

(3) For subsections (4) and (5) there shall be substituted the following subsections—

"(4) Where a court declares a person to be one to whom subsection (5) below applies, it shall remand him—

(a) to a remand centre, if it has been notified that such a centre is available for the reception from the court of such persons; and

(b) to a prison, if it has not been so notified.

(4A) A court shall not declare a person who is not legally represented in the court to be a person to whom subsection (5) below applies unless—

(a) he applied for legal aid and the application was refused on the ground that it did not appear his means were such that he required assistance; or

(b) having been informed of his right to apply for legal aid and had the opportunity to do so, he refused or failed to apply.

(5) This subsection applies to a young person who is male and has attained the age of fifteen, but only if—

(a) he is charged with or has been convicted of a violent or sexual offence, or an offence

punishable in the case of an adult with imprisonment for a term of fourteen years or more; or

(b) he has a recent history of absconding while remanded to local authority accommodation, and is charged with or has been convicted of an imprisonable offence alleged or found to have been committed while he was so remanded,

and (in either case) the court is of opinion that only remanding him to a remand centre or prison would be adequate to protect the public from serious harm from him."

(4) In subsection (6)—

(a) for the words "imposes a security requirement in respect of a young person" there shall be substituted the words "declares a person to be one to whom subsection (5) above applies"; and

(b) for the words "subsection (5) above" there shall be substituted the words "that subsection".

(5) In subsections (7) and (9), the words "without imposing a security requirement" shall be omitted.

(6) After subsection (9) there shall be inserted the following subsection—

"(9A) Where a person is remanded to local authority accommodation, a relevant court may, on the application of the designated authority, declare him to be a person to whom subsection (5) above applies; and on its doing so, he shall cease to be remanded to local authority accommodation and subsection (4) above shall apply."

(7) In subsection (12), the definition of "secure accommodation" shall be omitted.")

Amendment proposed: (a), in subsection (1), after 'appoint', insert

'which day shall be no later than the end of the period of four years beginning with the day on which this Act is passed'. —*[Mr. Randall.]*

Question put, That the amendment to the Lords amendment be made:—

The House divided Ayes 127, Noes 202.

Division No. 195] **[9.6 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley, N.)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Barnes, Harry *(Derbyshire NE)*
Beckett, Margaret
Bell, Stuart
Bellotti, David
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Blunkett, David
Boyes, Roland
Bray, Dr Jeremy
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Carlile, Alex *(Mont'g)*
Carr, Michael
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Corbett, Robin
Corbyn, Jeremy
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunliffe, Lawrence
Dalyell, Tam
Darling, Alistair
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Duffy, Sir A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Edwards, Huw
Ewing, Harry *(Falkirk E)*
Fearn, Ronald
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flynn, Paul
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, Ted *(Wallsend)*
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howells, Geraint
Hoyle, Doug
Hughes, John *(Coventry NE)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Mitchell, Austin *(G't Grimsby)*
Morgan, Rhodri
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Rees, Rt Hon Merlyn
Richardson, Jo
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Snape, Peter
Spearing, Nigel
Steel, Rt Hon Sir David
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Wallace, James
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Wigley, Dafydd
Williams, Alan W. *(Carm'then)*
Winnick, David
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jack Thompson and
Mr. Frank Haynes.

NOES

Aitken, Jonathan
Alison, Rt Hon Michael
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beaumont-Dark, Anthony
Benyon, W.
Bevan, David Gilroy
Blackburn, Dr John G.
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Brandon-Bravo, Martin
Bright, Graham
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Rt Hon Sir William
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Curry, David
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Gill, Christopher
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie
Hampson, Dr Keith
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*

Harris, David
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knox, David
Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
Madel, David
Malins, Humfrey
Marland, Paul
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxwell-Hyslop, Robin
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Owen, Rt Hon Dr David
Patnick, Irvine
Patten, Rt Hon John
Roberts, Rt Hon Sir Wyn
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shelton, Sir William
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stokes, Sir John
Sumberg, David
Summerson, Hugo
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Woodcock, Dr. Mike
Yeo, Tim

Tellers for the Noes:
Mr. Neil Hamilton and
Mr. Timothy Wood.

Question accordingly negatived.
Lords amendment No. 81 agreed to.

After clause 50

Lords amendment: No. 82, to insert the following new clause—*Custodial sentences under 1933 Act*—

(". Section 53(2) of the 1933 Act (punishment of certain grave crimes) shall have effect, in relation to a person who has attained the age of 16, as if the reference to any offence punishable in the case of an adult with imprisonment for 14 years or more, not being an offence the sentence for which is fixed by law, included a reference to an offence under section 14 of the Sexual Offences Act 1956 (indecent assault on a woman).")

Mr. Patten: I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Deputy Speaker: With this we shall also discuss Lords amendments Nos. 83 and 155.

Mr. Patten: The provisions of the Bill bring 17-year-olds within the youth court system for sentencing purposes and treat 16 and 17-year-olds as a distinct group within that system. The amendments make further useful minor provisions in regard to the sentencing of 16 and 17-year-old offenders, and I know that they will be widely welcomed.

Mr. Randall: As we see it, amendment No. 82 empowers the court to pass custodial sentences longer than the normal 12-month maximum on juveniles convicted of indecent assault. At present, section 53 of the Children and Young Persons Act 1933, under which longer sentences can be passed, is restricted to offences which carry a maximum penalty of 14 years imprisonment or more in the case of an adult. Indecent assault has a maximum penalty of 10 years' imprisonment, so it currently falls outside the scope of section 53. As some of the most extreme indecent assaults can be as bad as rape, it is difficult to quarrel with the amendment, and the Opposition are pleased to support it.

Mr. Patten: I greatly welcome the support that the hon. Gentleman has given. I am grateful to the official Opposition.

Question put and agreed to.
Lords amendment No. 83 agreed to.

Lords amendment: No. 84, after clause 58 insert the following new clause—*Default power where probation committee fails to discharge statutory duty*—

".—(1) The Secretary of State may make an order under this section if he is of the opinion that, without reasonable excuse, a probation committee—

(a) is failing properly to discharge any duty imposed on it by or under any enactment; or

(b) has so failed and is likely to do so again.

(2) An order under this section shall—

(a) state that the Secretary of State is of the said opinion; and

(b) make such provision as he considers requisite for the purpose of securing that the duty is properly discharged by the committee.

(3) Where an order is made under this section, it shall be the duty of the committee to comply with the provision made by the order."

Mr. John Patten: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 85, 86, 98 and 99.

Mr. Patten: It is widely recognised that the provisions in the Bill to deal with more offenders in the community make it more important than ever to have a probation service that is efficient, effective and accountable to the Secretary of State. Lords amendment No. 84 and the associated amendments ensure that the line of accountability is clear to my right hon. Friend who is, in the end, responsible for the public expenditure involved. The related amendments also tidy up some areas of concern about the relationship between the probation committees and local authorities on payment and manpower.

Mr. Randall: I want to speak to Lords amendment No. 98 and the way in which we arrive at the manning figures for the probation service. We believe that the wording of the amendment is important. We have already expressed deep concern that the probation committees should be free

to decide how many probation officers an area needs. If local authorities were involved in the decision that could cause unworkable tension between the parties.

Lords amendment No. 98 makes it clear that it is not necessary for the probation committee and the local authority to reach agreement on the number of probation officers as a matter of routine. Although that does not meet all our concerns we believe that that amendment is a step in the right direction and we therefore support it.

Mr. Hugo Summerson (Walthamstow): I should just like to say how much I support the amendment. My right hon. Friend will be aware that a constituent of mine, Mr. George Arkless, has had considerable difficulty with the north-east London probation service. It seemed to me that there were difficulties in the channel of communication between the probation service and the Home Office. Anything that strengthens those channels of communication must be welcomed.

Question put and agreed to.

Subsequent Lords amendments agreed to.

Clause 64

ARRANGEMENTS FOR THE PROVISION OF PRISONER ESCORTS

Lords amendment: No. 88, in page 43, line 2, leave out ("as respects any area")

Mrs. Rumbold: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 89 to 92, 94 to 96, and 122 to 129.

Mrs. Rumbold: Amendment No. 88 and the associated amendments are all concerned with the Bill's provisions on prisoner custody officers. Amendments Nos. 90, 94 to 96 and 122 to 129 make some modest improvements to the provisions of the Bill relating to the certification of prisoner custody officers. They do two things.

First, they enable different grades of certificates to be issued depending on whether the person concerned wishes to be authorised to escort prisoners, to work in a contracted-out prison, or both. However, we believe that it is most likely that many prison custody officers will want to do prisoner escorting only or in a contracted-out prison only. Although many of the requirements and much of the training will be common to the two functions, it does not seem necessary for someone who is going to escort prisoners to receive training which is relevant to work inside a prison only, and vice versa. Secondly, the amendments provide for expiry dates to be set for prisoner custody officer certificates. We think that it would be better if provision were made for the certificates to expire after a certain period. Otherwise, they could remain in force for many years after the holder has ceased to be employed as a prisoner custody officer—perhaps for the rest of his lifetime.

Amendment No. 92 was introduced in response to an undertaking that I made when the clause was considered by the House in Committee. The clause places prisoner custody officers under a duty to attend to the well-being of prisoners under escort. We agree that that duty should include matters such as the explicit obligation to protect prisoners from public scrutiny and insult and to provide adequate light, ventilation and standards of physical comfort in the vans used to transport them.

We intend to make rules to cover those matters, so as to ensure that prisoner custody officers are under no less an obligation than are prison officers under prison rules with regard to the escort of prisoners.

The amendment is phrased in general terms because matters other than those mentioned may also affect the welfare of prisoners, and they may need to be taken into account, too.

Question put and agreed to.

Subsequent Lords amendments agreed to.

Clause 79

INFORMATION FOR FINANCIAL AND OTHER PURPOSES

Lords amendment: No. 100, in page 53, line 7, leave out ("avoidance by such persons of discrimination")
and insert
("performance by such persons of their duty to avoid discriminating")

Mr. John Patten: I beg to move, That this House doth agree with the Lords in the said amendment.

When the House considered the Bill on Report the Government introduced an amendment to clause 79, which placed on my right hon. Friend the Home Secretary a duty regularly to publish information to facilitate the avoidance of discrimination on the grounds of race, sex or any other improper ground by persons engaged in the whole area of the administration of justice. Lords amendment No. 100 builds upon and clarifies that provision, and I commend it to the House.

Mr. Sheerman: This is probably the last time that I shall comment on anything in the Bill—I am sure that some Members will be pleased about that.

The amendment would change the wording of clause 79 to establish the principle that those administering criminal justice have a duty to avoid discriminating on the grounds of race, sex or any other improper ground. We pushed hard for that idea in Committee, and once again we see the fruits of our work coming from another place. It is rather odd making a case in Committee in the House of Commons and then seeing the same arguments—although they may be a little more eloquently deployed—used in the House of Lords, where they seem to have some magic ingredient that enables them to be accepted.

The Minister deserves at least some congratulations, although he will not get all of them, because I have some small reservations about the Government's attitude. As a compromise, following pressure from Baroness Flather and other peers in the parliamentary all-party penal affairs group, the Government accepted that the Bill should include a statement of the principle that decisions of the criminal justice system should not discriminate on the ground of race.

It is revealing and important to put it on the record that, on 21 March, during the Committee stage in the House of Lords, Lord Elton—a former Conservative Home Office Minister—said:

"I was a reluctant convert to the view that there appears to be an element of discrimination against ethnic minority offenders in our criminal processes. In his reply, I asked my noble Friend to consider what are the social effects of that. The fabric of our society is only sustainable if the mass of society consents to the criteria on which justice is

[Mr. Sheerman]

administered. If a particular discrete, identifiable and self-identifiable sector of that society believes that there is a system of justice which is just for other people but not just for them, whether or not that belief is well founded, the effects upon our society as a whole will be very damaging because those people will see the judicial system not as a means of maintaining law and order but as a means of keeping 'them' down and 'us' up. That is a recipe for internecine warfare and is very dangerous." – [*Official Report, House of Lords*, 26 March 1991; Vol. 527, c. 1040-41.]

I welcome that important statement by Lord Elton, and the fact that it was made in the debate on this very amendment. We have made that point consistently throughout our long proceedings on the Bill. We must not only ensure that there is no discrimination in the criminal justice system—and, at the moment, there is evidence to suggest that there is; we must prove to those who feel that there is discrimination that there is not.

9.30 pm

I warmly welcomed the Minister's invitation, following the Report stage of the Bill, to meet him at the Home Office with representatives of the black community, black probation officers, lawyers and so on. We had a good exchange of views. I thank the Minister for that, and acknowledge that some progress was made.

Having given my little bit of praise, let me go on to say that, to understand the strength of feeling on the matter among the black community and other members of ethnic minorities, we need first to appreciate the widespread and mounting concern about the disproportionately large number of black people in the prison system. The proportion of the prison population coming from ethnic minorities has risen—from 12·5 per cent. in 1985 to 16 per cent. in 1989. Although ethnic minorities constitute less than 5 per cent. of the general population, the proportion of female prisoners from ethnic minorites is even greater, at 24 per cent. That is a worrying figure.

I see that the Home Secretary is in his place, and I must point out to him that it is not as worrying as the appalling and sad figures that we have received this evening—I believe that they will be published officially in the media tomorrow morning—which show a 17·6 per cent. increase in the crime figures. I say that with great sadness. Those figures must depress all of us in the House who believe that law and order are so important. Perhaps the Government will now accept our invitation to talk jointly about crime prevention measures upon which we can all agree.

There are two reasons why the disproportionately large figures for ethnic minorities cannot simply be attributed to differential crime rates or to the fact that a higher proportion of the black population are in the crime-prone teenage groups. The first is that the Home Office statistics on the ethnic breakdown of the prison population, first compiled in 1985, and published annually since then, show that members of ethnic minorities entering prison have, on average, fewer previous convictions than white prisoners, and that, before conviction, they were less likely to receive bail than comparable white defendants.

That has worrying implications for the way in which the ethnic minority community views the criminal justice system, and there is a measure of justification for its perception, as hon. Members on both sides of the House will agree. The figures suggest that people from ethnic minorities who commit offences are more likely to end up in prison than comparable white offenders. Therefore, although we welcome the Government's change of heart and mind, the Opposition will take a little of the credit for adding to the creative process to which any sensible Bill gives rise.

The second reason is that, although the findings of research studies conflict to some extent—I have always been honest about that—a disturbing number of studies contain indications that members of ethnic minorities are treated differently from white people at various stages of the criminal justice process. We have argued throughout our proceedings on the Bill that a statutory duty such as that expressed in the amendment is essential. We believe that, in drawing attention in primary legislation to a duty not to discriminate, Parliament would be making an important statement about the significance that it attaches to the principle of non-discrimination. The existence of such a provision is psychologically important.

I do not know whether you, Mr. Speaker, would agree with me—given your considerable knowledge of legislation—but in my view it is not always just the words that matter; sometimes the psychological impact on our citizens is even more important. You probably do agree, Mr. Speaker; you have often said as much as I have passed the Chair.

During the passage of the Bill, the Opposition have consistently argued that such a non-discriminatory duty is important; the Government, however, have been slow to accept its importance, and have continually resisted our amendments. They have now introduced the notion of a duty not to discriminate , but have done so in a rather indirect way, incorporating that duty in a clause that deals with the publication of information. Given the importance of the issue, we feel that it should have featured at the front of the Bill, as a key principle, rather than being buried in a rather obscure clause at the end. The Government have moved forward a little way, but they have done so in a grudging manner that will not impress all who are concerned about racism in the criminal justice system.

Let me end on a positive note. My visit to the Home Office proved valuable: communication was established, and some creative ideas were developed as a basis for future exchanges. We were also given a cup of tea. I promise that in a short time, when I am a Home Office Minister, I shall reciprocate and extend the same co-operation to the Minister—if he survives the contest in Oxford.

Although we are a bit discontented about the Government's grudging attitude, we accept that that is the way of these things. Let me say—and it may be the last thing that I say on this Bill—that progress on the less controversial areas has been rewarding: some people's lives will certainly be changed, or at least touched, by the slight improvements that our creative approach has secured.

Question put and agreed to.

Subsequent Lords amendments agreed to.

Clause 86

SHORT TITLE, COMMENCEMENT AND EXTENT

Lords amendment: No. 104 in page 54, line 31, leave out from beginning to ("also") in line 32 and insert

("The following provisions of this Act, namely—

(a) this section;

(b) sections (*Reciprocal enforcement of certain orders*), 15(1) and (2), 21 (*Sentence for murder*) (*Courts duty on passing sentence of life imprisonment*) and 23(3) and (4); and

(c) Schedule (*Reciprocal enforcement of certain orders*), paragraph 6 of Schedule 6, paragraph 5 of Schedule 7, paragraph 15A of Schedule 10 to this Act and, so far as relating to the Social Work (Scotland) Act 1968, Schedule 12".

Amendment made to the Lords amendment: (a), in paragraph (6), leave out from '21' to 'and' in line 6.—*[Mr. John Patten.]*

Lords amendment No. 104, as amended, agreed to.

Subsequent Lords amendments agreed to.

Mr. Speaker: I am satisfied that Lords amendment No. 115 imposes a charge on the public revenue, such as is required to be authorised by a resolution of the House. Such a charge has not been so authorised; accordingly, pursuant to paragraph 3 of Standing Order No. 76, the amendment is deemed to be disagreed to.

Subsequent Lords amendments agreed to.

Lords amendment No. 162 disagreed to.

Ordered,

That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to certain of their amendments.—*[Mr. Kirkhope.]*

Ordered,

That Mr. Matthew Carrington, Mrs. Llin Golding, Mr. Greg Knight, Mr. John Patten and that Mr. Barry Sheerman be Members of the Committee.—*[Mr. Kirkhope.]*

Ordered,

That Three be the quorum of the Committee.—*[Mr. Kirkhope.]*

Ordered,

That the Committee do withdraw immediately.—*[Mr. Kirkhope.]*

Reasons for disagreeing to certain of the Lords amendments reported, and agreed to; to be communicated to the Lords.

Child Benefit

9.41 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Michael Jack): I beg to move,

That the draft Child Benefit and Social Security (Fixing and Adjustment of Rates) Amendment No. 2 Regulations 1991, which were laid before this House on 7th June, be approved.

The draft regulations lay the foundations for the October increases in child benefit—the second this year—announced by my right hon. Friend the Chancellor of the Exchequer in his Budget statement on 19 March. They provide for child benefit to rise, from 7 October this year, by £1 per week for the eldest eligible child—from £8·25p to £9·25p—with an increase to £7·50p per week for all remaining children. It is the first part of a process which will ensure that every family will gain from the increases, including those on income support and family credit and those in receipt of national insurance benefits with child dependency increases.

The child benefit increases are being made in addition to the extra £1 per week that each family has been receiving since April and, with our undertaking to index link from next April, they confirm our commitment to child benefit, which we see as the cornerstone of our policies for family support. The changes bring our expenditure on child benefit this year to £5·3 billion, or almost a tenth of total social security spending. Yet that is only a part of the total package of benefit expenditure on families, which amounts to more than £11 billion. I am sure that hon. Members would like to know that that is an average of £30 per week for each family with children.

Dame Elaine Kellett-Bowman (Lancaster): Is my hon. Friend aware that there can be few hon. Members who are more delighted than I that the Government are taking this proper line on child benefit and giving the benefit to mothers, who so urgently need it? We have fought this battle for many years, and it is delightful that the Government are being so positive.

Mr. Jack: I thank my hon. Friend the Member for Lancaster (Dame E. Kellet-Bowman), who represents the neighbouring constituency to mine, for her assiduous support. Her message will have been noted by all mothers.

I am sure that the House would like to know what the increases will mean for individual families. For more than 40 per cent.—those with only one child—it will mean that from October their income from child benefit, which is tax free, will increase by £2 per week, which is a rise of more than 27 per cent. compared with the position before April. For a family with two children, child benefit will be increased by more than 15 per cent.—from £14·50 to £16·75 per week, equivalent to £72·50 per month or £870 per year. To produce the same effect through wages for people paying standard rate tax and national insurance contributions would require them to earn an additional £1,300 gross per year—about an extra £25 per week. Those increases, paid to mothers, will bring to nearly 7 million families worthwhile extra help with the costs of bringing up their children.

The measures have been warmly welcomed. I believe that I can sum up the mood of those who have campaigned

[Mr. Jack]

for them by quoting Ms. Fran Bennett of the Child Poverty Action Group. In a letter to my right hon. Friend the Secretary of State, she said:

"I am writing on behalf of CPAG to say how delighted we were that this year's Budget included announcements on both immediate increases in child benefit and the government's longer term intentions."

The regulations underline the philosophy of all post-war Governments of accepting the need for sharing between parents and the state the financial responsibility for bringing up children. Child benefit goes to all families with children as a recognition of the fact that at all levels of income they face greater expenditure than other families. For those families who need it, this universal provision is supplemented by extra help through the income-related benefits. We will be bringing forward further regulations to ensure that those groups, too, will benefit from the October increases in child benefit.

The Government did not forget those groups in drafting their child benefit proposals, but the Opposition did when they presented their alternative Budget proposals. The House may recall that this matter was spotted only through the astuteness of my right hon. Friend the Secretary of State in the debate on family hardship on 13 March. He highlighted the inconsistency between the costings and stated objectives on child benefit in the so-called shadow Budget—long may it remain so—and it was only his kindness in pointing this out which enabled the Labour party to amend its pledge to include families on income-related benefits.

This continuing recognition of the needs of the less well-off families lay at the heart of our 1988 social security reforms. At a time when the majority of families were benefiting from rising earnings, we recognised that some people, through no fault of their own, had not yet fully shared in the nation's increasing prosperity. We decided, therefore, that the least well-off families—those on income-related benefits—should be one of our main priorities for extra help. Instead of just universally increasing child benefit, we made substantial extra help available to those families, over and above the annual increases required to maintain the value of their benefits. Those families are now better off than they would have been simply relying on an increase in child benefit.

When we introduced income support, we provided a system which was flexible and which allowed us to respond swiftly and sensitively to the changing needs of families and individuals. I will give the House an example of the way in which that works. We enhanced the age-related provision for children by introducing a family premium, including a special premium for lone parents. In addition, there is now a premium of £16·65 per week for a disabled child, on top of the basic family premium of £7·95.

With the help of family credit—our other major change—people can move off income support to become better off in work. The success of this benefit is mirrored in the fact that we now have a record caseload of 328,000 people on family credit. We believe that this year we shall spend more than £500 million. Compared with 1978-79, in real terms that represents more than eight times the expenditure on family credit's predecessor, family income supplement. It goes to more than three times the number of people receiving FIS, with the average award of more than £30 a week being some three times higher in real terms.

Not content with that, we shall make family credit more accessible by reducing the hours of eligibility from 24 to 16. That is a further commitment to helping families on low incomes.

When we came to office, we deliberately set out to increase people's ability to earn more, to retain more of what they earned and to contribute to the general prosperity. Working families with children have benefited from the Government's policies of reducing the rates of income tax and simplifying the system of national insurance contributions. A family on average male earnings, for example, has seen the real value of its take-home pay increase by a third since 1978-79.

The Opposition continue to concentrate on headline figures when talking about child benefit, but they completely overlook the fact that the money from not uprating child benefit has been spent on extra help for the poorest families with children when better-off families were benefiting from increased earnings and lower rates of taxation. The Opposition have conveniently ignored the fact that, from October, the total support for families with children will in a full year be greater than if we had merely indexed child benefit. From October, the additional real-terms help that we have provided since 1987-88 will be worth a massive £500 million in a full year.

The Opposition also fail to appreciate that families mean more than families with children. There are families with, perhaps, an elderly member or someone who is sick or disabled. They, too, have considerable needs. We have considered those families and have made available, for example, an extra £200 million for older and disabled pensioners through the 1989 measures. An extra £80 million was made available in April for those aged between 65 and 74.

I mentioned the need to balance the help that we provide for all families and the help for low-income families. In previous years, with mainstream family incomes arising, our judgment was that it was right to concentrate resources on the less well-off familes through the income-related benefits. This year, after careful consideration, we decided that the time was right to look after families with children generally. The extra £1 per week child benefit which all families have been receiving since April recognises the additional costs faced by all families with children, and it is a clear signal of our continuing commitment to the benefit. The October increases build on the April improvements and, as I said, we shall bring forward regulations to ensure that these increases are carried through the benefits system so that families at all income levels will gain from them.

My hon. Friend the Member for Lancaster adverted to the fact that we should be proud of the help that we give to families with children. Not only do United Kingdom families benefit from the most comprehensive income support system in Europe, and from having family credit which is unique in its construction in Europe in giving help to the families of the employed and the self-employed on low wages, but we compare very favourably in our overall provision of basic child benefit. There is a problem in making an accurate European comparison because of the range and complexity of financial support for families in different European countries, but I must draw the House's attention to the fact that several Community countries

have extra conditions for entitlement to child benefit. For example, Germany, Greece and Italy have means tests, and Belgium, Italy, Portugal and Spain link eligibility to insurance status, so not all families can qualify.

Therefore, although it is true that all European Community countries have a cash benefit equivalent to child benefit, many have additional qualifying criteria which do not apply in the United Kingdom. However, in cash terms alone, if we consider the 40 per cent. plus families in this country with only one eligible child, in July 1990 we ranked fourth in our child benefit provision for such a child up to the age of five. This year, we are increasing that provision by more than 25 per cent. Perhaps it is worth drawing the House's attention to the fact that in France there is no such provision. If replicated here, that would remove entitlement to child benefit from those 40 per cent. plus United Kingdom families.

I hope that I have demonstrated to the House how we have developed a balance between universal and income-related benefits and how we have balanced help to families with children. Nor have families without children been ignored. The draft regulations will increase child benefit from October and, as I said, we shall introduce further regulations to carry those increases through into other benefits so that all families with children will gain. Those regulations are for the benefit of our children and for the families responsible for their upbringing. I commend them to the House.

9.54 pm

Mr. Michael Meacher (Oldham, West): We are told that there is more joy in heaven over one sinner who repenteth than over 99 just men. In that context, I welcome the order and the Government's final change of heart on the question of child benefit, although I somewhat suspect their motives.

The Opposition sought to have the regulations debated on the Floor of the House for three main reasons. The first was to condemn the astonishing convolutions and inconsistencies in Government policy which have plagued child benefit over the past four years. The second was to point up the large shortfall in child benefit which still exists after the zig-zags in what is euphemistically called "child benefit policy". The third was to press again the view that child benefit be allowed to play its full and unique role in combating child poverty.

In June 1987, as everyone now knows only too well, the Conservative manifesto stated:

"Child benefit will continue to be paid as now, and direct to the mother."

Four months later, the Government broke the pledge. The former Secretary of State for Social Security, who made a distinctive contribution to social policy by denying that poverty existed, announced that child benefit would be frozen. In October 1988, the then Secretary of State repeated the freeze on the ground that benefits needed to be targeted. It did not seem to occur to him that, in the autumn of 1988, at the height of the boom, it was hardly consistent to reject child benefit because a small fraction of it went to the wealthy while lavishing unlimited public subsidies on some of the richest people in the country in the form of mortgage interest tax relief.

In October 1989, the present Secretary of State again repeated the freeze. He sought to justify it on two main grounds. The first was:

"it helps only those who do not receive income support and family credit."—[*Official Report*, 25 October 1989; Vol. 158, c. 846.]

That is the opposite of what the Government, in the form of the Parliamentary Under-Secretary, are saying today. When the hapless Secretary of State tries to defend the indefensible Thatcherite dogma of freeze, he says one thing. When he is trying to win an election, he says the reverse, and all in the space of two years.

The other main ground cited by the Secretary of State was that it was better to concentrate extra help on less well-off families. That ignores the important fact that child benefit has vastly better coverage of less well-off families than a device such as family credit could ever have.

Mr. Peter Thurnham (Bolton, North-East): The hon. Gentleman mentioned family credit. Will he clarify his own party's policy on family credit? Is it to abolish it or to let it wither on the vine, as the hon. Member for Holborn and St. Pancras (Mr. Dobson) said?

Mr. Meacher: It is neither. The hon. Gentleman should read our policy document. We have made it clear that we, unlike the Conservative party until an election heaves into sight, believe in child benefit, which is what our debate is about.

I was making the point that half a million mothers in households with an income of less than £100 a week receive child benefit—and it goes to them virtually 100 per cent. —and that more than 2 million mothers in households with incomes of less than £200 a week also receive it. That represents a far greater body of families in near poverty than the fewer than one third of a million—I hope that the hon. Member for Bolton, North-East (Mr. Thurnham) will take this point on board—who manage to obtain family credit. There is a low take-up rate and there is still some doubt about exactly what it is. It is probably around 60 per cent. to 65 per cent., but the overall numbers are small. Even above the level that I have mentioned, child benefit remains well targeted. Some three quarters of all Government expenditure on child benefit goes to families with incomes below the average. That is very important.

Three successive years of Tory freeze have left their mark, especially on poorer families. They reduced the value of tax-free income provided by child benefit and thus increased the impact of taxation on all families with children. They had a particularly severe effect on large families and they gradually forced more and more families who previously had been able to maintain their independence to apply for more means-tested benefits. They have slowly but surely intensified the poverty trap.

Three successive years of Tory freeze of child benefit have also left their mark on the Treasury. Its cumulative saving over those years reached £1·2 billion at current prices in 1990-91.

The Parliamentary Under-Secretary of State for Social Security (Miss Ann Widdecombe) *indicated dissent.*

Mr. Meacher: It is no good the Under-Secretary of State shaking her head. Those are the official Government figures.

One might be forgiven for thinking that successive Secretaries of State, when they announced or re-announced a freeze, failed to announce that the Treasury made a killing on each of those occasions and that that was the driving force behind the policy.

[Mr. Meacher]

In October 1990 with a general election mooted for the middle of 1991, the Government got cold feet about the increasing unpopularity of their freeze policy, particularly as inflation was then heading towards 11 per cent. The Secretary of State then announced that he would increase child benefit, but only for the first child. There would be £1 extra for the first child, but nothing for the other children. He tried to justify that by suggesting that priority was needed for the first child to compensate the mother for the loss of earnings after giving up work. He has failed to explain how an extra £1 a week in child benefit compensates for the loss of perhaps £100 a week in earnings. We would still be interested in an explanation of that.

That was not the only thing that was wrong with the new policy. The £1 was clawed back from widows and the poorest families on income support so that those who needed it most received nothing. So much for a Government who have spent the last three years obsessively proclaiming the merits of targeting. They gave the child benefit increase to the rich and denied it to the poorest—*[Interruption.]* I can understand why Conservative Members might be embarrassed about that, but the first £1 increase did exactly what I have said.

As the spring 1991 general election faded in the depths of the recession and Government eyes began to fasten on October 1991, the Government had another try. After no increase for three years, we have now had two increases in a single year. I can only say that the children of this country should demand annual elections, because they do wonders for child benefit under this Government.

It is now proposed that there will be a further £1 increase for the first child in October plus a derisory 25p for second and subsequent children. Twenty-five pence is about a third of the price of a school meal. That is the only increase in child benefit that 5 million children who happen not to be the eldest child in a family have received in child benefit over the past four years.

This time round, the child benefit will go to those on income support. That is welcome as far as it goes. However, perhaps the Secretary of State could explain the inconsistency of giving a £1 increase to the first child in April which is clawed back from families on income support and then giving another £1 increase in October only six months later which is not clawed back from families on income support.

Throughout the past four years, the Government have treated child benefit not as help for families, but as an ideological pawn in their battle against the welfare state. The only consistency in the wild and rapid changes of policy has lain in the Government's perception of their own electoral self-interest.

After all those convolutions and gyrations of policy, child benefit is still far short of being restored to its real value in April 1987. Even for the first child, it will still be 30p a week short of that level, but for all subsequent children the shortfall will be considerable—just over £2 a week. For an average three-child family, that still represents a loss of £228 a year.

The first priority is and must remain to make good for all children the losses over recent years. The Labour party remains committed to restoring the real value of child benefit at its 1987 level for all children. We shall make those substantial increases for all children, particularly for second and subsequent children, without deductions for children on income support.

Mr. Thurnham: Will the hon. Gentleman give way?

Mr. Meacher: I shall give way to the hon. Gentleman just once more because no one else is seeking to intervene.

Mr. Thurnham: I am grateful to the hon. Gentleman for making the Labour party's policy a little clearer than it was. Would he like to put a cost figure on that pledge?

Mr. Meacher: Certainly—£695 million.

Having stated again that overriding priority from which the Government still fall far short, I wish to raise two specific points of detail about the order. The first is whether the Government will now reconsider the long-term structure of child benefit, having produced what can be described only as lop-sided after a series of panicky, last-minute compromises. It certainly does not reflect any social reality. A recent cross-section poll of hon. Members —it certainly did not include me—found that only 12 per cent., two thirds of whom presumably must be Conservative Members, supported the present structure of child benefit. Many other countries in the EEC have child benefit or its equivalent which increases with the number of children in a family or with the age of the child, but none which actually decreases it according to the number of children.

How do the Government justify the oddity? The Under-Secretary of State made no attempt to talk about that matter. Perhaps he could give some assistance with the Government's view if it is not quite as cynically expedient as I believe it to be. If there is any rationale behind it, we would like to know what it is. When the Government consider the matter in a more measured manner, what more considered proposals do they have for the longer-term shape of child benefit?

Secondly—this is related to my first question—what will be the mechanism of index linking in future? From an answer that was given in the *Official Report* of 22 May, it appears that the Government intend to inflation-proof the overall amount spent on child benefit rather than index each rate. Some of us had automatically assumed that it would be each rate, but that appears not to be. If it is the Government's intention to index the overall amount rather than each separate rate, that would be undesirable. If the Government wished to alter the balance—it certainly needs to be altered—between the two rates, it would be much better if that were done by over-indexing one or other of the rates. That is a much better way to get the matter into balance while still ensuring that at least both rates will maintain their real value over time.

After three years of the freeze and neglect that we have seen a further year of patch up and make do, which is riddled with inconsistencies, the order, although it is certainly welcome as far it goes, raises more questions than it answers. We want an explanation about that in the wind-up speech. The fundamental point is that, until the real value of child benefit has been fully restored for all children and the commitment to its future made absolute, child benefit policy will remain a major difference between the parties which will be resolved only at the coming election.

10.10 pm

Mr. Peter Thurnham (Bolton, North-East): I wish to speak briefly because I am not satisfied with the speech of the hon. Member for Oldham, West (Mr. Meacher), who did not make Labour party policy clear and did not answer the point about family credit. He said that the Labour party's policy was not to abolish it or to let it wither on the vine. What is the Labour party's policy and where does it leave the hon. Member for Holborn and St. Pancras (Mr. Dobson), who said that the party's policy was to let family credit wither on the vine? Do the Labour party spokesmen have two different policies? Why does not the hon. Gentleman come clean and state his party's policies?

Why have Labour's statements on child benefit produced a gradual climb down from its own original statement in its paper, "Meet the Challenge, Make the Change"? That paper stated:

"we will increase Child Benefit in our first year by a substantial amount which will more than make good the loss in value through this Parliament."

In its policy document, "Looking to the Future", the Labour party said that an increase in child benefit would be implemented

"at least to make up the loss in value".

Now, we hear that it is to be restored to the 1979 level, at a cost of £695 million, which shows that the original statements were not thought through properly—a characteristic of Labour party policy on this subject. The Labour party has obviously not thought through its ideas on family credit.

The hon. Member for Oldham, West dismissed family credit as going to only a small number of families. Eight times as many families have benefited from family credit than benefited from family income supplement—590,000 families receive it, which is not a small number. The benefit of family credit is that it helps families to stay in work, whereas the policies of the hon. Member for Oldham, West, such as a national minimum wage, would throw people out of work. The Labour party obviously prefers to have people out of work than in work. Why does not the Labour party acknowledge the benefits of the family credit scheme, go with it, and say that it supports the Government policy, which has been successful?

We have been able to make some increase in child benefit, but, because it is not targeted as well as family credit, we place an emphasis on family credit in helping people to stay in work. We do not agree with the policies of the hon. Member for Oldham, West, which would increase taxes and throw people out of work.

Mr. Meacher: If the hon. Gentleman still opposes a national minimum wage, will he retract the statement that he made not long ago, that it would be much better if the whole of Britain reflected sweatshop conditions?

Mr. Thurnham: If the hon. Gentleman looks at what I said in my speech, he will see that I was talking about wealth shops. He should not confuse a question with a statement in a speech, and should read the *Hansard* report. He would then see that I was advocating wealth shops.

The difference between Government policies and Labour party policies is that we want people to be in work, whereas the Labour party want people out of work. I cannot see the benefit of that. The hon. Gentleman would do better to argue with his fellow party members about the disadvantages of a national minimum wage, and climb down from that policy, because it is getting him nowhere. He should look at Government policies, which target benefits to help people back into work instead of taking them out of work.

10.13 pm

Mr. Archie Kirkwood (Roxburgh and Berwickshire): The proposed increase is welcome, but it has been a long time coming. It is right for the House to take a moment or two to consider the consequences that flow from the changes introduced by the regulations.

There are three major sectors that deserve additional scrutiny. I am sure that the Minister will acknowledge that there will still be real losses for second and subsequent children in relation to the amount of money that they could otherwise have expected had child benefit been fully indexed. The additional element for first children needs to be considered carefully, because it is a fundamental change and the Government's future policy in that respect must be analysed.

The mechanism for index linking the new system is potentially problematic, if my understanding of it is right. The hon. Member for Oldham, West (Mr. Meacher) was right to say that the Government's policy on that issue does not bear examination because of the changes that have been made in the past five or more years. That will be a matter of some concern and will be debated publicly at the general election.

Child benefit remains by far the most effective way to target families in poverty. That is my experience as a constituency Member of Parliament and my opinion as someone who tries to study such matters as effectively and diligently as I can. Will the Minister confirm that the increases to £9·25 and £7·50 in October will also have a knock-on effect for claimants of other benefits, rather than being deducted from other benefits as such increases have been in the past? I understand that orders are in the pipeline to implement that measure between now and October. Although we may debate the issue when the orders are published, if the increased payments are to be made in October we have little time to study the orders.

I should be interested to know how that will be done because when one considers the complications involved in ring fencing the child benefit increases, I doubt whether it will be as easy as it sounds. If the Department of Social Security has given any thought to how it will approach that, I shall rest a little easier in my bed tonight if the Minister will say a word about it. I welcome the fact that the increases will be ring-fenced. Because of the increases in child support personal allowances, it will benefit principally parents under the age of 25. That is good news because that group of claimants has suffered from some of the recent changes in Government policy, and they are hard-pressed and in urgent need of support.

The October increases will still leave all children with less benefit in real terms than in 1987, and second and subsequent children will receive substantially less. First children need an additional 30p a week and second and subsequent children need an extra £2·05. If the level of child benefit had been properly uprated to 1991-92 levels, it would have been increased to £9·55. That is a substantial amount of money, and a substantial loss will have been suffered over the years by families who need it.

As for the new structure, what was the Government's thinking in moving in that direction? The differential of £1·75 a week is welcome, but what does the future hold in

[Mr. Archie Kirkwood]

respect of differentials? What examination did the Department undertake before it moved in that direction? Was consideration given to alternatives? Were the results of the family household survey analysed? Why have the Government brought forward an increase in this way? There have been a number of conflicting rationalisations and justifications for making the move. First, we heard that the increase for the first child was necessary because of start-up costs. If a couple experienced start-up costs when the first child came along, it was daft to have abolished the maternity grant under the Social Security Act 1986.

Start-up costs were the first justification for considering giving extra support for the first child in the family. However, in some uprating statements the Secretary of State and other Ministers have said that that was not the rationale behind the change, and that the presence of any child, rather than the number of children, was the factor that had decided the Government to move in that direction. We should have a public debate about such significant changes. If the Government have evidence and have conducted analyses which lead them to that conclusion, it is right that they should share their thinking with the House.

The announcement was made in the Budget statement, which is all very well and good. I understand that Treasury Ministers have to go into purdah and do not tell anyone what they are thinking until they release the contents of the Red Book. However, we should be given some insight into the reasons behind making this move.

In the meantime, the priority as regards resources should be to try to do everything possible, and for Social Security Ministers to try to make good the losses for all children—losses sustained as a result of cuts in the past five or six years.

Finally, I have several questions about the consequences of the index-linking of child benefit. The Government have made a commitment that inflation proofing will take place from April 1992. However, the hon. Member for Oldham, West mentioned inflation-proofing the overall amount and it is right that the House should ask the Government to explain exactly what is involved in that. If one inflation proofs the amount of money, but gives discretion to the Secretary of State to allocate money within the increased total it introduces some uncertainty into the type of indexing that we may be confronting. It would be far simpler if the Government made an early commitment that they will index each rate, so that there is no doubt about that. Otherwise, people will not be able to make any sense of what faces them.

Once the system for indexing of increases in child benefit is up and running, what period of time will be used, because the annual retail prices index runs from September to September, but these increases will be introduced in October? Will the Minister clarify the confusion that exists in my mind by saying a few words about that?

Finally—

Mr. Robert G. Hughes (Harrow, West): For the second time.

Mr. Kirkwood: Finally, twice—the hon. Gentleman is quite right, this is the last "finally". What changes, if any, will this make to the Secretary of State's statutory duty —placed upon him in section 63 of the Social Security Act 1986—to review all the factors and circumstances relating to child benefit, before he decides whether to increase it? Is there a change in that? If not, it would be good if we were told that that was the case.

Finally, for the third time—*[Laughter.]* I was just testing. Do the Government intend to introduce inflation-proofed index-linked guarantees into primary legislation, or will they rely on a series of secondary statutory instruments? If this is a new Government policy, let them give a copper-bottomed guarantee that they will take the early opportunity in next year's social security Bill —because there is one every year—to try to enshrine——

The Secretary of State for Social Security (Mr. Tony Newton): Not this year.

Mr. Kirkwood: If the Secretary of State is complaining about lack of legislation for his Department, he is complaining unnecessarily. If there is a social security Bill next year, will the Government take the opportunity to enshrine the promise that they will index link child benefit into primary legislation, so that there can be no hedging of bets in the future?

10.24 pm

Mr. Graham Allen (Nottingham, North): And finally, in this brief but instructive week in politics, we have seen the great contrasts that exist under the Conservative Administration. We have seen the results of the privatisation of the electricity industry, with massive profits being announced this week by the East Midlands electricity company. In addition, we have seen the fat salaries that have been paid out, most notably this week to the chairman of British Gas.

In contrast, this packed House, with its packed Press Gallery, is now considering child benefit and social security regulations. On the one hand, there is privilege, with individuals and organisations raking in thousands and thousands of pounds, while on the other hand, we are faced with the beneficiaries—if they can be called that—of the regulations, which give the princely increase in child benefit of 25p per week to the second-born child, with a £1 increase to the first-born child, whom I have referred to as the Eastbourne child, given that the increase was first announced prior to that famous by-election.

As my hon. Friend the Member for Oldham, West (Mr. Meacher) asked, what does 25p buy? Most mothers would say that it does not buy a heck of a lot—not even a bar of chocolate these days.

Mr. Meacher: Don't spend it all at once.

Mr. Allen: My hon. Friend says, "Don't spend it all at once," but it is very easy to spend it all at once because even £1 will hardly pay for an average loaf and pack of butter. People will hardly be rejoicing in the streets at that miserly increase. However, even the increase—small as it is —is due more to the likelihood of a general election than to any great generosity on the part of the Government.

Let us analyse the Conservative Government's record on child benefit. Better still, let us ask British mothers about it. They will say that the purchasing power of child benefit has been reduced throughout the lifetime of this Government. Clearly, child benefit has not been safe in their hands. Even after the much trumpeted U-turn on child benefit, the child benefit for all children—first-born,

second-born and any others—is worth less than at the time of the last general election. Even after the increase, it is now worth 30p less for the first child and £2·05 less for all the other children. Using the 1987 figures, that represents a loss over a year of £154·70 for a two-child family. If we use 1985 as the base, child benefit would now have to be £10 per week to maintain its value.

We have a Government who can waste billions of pounds trying to prop up the poll tax. I am glad that my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) is in his place. The Government have also wasted billions of pounds encouraging people to opt for private pensions—*[Interruption.]* As I have said, I am glad that at least one Sheffield Member is present. The hon. Member for Sheffield, Hallam (Mr. Patnick) is not, but in any case, I see far too much of him in Committee on the Child Support Bill. The Government are also wasting billions of pounds on other ideological lunacies, yet they cannot find the relatively far smaller sums to maintain the value of child benefit, which is the main benefit for this country's children.

The Government appear totally confused about their policy. They seem to be asking, "Shall we keep child benefit or not? Shall we let it wither on the vine or index-link it?" The Government's changes of position continue to mock and to abuse the 1987 Conservative manifesto pledge, which was quoted by my hon. Friend the Member for Oldham, West:

"Child benefit will continue to be paid as now".

Never has such a catch-all been used to catch so much. At least under the former Prime Minister all Ministers knew what they had to do—they just had to obey their orders. Now, however, in the era of indecision and dithering, the child benefit system appears to have been designed by a committee. At the moment, we are unique in Europe in having a two-tier system, in which the second and subsequent children are valued at £1·75 per week less than the first child. All of them receive less than they did before the benefit was frozen by this Administration. The larger the family, the larger the loss.

The Government's family policy owes more to the scissors and paste of the right hon. Member for Huntingdon (Mr. Major) than to long-term principle. As the Family Policy Studies Centre understated:

"the rationale of the new structure is unclear."

It deserves a medal for describing the position in such terms.

Even the return to inflation-linking in April 1992 is edged with uncertainty. It is not the £7·50 and £9·25 but the overall amount spent on child benefit that will be linked to inflation. That is as if to underline the Government's lack of confidence that they have got the differential between the first and second child right and their belief that at some stage they will need to adjust or even scrap the differential. The Opposition would certainly support any measures to scrap the differential and level up child benefit to a reasonable level again.

Before next July, the next Labour Government will be in office and we will restore child benefit to its 1987 levels. Currently, that would carry a value of £9·55. That will be for all children. We will end the discrimination between children in the same family. We believe that child benefit is the best way to help families with children. It is better targeted than means-tested benefits because it reaches all the people whom it is intended to help. As it is not withdrawn when income rises, it does not create a poverty trap and lock low-paid families into poverty incomes. It does not penalise mothers for taking paid employment when it is vital for them to do so in the labour market of the 1990s. Most importantly, child benefit helps to prevent child poverty and gives a subsidy to families at a time when their needs are greatest.

These shameful increases in child benefit have been levered out of the Government by impending electoral catastrophe, rather than a caring and thoughtful assessment of the needs of children and mothers. Labour will restore child benefit to its rightful place and its rightful level.

10.31 pm

Mr. Jack: To listen to the hon. Member for Nottingham, North (Mr. Allen) is to listen to a travesty of a description of accurate policy-making. I reminded him and his hon. Friends that it was my right hon. Friend the Secretary of State who had to point out the failings of Labour policy and its shadow Budget. Lurking somewhere in the remarks made to the House this evening by the hon. Member for Oldham, West (Mr. Meacher) and the hon. Member for Nottingham, North, there seemed to be yet another shadow spending pledge. I am sure that when we examine the words of the hon. Member for Oldham, West, we will find that his statements go further than the simple pledge that his party has made. I shall examine his words in great detail.

There is no dithering on this side of the House on policy. The hon. Member for Oldham, West accused us of making savings in some way. I find it amazing that he seems to wish not to listen to the simple message of the £500 million of extra spending by the Government on families with low incomes since the changes in 1988. I can certainly give him a blow-by-blow account of where some of that money has gone. We made £200 million available to less well-off families in April 1988. In April 1989, another £70 million and in April 1990 another £70 million was made available. The list goes on. It is a roll of honour of which we are proud, and I am proud to put it on the record tonight in replying to the hon. Gentleman's comments.

One of the themes running through the speeches made by hon. Members was the basis on which we are increasing child benefit both in April and, under the terms of the order, in October. My right hon. Friend the Secretary of State decided that the right balance was, with effect from April 1991, to recognise the additional costs faced by families by paying the extra £1 of child benefit to the first child. Clearly, the major impact on a family's budget is when the first child arrives. It was in pursuit of dealing with that that my right hon. Friend reviewed child benefit in both April and October. As I said in my opening speech, some 40 per cent. of families in Britain have one child. I also alluded to how the change in benefit would affect two and three-child families.

Hon. Members have asked about our policy on uprating. I reiterate that we are pledged to increase the new rates of child benefit in line with movement in the retail prices index each year, starting in April 1992. My right hon. Friend the Secretary of State will carry out his statutory duty to review the level of child benefit at the appropriate time in the uprating statement he will announce the allocation of the individual amounts between the eldest eligible child and other children. In

[Mr. Jack]

answer to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) I should not like to go further than that because I would not like to anticipate the views of my hon. Friends. However, the policies were clearly stated in a parliamentary answer to my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) on 22 May.

The hon. Member for Roxburgh and Berwickshire also asked how the rest of the package would be introduced. That will be done by regulations subject to a negative resolution. I shall write to him about the details of precisely how that will be done.

The hon. Member for Oldham, West, in contrast to my hon. Friend the Member for North-East (Mr. Thurnham), chided and perhaps criticised us for our policy. He suggested that in some way we have been penny-pinching to poorer families. Tonight, we have demonstrated the additional help that we have given. The hon. Member for Oldham, West always seems to forget that the rates of income support and family credit have increased at times when child benefit has not been increased. The hon. Gentleman should study those figures carefully.

The hon. Member for Oldham, West also spoke about poverty statistcs. I can but draw his attention to a letter published in *The Guardian* by my right hon. Friend in response to his outburst on poverty statistics. The hon. Gentleman has been found wanting in his use of those statistics. He should not chide the Government too much because the recent report from the Select Committee on Social Services on low incomes revealed that, using 1981 prices held at constant levels, the numbers below half average incomes fell in real terms from 2·89 million people in 1987 to 2·77 million in 1988. That demonstrates an improvement in overall standards of living and some of the dangers of using the statistics with which the hon. Gentleman chooses to chastise us.

Mr. Meacher: If the Parliamentary Under-Secretary has unwisely chosen to debate statistics, will he deny that, according to the Government's own publication "Households below Average Incomes" the number of households that are below half-average income doubled between 1979 and 1987? Will he also accept that in the Government's 1987 publication the lowest decile was found to have had a fall——

Mr. Robert G. Hughes: Decile?

Mr. Meacher: The lowest tenth of the population—for ignorant Conservative Members. That group's income fell by 5·7 per cent. Does the Minister accept that that is the Government's figure? Perhaps he will apologise to the House for the fact that that can happen at a time when the income of the rest of the population has increased by about 30 per cent.

Mr. Jack: When the hon. Gentleman has the courtesy to apologise for his inaccurate use of the statistics given to a Select Committee, perhaps I will respond in kind to the points that he has put to me.

In the brief time available to me, I have tried to deal with the main themes raised in the debate. The House and outside bodies welcome the Government's commitment to child benefit increases now and in the future. I commend the regulations to the House.

Question put and agreed to.

Resolved,

That the draft Child Benefit and Social Security (Fixing and Adjustment of Rates) Amendment No. 2 Regulations 1991, which were laid before this House on 7th June, be approved.

Fish Farming

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Chapman.]*

10.38 pm

Mrs. Ray Michie (Argyll and Bute): I am grateful for the opportunity to raise the matter of the Scottish salmon farming industry, the outlook of which is increasingly serious. A brief look at the history of salmon farming reveals that it started more than 20 years ago and in the past decade it has witnessed spectacular growth. Its annual output is valued at £140 million while exports amount to £55 million. There is great potential for growth. Of the capital investment of £120 million, 25 per cent. has come from Highlands and Islands development board assistance, with the rest coming from the private sector. I am sure that the Minister approves of that. The industry has a research and development programme, which I should like to see increased substantially. I shall return to that.

Of fundamental importance are the 6,300 jobs that the industry has created. Of special concern to me and my colleagues who represent constituencies with fish-farming interests are the jobs that have been created in the highlands and islands.

My support for the fish-farming industry is based on the contribution that it has made to the lives of those who live in the areas where it is located. It provides employment for viable communities in isolated areas. It sustains schools, shops and, above all, employment for people such as crofters and small family farmers, who form the backbone of the rural economy. These people sustain, especially in the highlands and islands, important cultures, traditions and values.

Salmon farming has probably replaced forestry as a source of employment. When the Forestry Commission was first established, one of its purposes was to provide jobs for those who could not sustain a living off the land. For salmon farming, however, the reality now is a far cry from the promise of the past. There is a serious crisis, with a consequent loss of confidence in the industry. There have been job losses and forced sales, especially of small fish farms. In 1989, the European Community market price for salmon collapsed from a farmgate figure of £1·65 per pound to only £1.

I have a letter from Highlands and Islands Enterprise, in which it is estimated that 56 companies have been sold or closed between 1988 and 1989. That organisation believes that all large and small companies in the industry have been seriously weakened. Without an early remedy within the European salmon market, the Scottish salmon farming industry will not survive as we know it.

In Lewis and Harris in the Western Isles, 18 companies have ceased to trade. That has affected the employment of 90 to 100 people. Co Comunn Na Hearach, Co Comunn Na Pairc and Western Isles Salmon—to list only three—were all community-based companies. They were local employers run by local people.

I received a letter today from a croft-based operation in Daviot near Inverness, which currently is surviving. The letter states:

"My croft-based operation supplies smolts to ongrowing farmers on the West Coast and Shetland".

Clearly that involves the constituency of my hon. Friend the Member for Orkney and Shetland (Mr. Wallace). The letter continues:

"I employ 8 full-time workers and 4 part time, all local, 7 of them being ex-students of Inverness College and under 25 years of age . . . We are a successful and profitable company producing 800,000 smolts per year. However, the market difficulties being experienced by our customers due to Norwegian dumping cause concern and put our future at risk."

He went on:

"This was described to me yesterday by our main customer 'we cannot go on like this we might as well stand on the shore tearing up pound notes'."

Why has this happened? There has been a sudden and unprecedented rise in Norway's production—in fact, a doubling from 80,000 tonnes in 1988 to 160,000 in 1990. It has been dumping its excess on the world markets, selling at below its production costs and undercutting its own minimum domestic price system.

Following the 1989 EC market collapse, to which I referred earlier, an anti-dumping case was brought before the Commission. The case was proved, and an 11·4 per cent. import duty was proposed but never implemented. Meanwhile, the Americans imposed an import duty against the Norwegians, which simply compounded the problem by diverting further tonnage from the United States to the EC market.

I know that the Government are anxious to stress their record on environmental issues, and at the same time to promote high safety standards. In recent years, consumers have become acutely aware of the dangers posed by the use of chemicals in food. Certain pharmaceutical products must be bought by salmon farmers for use in aquaculture; they must be certified, and the cost of authorisation is reflected in the sale price.

Here again, there is a huge discrepancy between this and other EC countries. Our Government are failing to provide any assistance, according to a written reply that I recently received from the Scottish Office Agriculture and Fisheries Department. In Spain, authorising a new product costs the equivalent of £8; in Luxembourg, it costs the equivalent of £49; in France, the equivalent of £155. In the United Kingdom, it costs £12,000.

At the same time, the Government are spending less on research and development. Since 1980, when £2·3 million was spent on fish-farming research and development, there has been a real-terms cut of 29 per cent. The Government spent only £3 million in 1990-91. That is simply not acceptable at a time when people are increasingly worried about the possibility of fish-farm pollution around our coasts and in our inland waters. The Crown Estate Commissioners, who take their whack in rent, should contribute much more to research and development; too much profit goes straight to the Treasury.

There is also the threat posed to the industry by the Food Hygiene (Scotland) Regulations. I could not let this evening pass without repeating my plea to the Minister—a plea that I have often extended to the Parliamentary Under-Secretary of State for Scotland, Lord Strathclyde—to make allowance for the smoked salmon and fish-curing industry in Scotland. Without special exemptions applying to delivery of such products, many smokeries will go out of business, and that will have a huge effect on areas like Argyll and Bute.

To cap it all, there is the added shock of the suggestion in last week's talks that the European Free Trade Association be given access to the EC tariff-free trade area.

[Mrs. Ray Michie]

That must not leave the Scottish industry defenceless: we need more talks to agree a reference price. The whole issue is really a trade disagreement, not a fisheries disagreement.

What are the Government going to do about this? In the past weeks and months, the Government have received increasing representations and requests to act decisively and swiftly. That message has been carried to them by Members of Parliament and by the Scottish Salmon Growers Association. The Leader of the House told me during business questions a month ago that he had held discussions on the subject at the recent Tory party conference in Perth. Perhaps the Minister of State, who is to reply, also held such discussions.

The belief is that the Government will not give Scottish salmon farming a high priority. Appeals to the Ministry of Agriculture, Fisheries and Food and to the Prime Minister have had little effect. As the Scottish Office Minister responsible for fisheries, the hon. Gentleman must surely realise that this is an important Scottish industry. I appreciate that he has many other tasks that take up his time, but he and his noble Friend in the other place should go to Brussels tomorrow and seek EC action on measures against Norwegian dumping and set the scene for a long-term and stable solution to the problem.

Will the Minister tell me—if not tonight, perhaps later—what rule or legislation allows Highlands and Islands Enterprise to refuse grant aid to those who are not members of the Scottish Salmon Growers Association? In Cowal in my constituency, 85 per cent. of salmon produced is not eligible for grant assistance.

I am particularly worried about the small growers, many of whom have had to pull out of the organisation simply because they cannot afford the levy. Only the large companies and the multinationals can continue to pay a fee that has risen from 1 to 3 per cent. of turnover. In addition, high interest rates guarantee that the smallest companies are hardest hit. Surely there must be a discretionary element that ensures that the right projects receive the necessary backing from Highlands and Islands Enterprise, regardless of their membership of the SSGA.

The Prime Minister and the Secretary of State for Scotland keep saying that to persuade the Commission to act the Government will need good evidence of the extent and impact of Norwegian imports. I must tell the Minister that we have given such evidence time and again—on 15 separate occasions since January—to the Commission, to the fisheries department at the Scottish Office and to the MAFF.

I am grateful to the Minister for having listened so patiently, and I hope that I have conveyed to him the serious nature of the situation. If the salmon fish farming industry in Scotland is to survive, it needs Government action now.

10.53 pm

The Minister of State, Scottish Office (Mr. Michael Forsyth): I congratulate the hon. Member for Argyll and Bute (Mrs. Michie) on her success in raising this issue for debate. I know that she has taken much interest in the salmon farming industry, and I much appreciate her concern about the difficult trading conditions that are facing many fish farmers.

Salmon farming has been one of the success stories of the past decade in Scotland. The geography and environment of our western coastline and islands, with their clean, unpolluted waters and protected coastal inlets, are ideally suited to salmon farming.

From a production level of 1,000 tonnes in 1980, the industry has grown steadily year after year to an output of more than 32,000 tonnes in 1990, with a first-sale value of more than £100 million. As the hon. Lady said, the industry is a major employer, employing almost 2,000 people directly, with two to three times that number employed in related industries such as processing, packaging and transport.

I understand that some £120 million was invested in the industry during that period. As the hon. Lady pointed out, most of that money came, appropriately, from the private sector, but there has been significant Government support. Some £30 million has been provided through the Highlands and Islands development board—now Highlands and Islands Enterprise—and the European Community has also made a valuable contribution.

The problems which we face now, which the hon. Lady set out, are those of success. They stem from a rapid expansion of this young industry, an expansion which has run ahead of the increase in demand for salmon, although that has been growing by about a quarter each year in Europe. We have a problem of surplus production capacity for Atlantic salmon, and that will mean a period of—dare I say it—consolidation, even retrenchment, until supply and demand come back into balance. Our concern, of course, must be to ensure that the pain of such retrenchment should fall fairly where the cause of the problem lies.

The letter from Highlands and Islands Enterprise to which the hon. Lady referred came from Mr. Gaskell, and the hon. Lady quoted some of the points which had been made. The letter said that HIE was

"convinced that without early remedy within the European salmon market, our salmon farming market will not survive as we know it"

and that

"the financial standing of all companies in the sector has been seriously weakened".

Those statements are not particularly helpful. What is needed is confidence in the industry and in the future.

Although Scotland produces by far the largest amount of farmed salmon in the European Community, our output is less than one quarter of Norway's. The Norwegians' figures show that between 1988 and 1990 production of farmed salmon rose from 80,000 tonnes to over 160,000 tonnes. More than 60 per cent. of that salmon is exported into the EC. Even in a market which has developed as rapidly as salmon, this was bound to have a destabilising effect.

The first signs of difficulty came in 1989 when the market price for salmon began to fall significantly and the industry saw signs that salmon from Norway was being sold in European markets at unreasonably low prices. The Scottish salmon growers, in conjunction with their Irish counterparts, alleged that the Norwegians were "dumping" salmon in EC markets and asked the Commission to intervene. As a result, as the hon. Lady said, the EC announced in February 1990 that it would mount an anti-dumping investigation. The Government supported that investigation. We did not seek—nor shall we—any "protectionist" measures for our industry. Our concern

has always been to promote an orderly expansion of this market and to ensure fair competition within the European market.

As the hon. Lady said, in August 1990, the EC announced its finding that dumping by Norwegian companies had taken place and that this had caused injury to EC producers. The Commission proposed that an anti-dumping duty of 11·4 per cent. should be levied on imports of Norwegian salmon to the Community. In the event, it became clear to the Commission that this was not supported by member states and earlier this year the Commission formally closed the anti-dumping case.

The Government, however, had been keeping in close touch with the industry and with the Commission about the outcome of this investigation. We were able to obtain assurances from the Commission and, through it, from the Norwegian Government about future market stability. The Commission undertook to monitor closely the market for farmed salmon; to initiate discussions with the Norwegians, if so requested; and to consider urgently a further anti-dumping case against Norwegian companies should the EC industry so request.

The Norwegian authorities, for their part, agreed that they would continue their programme to freeze surplus salmon production which the Norwegian industry had been funding since the beginning of 1990 and to take other measures to control what the Norwegians term "black sales" - sales outside their export sales organisation.

The Norwegian measures had a welcome effect on the EC market for salmon - prices recovered during 1990 but they have since fallen back, and in recent weeks they have fallen back to the levels that caused the industry in 1989 to raise its anti-dumping case. So it seems clear enough that we face renewed instances of Norwegian dumping of farmed salmon into Europe.

Officials of the fisheries department were in contact with the Commission throughout the early months of this year, and were present when the industry met the Commission in April to renew its protests about Norwegian dumping. We have pressed the Commission to take action, either with Norway or in respect of the EC market, to bring stability back to the market. The hon. Lady is right to highlight the importance of that.

That pressure has borne some fruit. Recent reports from Norway show that new steps have been taken to control supplies and future output. I understand that the Norwegian industry has reached agreement with a consortium of banks for a short-term loan facility of 1·6 billion kroner—about £145 million—to freeze up to 40,000 tonnes of fish this year. We also understand that action is in hand to destroy up to 20 million smolts this year, which would otherwise produce up to 40,000 tonnes of fish in 1993. These are very welcome steps which should ensure that we recover the balance between supply and demand for Atlantic salmon before too long.

However, we recognise that, as long as a large quantity of frozen salmon remains available for sale, it will be very difficult to obtain a reasonable level of prices. We are also concerned at reports from our industry that the Norwegian minimum price system, and the Norwegian's efforts to stabilise the market, are being undermined by consignments of salmon entering France at prices that are quite inconsistent with the Norwegians' minimum price.

Last week, therefore my, noble Friend the Minister for Agriculture and Fisheries at the Scottish Office, arranged to meet the Norwegian ambassador, and expressed to him very clearly our concern that the Norwegians' efforts to achieve market stability were proving ineffective, and that we were facing again evidence of dumping of Norwegian salmon in the European market. The ambassador was asked to convey to his Government our serious concern at these developments and our intention to follow them up through the European Commission.

The hon. Lady mentioned research and development, but the figures that she gave did not tell the whole story. The Government are also carrying out work on the environmental aspects of fish farming, which will be of direct benefit to the industry. The industry has contributed over £1 million so far to fund research and development, as it should. Highlands and Islands Enterprise has provided up to £400,000 this year with the prospect of additional funding over the next two years. The Crown Estate has also contributed more than £300,000, those sums are additional to the figures that I recently provided for the hon. Lady in response to a series of written questions that she tabled.

The current Government research and development programme reflects the change in emphasis from "production" projects, which formed the majority of expenditure in the early years and which have now transferred to industry, to a greater emphasis on disease and environmental work which is vital. The Government are funding work with the industry on alternatives to Aquagard to treat sea-lice infestation, and we have high hopes of the furunculosis vaccine which was developed by our scientists in Aberdeen.

The hon. Lady mentioned the regulations covering the sending of smoked salmon through the post. I know that it is a matter of concern to her, and I can help her. The regulations have not been laid in Scotland, but following the representations that we have received, the English regulations will provide exemptions for smoked salmon being sent through the post. Research is currently being undertaken into the validity of the argument that it is necessary for smoked salmon to be sent in special containers which maintain a particular temperature. That particular difficulty has been averted and the Government were extremely grateful to the hon. Lady and to others for drawing it to our attention. My hon. Friend the Member for Dumfries (Sir H. Monro), who I see is in his place, was especially helpful in drawing our attention to the difficulties that the industry would face.

I assure the hon. Lady that, on the dumping issues, we shall continue to work in close co-operation with the industry. I understand that the Scottish Salmon Growers Association is currently collecting details of Norwegian trading activities and alleged breaches of the undertakings given. As soon as those have been received, we shall renew our contacts with the Commission and press to develop specific measures to restore stability in the EC market for salmon—and to do so without further delay. In the meantime, we are examining the options open to the Commission to safeguard the EC market.

The future of the salmon farming industry is of great importance to the fragile economies of the north and west of Scotland, and the Government are well seized of the need for urgent and effective action to restore price stability in the European market. Achieving that stability will require action by the Commission and by the Norwegian authorities. We intend to work closely with the industry, and we shall make it abundantly clear to the Commission that we require action quickly.

[Mr. Michael Forsyth]

The hon. Lady raised one further point about the policy on the provision of grants adopted by Highlands and Islands Enterprise towards particular small producers. That is not a matter that falls within my area of responsibility, but I am happy to give the hon. Lady an undertaking that I will ask my hon. Friend the Member for Eastwood (Mr. Stewart), the Parliamentary Under-Secretary of State, to write to her tomorrow setting out the position on the matter. I am sure that he will want to examine with Highlands and Islands Enterprise whether the hon. Lady's suggestions can be incorporated as part of its future policy.

I hope that my remarks will reassure the hon. Lady that we are very much concerned about the problems that are arising from the dumping of salmon and that we will have no hesitation in working to ensure that they are resolved.

Question put and agreed to.

Adjourned accordingly at six minutes past Eleven o'clock.

House of Commons

Wednesday 26 June 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Mr. Devlin: On a point of order, Mr. Speaker. Following the brief exchange that we had yesterday afternoon in the Chamber, is it possible for today's statement on pensions, which I am sure will deal with important matters, to be held over to another day in view of the large number of hon. Members who want to take part in today's Adjournment debate?

Mr. Speaker: I am not responsible for the timing of statements. I do not disagree with the hon. Gentleman, but I do not think that I can do anything about it.

PRIVATE BUSINESS

MIDLAND METRO BILL *(By Order)*
Order for Third Reading read.
To be read the Third time tomorrow.

BRITISH RAILWAYS BILL *(By Order)*
Order for consideration read.
To be considered tomorrow.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

Middle East

1. **Mr. Robert Hicks:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the latest position concerning the establishment of a middle east conference; and if he will make a statement.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): The United States Secretary of State is continuing his attempts to secure the agreement of all parties to the convening of a peace conference. He has our full support.

Mr. Hicks: While acknowledging the error of judgment made by the leadership of the Palestine Liberation Organisation during the recent Gulf crisis, may I ask my right hon. Friend whether he agrees that the problems associated with the Palestinian people remain and, indeed, that their solving is central to obtaining any middle east settlement? Is not it about time that the international community, including the Americans and the Israelis, gave them some positive encouragement to act in a positive way?

Mr. Hurd: I believe that Mr. Baker's initiative is very much in the interests of the Palestinians. I agree with my hon. Friend that the PLO cannot be ignored because it made a grievious mistake in the Gulf war, but it can help by supporting the Palestinian leadership in the occupied territories and by re-emphasising its National Council strategy of 1988 on a negotiated settlement with Israel.

Mr. Strang: Since later today the United Nations Security Council will consider another aspect of the aftermath of the Gulf war—what proportion of future Iraqi oil revenues will be used for the rehabilitation of Kuwait—do the British Government support the proposition that 30 per cent. of those revenues should be used for that purpose or would they, like the United States Administration, prefer the figure to be increased? In any case, the sooner a settlement is reached the better, regardless of whether the figure is 30 or 50 per cent.

Mr. Hurd: I agree with the hon. Gentleman. The discussion has gone on long enough and we must bring it to a conclusion. It seems that a conclusion of about 30 per cent. is attainable and, I think, about right.

Sir Dennis Walters: With regard to the middle east peace process, as the weeks and months go by and no advance is made on the Baker initiative, does my right hon. Friend agree that the time has come for a more vigorous approach to be adopted, or are we going to accept that Mr. Shamir has the right to veto any progress towards peace while continuing to defy international law and the United Nations resolutions and that, therefore, double standards apply in the middle east and will be tolerated?

Mr. Hurd: The present position is that President Bush is waiting for a reply from several middle eastern leaders to letters that he sent after Mr. Baker's latest visit, setting out the areas of agreement and disagreement. There has been some progress, as my hon. Friend will know, but it is not decisive. I believe that an initiative backed and led by the United States is essential if there is to be progress towards peace and we should continue to support it as long as there is life in it. I believe that there still is.

Mr. Kaufman: With regard to two of the potential participants in any middle eastern peace conference, will the right hon. Gentleman tell the Kuwaiti Government that those of us who were most determined that Kuwait should be liberated are among the most saddened and worried by the capital sentences being passed in Kuwait and by the capital trials taking place there? Will he ask the Kuwaiti Government to abandon them?

Will the right hon. Gentleman tell the Israeli Government that those of us who feel the warmest and closest feelings for Israel are those who feel most strongly that the continued building of settlements in the occupied territories is probably the greatest single obstacle to peace?

Mr. Hurd: I share the right hon. Gentleman's concern about the trials and sentences in Kuwait. As I understand it, the emir has not confirmed the sentences. Our views are known to him and he will read what the right hon. Gentleman has said. I also agree with what he said about the settlements. As we, our European partners and the American Secretary of State have made clear, there is no doubt that the continued policy of establishing settlements is one of the major obstacles to any sensible peace process.

Commonwealth Governments

2. **Mr. Gerald Howarth:** To ask the Secretary of State for Foreign and Commonwealth Affairs what priority the Commonwealth attaches to the promotion of good government among its members.

The Minister of State, Foreign and Commonwealth Office (Mrs. Lynda Chalker): There is wide interest among Commonwealth members in promoting good government. Moves by the Commonwealth Secretary-General to put emphasis on the promotion of democracy will receive our full support. An excellent start, for example, has been made with election monitoring.

Mr. Howarth: May I congratulate my right hon. Friend on her speech at Chatham house yesterday? Does she agree that as the whole of the eastern bloc and even the Soviet Union are following the lead set by the United Kingdom in dismantling state socialism and moving towards a market economy, it would be conducive to good government in totalitarian and often corrupt regimes in Africa and elsewhere if they did the same? Does my right hon. Friend agree that the readmission of South Africa into the Commonwealth might help to set a good example?

Mrs. Chalker: I thank my hon. Friend for his comments on my speech yesterday. The promotion of good government knows no boundaries. Every country that expects to work in harmony with its people needs to pursue good government, accountability, respect for the rule of law and respect for human rights. I agree with my hon. Friend that dismantling state socialism is one of the most important things that we can help those countries to do and it is part of the good government programme that there should be divestment of parastatals. I further confirm to my hon. Friend that as we told the Select Committee on Foreign Affairs in May, in reply to a report on United Kingdom policy towards South Africa, we would support an application from a post-apartheid South Africa to join the Commonwealth when there is a non-racial democracy.

Ms. Abbott: Does the Minister agree that there is a good Government in Sierra Leone? Do the Government take seriously the question of supporting the Sierra Leone Government against incursions by Liberian rebels?

Mrs. Chalker: I know of the hon. Lady's great interest in Sierra Leone. She will be aware that I have been able to respond to the Sierra Leone Government's call for help by the provision of non-lethal equipment to try to help them to restore the order that they used to have there and which I know they very much want to have again.

Mr. Lester: Does my right hon. Friend agree that the essence of good governance is that the government are accountable to their own people and that the people are satisfied with the government? We should be careful, when we promote good governance, which is essential, that we do not try to impose an external model on countries that already have systems that are genuinely accountable to their own people.

Mrs. Chalker: I agree absolutely with my hon. Friend. That was exactly what I said yesterday in my speech. It is not for us to impose a system on emerging democracies, but for them to develop a system that is fully accountable to their own people and involves the participation of those people in the system of government.

South Africa

3. **Mr. Hain:** To ask the Secretary of State for Foreign and Commonwealth Affairs if when he visits South Africa, he will discuss policy on sanctions and boycotts with representatives of the African National Congress.

Mr. Hurd: I hope to discuss many matters with the South African Government and with representatives of all the main parties in South Africa, including the ANC.

Mr. Hain: Does the Foreign Secretary agree with South African political and sports leaders who say that sanctions have been the main pressure for change, but that the negotiations that are going on risk being jeopardised? There is still no commitment by President de Klerk to one person, one vote. The sports negotiations, although they have made a far greater advance, still have some way to go. I know from personal experience that whites change only when there is no alternative. The Foreign Secretary's premature call for sanctions to be lifted risks jeopardising progress and reversing the momentum for change. Does he really think that he knows better than Nelson Mandela?

Mr. Hurd: The hon. Gentleman is hopelessly out of date. The ANC representatives who came to see me a few weeks ago said that 29 June—in a few days' time—will see the foundation of one non-racial united cricket board for South Africa. The ANC said, "Please do your best to ensure that the International Cricket Council readmits South Africa to international cricket when it meets next month." I hope that the hon. Gentleman will back the ANC in that respect.

Mr. John Carlisle: Does my right hon. Friend agree that the last person to whom the House should listen on the subject of the abolition of apartheid is the hon. Member for Neath (Mr. Hain), who has done more to delay the process than probably any other individual inside or outside South Africa? Will my right hon. Friend send a message to the International Cricket Council and to Mr. Colin Cowdrey, its chairman, when it meets in London next month, that the British Government are totally satisfied with the moves by the South African cricket authorities and Government and with the fact that cricket there is now fully integrated? Does he further agree that we should resume test matches against South Africa immediately?

Mr. Hurd: My hon. Friend is well placed to modernise the education of the hon. Member for Neath (Mr. Hain) in these matters. Surely it is sensible that, as South African sport becomes integrated sport by sport, those sports should be readmitted to the international family. That is what is about to happen with cricket. I hope that the whole House will support—and will urge the Caribbean countries and India to support—South Africa's readmission to international cricket.

Mr. Winnick: When one examines the tragedy that befell South Africa from 1948 onwards, is not it clear that it is precisely the people who fought that tyranny—first and foremost people in South Africa, but also those outside who urged sanctions and boycotts—who have

helped to bring about the present situation? Is not it a fact that time and again Tory Members, such as the hon. Member for Luton, North (Mr. Carlisle), have defended in every possible way the tyranny that is now being disbanded in South Africa?

Mr. Hurd: I do not think that that is true of my hon. Friend the Member for Luton, North (Mr. Carlisle). It is certainly not in any way true of the Government. Whatever the past arguments, sanctions are now out of date. We have now dealt with sport. On investment, I believe that the more investment that is made in South Africa now, the better the chances for building the new South African nation after apartheid.

Cyprus

4. **Dr. Twinn:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he will next meet the Secretary-General of the United Nations to discuss Cyprus.

The Minister of State, Foreign and Commonwealth Office (Mr. Tristan Garel-Jones): My right hon. Friend the Secretary of State discussed the Cyprus problem with the UN Secretary-General on 20 May and next plans to meet the Secretary-General at the UN General Assembly in September. We maintain regular contact with all parties, including the UN, in support of the UN Secretary-General's initiative.

Dr. Twinn: Given our special and close relationship with Cyprus, will Britain take an active part in the renewed round of efforts to secure a just solution to the Cyprus problem? Will my hon. Friend confirm that the British Government will encourage Turkey, our NATO ally, to take a more positive response to this round of talks?

Mr. Garel-Jones: I am grateful to my hon. Friend for his question. He takes a close interest in the subject and, as he knows, the United Kingdom is closely involved with Cyprus, through traditional links, and is a guarantor power. We have put great efforts into helping the United Nations to find a way forward through continuous diplomatic contacts with all parties, including our fellow guarantor powers, Turkey and Greece, and the secretary-general himself. My right hon. Friends the Prime Minister and the Foreign Secretary have had valuable talks with the President of Cyprus. In addition, my right hon. Friend the Prime Minister saw the Turkish Prime Minister in April and spoke to him on the telephone a few days ago.

Mr. Cox: The Minister said that we were one of the guarantor powers of the island of Cyprus. Will he assure the House that we will use the influence that that role gives us to ensure in any settlement, first, that lands and properties that have been taken from either Greek or Turkish Cypriots are returned to their rightful owners and, secondly, that any settlement will include free movement for people throughout the whole island, be they Greek or Turkish Cypriots, without any restrictions whatever?

Mr. Garel-Jones: Yes, Sir. In their position as a guarantor power the Government believe that the best way to exercise their influence is by supporting the United Nations Secretary-General. Certainly, any settlement will have to take into account both communities' concerns, some of which the hon. Gentleman outlined.

Mr. Cyril D. Townsend: Does my hon. Friend agree that this is one of the rare opportunities since 1974 to make progress on this vexed issue? Is not it deplorable that we have an army of occupation inside a Commonwealth country? Does he realise that the so-called green line in Cyprus, which is made of concrete and rusty barbed wire, is one of the few divisions between peoples that are still allowed in Europe?

Mr. Garel-Jones: My hon. Friend is absolutely right. The situation in Cyprus is, indeed, a tragedy. The fact that the United Kingdom Government have to maintain the level of troops that they do as part of the United Nations Force in Cyprus underlines that tragedy. I agree with my hon. Friend that the new authority that we believe that the United Nations has and which should be sustained by us all, should enable the Secretary-General of the United Nations, with all our support, to work towards a settlement of that terrible tragedy.

Mr. Anderson: The Minister must be well aware that there is a strongly held view that despite our long, traditional and community links and our position as a guarantor power for Cyprus, Britain has been too laid back in dealing with the affairs of that tragically divided island. Do the Government accept that the road to a settlement must lie through a change in the position taken by Ankara? If so, have the Government made it clear to the Government of Turkey that Turkey's European ambitions will be mightily affected one way or the other by their response to the current prospects of a settlement in Cyprus?

Mr. Garel-Jones: I hope that neither the hon. Gentleman nor the House believes that Her Majesty's Government's attitude to the problem is laid back. As I said before, we are the largest single contributor to UNFICYP. We take the position in Cyprus extremely seriously and we are in constant dialogue with our fellow guarantor powers, two of which, as the hon. Gentleman will know, are Turkey and Greece. As I said to the House a moment ago, my right hon. Friend the Prime Minister has continual contacts with President Ozal and we keep up a continual dialogue with all parties in the matter. I hope that the hon. Gentleman and the House do not feel that we are anything other than wholly committed to supporting the secretary-general in his struggle for a settlement.

Intergovernmental Conferences

5. **Mr. Skinner:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the intergovernmental conferences.

Mr. Hurd: The conferences on economic and monetary union and political union have made good progress, but a number of problems remain to be resolved during the next months of negotiations before the shape of the final package becomes clear.

Mr. Skinner: Is not it ironic that at a time when the Soviet Union cannot handle the 15 nationalities in that empire, the Indian sub-continent is continuing to

disintegrate and Yugoslavia cannot keep its nationalities together, people like the Foreign Secretary continue to waffle on about some grand political design in the Common Market? The truth is that British history and western European history show that in the past 11 centuries treaties have been drawn up between some of the oldest industrialised countries, every one of which, almost without exception, is in the dustbin of history. This latest grand political design will finish in the same place.

Mr. Hurd: I am disappointed with the hon. Gentleman. Up to now, I have disagreed with everything that the hon. Gentleman has said about Europe, but at least what he has said has been plain, blunt and brief. He is taking a bad example from his leader.

Mr. Soames: Does my right hon. Friend agree that sovereignty is not some kind of political football to be used for the vanity of politicians? If we are to cede some sovereignty in the interests of creating a modern and vigorous western economy in this country with greater prosperity for all our people, that is something devoutly to be hoped for.

Mr. Hurd: I understand that we are to discuss those matters later today and I look forward to doing so. Although it is not certain, we believe that it is increasingly possible that in both conferences at the end of the year we shall be able to reach conclusions of which the House will overwhelmingly approve. They will reconcile our desire and determination to keep our own identity with our wish to go forward and work increasingly in Europe.

Mr. Benn: Is the Foreign Secretary aware that, whatever may be the merits of a single currency, economic and monetary union and a federal arrangement, none of those issues was put before the electorate in a referendum or put before the public for endorsement in the 1987 general election? As they touch not only the rights of Parliament but the rights of the British people to elect and remove those who make the laws under which they are governed, will not the matter have to go back to the British people before any move is made to take away their rights through any of the proposals now before the intergovernmental conferences?

Mr. Hurd: I do not think that such matters are best tested in a referendum. They are best tested in the House. That is a continual process, which is continuing again today.

Mr. Janman: My right hon. Friend, more than most, will be aware of the problems being caused to the Government by the Single European Act, particularly in employment and the extension of majority voting. Will my right hon. Friend assure the House that at the intergovernmental conference on political union the British Government will veto any changes to the treaty of Rome that extend majority voting?

Mr. Hurd: I do not agree with my hon. Friend about the effects of the Single European Act. It is working out overwhelmingly beneficially to this country. As for our stance in the IGC on political union, perhaps my hon. Friend will await my full explanation in a few minutes' time.

Mr. Robertson: May I press the Foreign Secretary on that point? In the IGC on political union the Government are isolated on the social charter, the extension of qualified majority voting, any extension of powers to the European Parliament and reforms to the regional and structural funds. As all those matters are of central and fundamental importance to our 11 European partners, will the Foreign Secretary use the veto if they press it to a conclusion later this year?

Mr. Hurd: The hon. Gentleman's premise is wrong and consequently his sequence does not follow. The only matter on which we are sometimes alone is legislation that flows from the social charter. Even there, one directive was passed unanimously again yesterday. Others have failed to make progress not because of Britain but because a sufficient number of countries were opposed to them.

Romania

6. **Mr. Simon Coombs:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Romania.

The Minister of State, Foreign and Commonwealth Office (Mr. Douglas Hogg): My right hon. Friend the Foreign Secretary had wide-ranging discussions with the Romanian Foreign Minister, Adrian Nastase, in London on 9 May. He announced then the extension of the know-how fund to Romania.

Mr. Coombs: Will my hon. and learned Friend take this opportunity to pay tribute to the tremendous efforts of the voluntary sector in this country and to the many individuals who, over the past 18 months, have brought relief of many sorts to the people of Romania? I thank my hon. and learned Friend for telling the House that the know-how fund has been extended to Romania. What do the Government hope will be achieved by that?

Mr. Hogg: The know-how fund is a very important instrument of policy to assist the transformation from a command economy to a market-oriented economy. Officials were in Romania recently discussing a number of priority projects with the Romanian Government and we have been able to identify a number of areas in which it will be helpful to make progress there. I entirely agree with what my hon. Friend said about voluntary workers. I had the advantage of attending a meeting last week where I met many of those directly involved.

Mr. Janner: Will the Minister take an early opportunity to raise with the Government of Romania, directly or through its ambassador, the fears of Romania's small Jewish community at the resurgence of anti-semitism in that country, especially in the influential and popular press? Is he aware that an all-party group of hon. Members was recently in that country—where 400,000 Jewish people perished in the holocaust—and received assurances from the highest level of the Romanian Government that they would deal with an anti-semitic resurgence if it came about? As it has indeed come about, will the Minister ask the Romanian Government to take action now before the problem gets worse?

Mr. Hogg: The hon. and learned Gentleman makes a serious point, the force of which I accept. We have already made representations on precisely that issue to the Romanian authorities, and we shall keep the matter under

careful watch because it is important. As and when necessary, we shall make further representations to the Romanian Government.

Miss Emma Nicholson: On behalf of the all-party parliamentary group on Romanian children, of which there are other honorary officers in the Chamber this afternoon, I thank the Minister and Foreign Office staff for the support given to that group and to other aid groups in the United Kingdom when they were addressed last week.

There is much hunger and starvation in Romania. That was particularly true during last winter's dire conditions, and the position is not yet improving. Will the know-how fund be able to bring in expertise on food production, processing and distribution, perhaps by privatising the shops as there is a critical need in that country which will become even greater next winter?

Mr. Hogg: First, I thank my hon. Friend for her kind words. The work that she and other hon. Members have performed in the all-party group has been extremely welcome.

The know-how fund's application depends slightly on the project put forward. Some projects such as the kind that my hon. Friend has just described might well fall within the remit of the know-how fund. I will ask its officials to look sympathetically at the point that my hon. Friend has just raised.

Middle East

7. **Mr. Cohen:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his proposals for security and co-operation in the middle east.

Mr. Douglas Hogg: It is for the countries of the region to reach agreement on future security arrangements. We support their efforts to achieve this and are prepared to help where we can. But we do not envisage stationing ground troops permanently in the region.

Mr. Cohen: Are the United States and United Kingdom Governments not sitting on their military triumphalism and doing little for the future security of the middle east? Is it not the case that the Baathists are still in power in Iraq, the future of the Shias and Kurds is unsafe, there is festering bitterness about the 100,000 dead, with more to come, the west and China have restarted arms sales, Syria and Egypt are already alienated from the allies and there is no hope of any justice for the Palestinians? Should not the Government act, for example, to stop the arms proliferation and set up a conference for security in the region? Or have the glorious victors not got an idea for peace in their heads?

Mr. Hogg: The hon. Gentleman has set a full agenda, and I fear that he was wrong in every particular respect. The Government have been active in all the respects he described. I re-emphasise the support that my right hon. Friend the Foreign Secretary has just given to the peace process, which is directed to one of the points raised by the hon. Gentleman. The hon. Member should also keep in mind the proposals of my right hon. Friend the Prime Minister on arms control, and the strong support that we are giving to the Bush proposals for arms control in the middle east. We have made an effective response to the problems in north Iraq.

Mr. Ian Taylor: Will my hon. and learned Friend note Conservative Members' welcome for the British Government-inspired series of initiatives in the European Community aimed at achieving a common foreign policy in the middle east, particularly in view of the historic problems of that region which have been somewhat provoked by divisions among the European powers? Is not a most important aspect of future attitude to both the Israeli problem and the initiatives relating to Iraq and the Kurds that a common policy should be developed in the Community, and then applied? Should not we continue to work on this problem through the intergovernmental conferences?

Mr. Hogg: I agree that co-ordinated policies are extremely important, but they are not limited to the European Community. For example, it is extremely important that we work closely with the United States Government in pushing forward the peace process, including its operation in north Iraq.

Sir David Steel: The Minister referred to the excellent statements that were made last month by both the Prime Minister and President Bush on the need to stem the flow of conventional arms into the middle east. Does he share my dismay that since those statements were made the Pentagon appears to be putting together massive arms sales packages to Israel, the United Arab Republic, Bahrain, Saudi Arabia and Egypt? What effort will the Foreign Office make to ensure that the excellent statements are implemented and that we do not turn the powder keg of the middle east once again into a conflagration?

Mr. Hogg: The right hon. Gentleman is right when he says that it is important that we actively carry forward President Bush's proposals to control armaments in the middle east. I have considerable sympathy, too, with the broader proposals of President Mubarak. The right hon. Gentleman will be pleased to know that in July, in Paris, there will be a meeting between officials of the Permanent Five to ascertain how we can advance the general concepts expressed by President Bush.

Mr. Dykes: As Israeli citizens will also benefit from a genuine peace settlement that is fair to both Palestine and Israel, does my right hon. and learned Friend agree that a double tragedy would occur if Secretary Baker were to lose heart as a result of the obstinacy of Mr. Shamir, and if Mr. Shamir, with his hesitations and stubbornness, were to assume that a temporary abatement of the intifada would be a signal for him to go easy on the peace process?

Mr. Hogg: I agree with what the hon. Gentleman has said—[HON. MEMBERS: "Hon. Friend."] Forgive me, he is indeed my hon. Friend. This is an extremely important moment for the state of Israel. I think that it is important that it should take advantage of the opportunity that presents itself. It will be regrettable, I think, if the policy of settlements is pushed ahead, for that would stand in the way of genuine peace talks. Israel will benefit more than any other nation from a peace settlement.

Antarctica

8. **Mr. Martlew:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the meeting of the Antarctic treaty nations in Madrid.

Mr. Garel-Jones: There was general acceptance by most parties, including the United Kingdom, of the draft text of an environmental protocol to the Antarctic treaty and of four annexes dealing with marine pollution, waste disposal, conservation of wildlife and environmental impact assessment.

Parties failed, however, to reach consensus on the text of the review article, No. 24, of the protocol. In particular, the United States requested more time to consider the amendment procedure for any minerals ban. A further meeting will be held before October at which we hope that the protocol and its annexes will be adopted.

Mr. Martlew: Included in the Minister's statements in the past has always been the need for consensus between nations on the Antarctic treaty. Will he confirm that the United States Government have moved to a policy of majority voting? Will he confirm also that that is entirely opposed by the British Government? Does he agree that there has been a considerable amount of backsliding by the United States Government? What efforts is he making to ensure that the United States Government sign the treaty that was agreed in April in Madrid?

Mr. Garel-Jones: Fortunately, I do not have to answer at the Dispatch Box for the position of the United States. The hon. Gentleman is right in that the main purpose of the Government's policy has been to seek consensus. He will recall that shortly after assuming these responsibilities I advised the House, with the authority of my right hon. Friend the Foreign Secretary, that we were reviewing our policy. It was we who came forward with a proposal to seek consensus around a moratorium, and that has found favour with almost all our treaty partners. I am confident that the United States will find a way of joining the consensus that we very much support.

Mr. Foulkes: Does not the Minister recall that on 16 January he claimed that Britain had led the way on Antarctica? In his euphoric letter of 10 May to all hon. Members he said that he anticipated agreement in June. Did he know then that the Americans were planning to sabotage the agreement? If he did, he was misleading us. If he did not, he was being deceived by them. Will he now do what the director of the World Wide Fund for Nature asked in the letter of 20 May to the Foreign Secretary and the Prime Minister, to which the director has had no reply, and put pressure on the American Government to accept the draft protocol, to agree a ban on mining in Antarctica and, to use the Minister's own words in the letter,

"hand over Antarctica in pristine condition to future generations"?

Mr. Garel-Jones: The hon. Gentleman is trying very hard, is he not?

Mr. Foulkes: Why don't you try harder?

Mr. Garel-Jones: I am glad that the hon. Gentleman referred to my letters, because they make it clear that the British Government, without being over-boastful, have some reason to claim that our initiative before the Madrid conference assisted our treaty partners to return to consensus. One leader of a non-governmental organisation, in an effort—misplaced, I believe—to put pressure on the British Government, told me before we went to Madrid that the United States had agreed to a world park.

The point about the negotiations is that it is not for me to answer at this Dispatch Box for other Governments. The United States knows very well what the position of the United Kingdom is. The United States is studying the protocol at the moment, and I am confident that we shall find a way of returning to consensus.

Several Hon. Members *rose*——

Mr. Speaker: Order. I regret that I was distracted for a moment and called two hon. Members from the same side of the House. Now I must redress the balance.

Mr. Boscawen: Will my hon. Friend take note of the increasing concern of people who work in Antarctica and the south Atlantic about the future of HMS Endurance? Does he hope very soon to have a concrete answer about what the Government can do in that respect?

Mr. Garel-Jones: As my hon. Friend knows, the vessel underwent a major refit to allow her to remain in commission in Antarctic waters until the mid-1990s. A replacement is planned for that time. No decision to the contrary has been taken.

Mr. Jacques Arnold: Does my hon. Friend agree that what the environment of the Antarctic does not need is hot air and grandiose rhetoric? It needs agreements that stick and are signed, especially by nations with appalling environmental records. Such nations should sign an agreement and be kept to it. Are not the Government to be complimented on continuing to work to bring them all together and get them to stick to a line?

Mr. Garel-Jones: I am grateful to my hon. Friend. He will be aware, as will the House, that my right hon. Friend the Prime Minister was one of the first leaders of any country to welcome the consensus that was reached. I am sure that both my hon. Friend and the House will be interested to know that Her Majesty's Government are already giving close attention to the need for a secretariat to supervise the Antarctic treaty partners and the future of Antarctica.

South Africa

9. **Mr. Simon Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution Her Majesty's Government are making to the achievement of a one-person, one-vote constitution for South Africa before the date of the next scheduled South African parliamentary election.

Mrs. Chalker: We continue to encourage all in South Africa to reach agreement on a new, non-racial and democratic constitution. We are helping the black opposition parties to prepare for democracy and future political and economic life.

We are also working to promote the economic growth and the development which must underpin the political process.

Mr. Hughes: I am grateful to the Minister for her answer. Will she join me in paying tribute to the South African Government, the African National Congress and the leaders of most of the homelands and the churches, who have allowed tremendous progress to take place since the previous South African elections, so that all but the last barrier to the ending of apartheid have been removed? Will the Minister ensure, however, that the Government make it absolutely clear that the momentum must be sustained?

It would produce bloodshed and catastrophe in South Africa to arrive at the date of the next scheduled elections without a secure one-person, one-vote constitution in place.

Mrs. Chalker: As the hon. Gentleman knows, the first step was to get rid of the statutory pillars of apartheid. The South African Government have removed those, and the second step is the negotiation for agreement on a new constitution. All the parties are involved in that, and they are all to be encouraged to reach it in good time. I believe that the South African Government and all the parties are so determined. They may need some help and advice from time to time, and I believe that all nations that believe in the democratic process should be prepared to give it.

Mr. Budgen: Is it not pretentious and dangerous for us to shower unasked-for advice on South Africa? Does not good government, both here and abroad, depend on some understanding of the limitations of both power and influence?

Mrs. Chalker: I am only too well aware of the limitations of power and influence. The British Government have responded to the requests of the South African Government in a number of different ways. We shall continue to respond to that Government and to the various parties—the ANC, the Pan-Africanist Congress, the Azanian People's Organisation and others—to help bring forward that period of negotiations that will lead to a constitution for a non-racial democracy. That is what the people of South Africa want, and that is what they have asked for.

Mr. Pike: Will the Minister make it clear to South Africa that Britain would not look favourably on a future system of government involving a one-person, one-vote system for the lower chamber—protecting the rights of all peoples in South Africa, which would be welcome—but under which apartheid nevertheless remained, albeit perhaps in a different form, in the upper chamber?

Mrs. Chalker: It is not for this House or this Government to impose a system on the Government or people of South Africa. It is for the people of South Africa, the South African Government and all the other parties to work out their new constitution—for an upper and lower house, or whatever system of government they choose. If they ask for our help, as they have done, they will get our help. We insist on helping to promote good government in countries that seek to promote good government. I believe that the Government and people of South Africa want that and will pursue it.

Sir Ian Lloyd: I give a warm welcome to what my right hon. Friend has just said, and to what the Foreign Secretary said about an application to join the Commonwealth being favourably considered. Will my right hon. Friend take a broad-brush guess, however, at how many United Nations member countries, or, indeed, Commonwealth countries, on the basis of the universality of their suffrage and the frequency and integrity of their elections, have the right to prescribe to South Africa?

Mrs. Chalker: I do not have a crystal ball, but I do not believe that anyone has the right to prescribe to others—they must work things out for themselves.

Mr. Budgen: Hear, hear!

Mrs. Chalker: I remind my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) that South Africa has asked us for that help. That is why we are giving it. We are not giving it unasked.

Baltic Republics

10. **Mrs. Margaret Ewing:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Heads of the Governments of Latvia, Lithuania and Estonia on the current situation in those republics; and if he will make a statement.

Mr. Douglas Hogg: We have received recent messages addressed by Baltic leaders to western Governments, and remain in frequent contact with the elected authorities in Estonia, Latvia, and Lithuania. I saw the Lithuanian Foreign Minister yesterday. We share the view of those authorities that the problems of the Baltic republics should be resolved through negotiation and without coercion. We have expressed concern to the Soviet Government about recent actions by Soviet forces in the Baltic region and about the Soviet procurator-general's interim report on the Janaury shootings. Under the provisions of the Conference on Security and Co-operation in Europe, we and our Community partners have requested a full explanation from the Soviet Government.

Mrs. Ewing: I welcome that positive statement and I recognise the Minister's personal interest in these matters. Can the hon. and learned Gentleman advise the House whether he has had the opportunity to discuss, and possibly to implement, specific projects that would assist the three states economically, socially or educationally until such time as the western world recognises their obvious independence?

Mr. Hogg: The hon. Lady is right to stress the significance of the know-how fund, which has an important role to play. I am glad to say that we have been able to identify some projects in the Baltic republics for support through the know-how fund. For example, we have been able to assist with port privatisation in Estonia, and we have been pursuing projects relevant to agriculture in Latvia and Lithuania.

Mr. Maxwell-Hyslop: Will my hon. Friend tell the House unequivocally that as we have never recognised that the invasion of Estonia, Latvia and Lithuania by the armed forces of the Soviet Union resulted in a legitimate annexation, so we have always and continuously recognised—as we still do—those three countries as having national sovereignty which is independent, and that if they send diplomatic representatives here we shall receive them, just as we kept them in the past for as long as they still lived?

Mr. Hogg: As my hon. Friend knows, we have never recognised the de jure incorporation of the Baltic republics in the Soviet Union; they are, however, de facto members of the Soviet Union. We hope for—and will press for—negotiations between the Baltic republics and the Soviet Union, leading to an agreement that will regularise their relations in a way that is compatible with the desires of both parties. We are pressing the Soviet Union to enter into meaningful negotiations with the Baltic republics.

Sir Russell Johnston: What response did the Government receive from the President of the Supreme Soviet when those points were put to him on his visit to Britain a couple of weeks ago? Will the Government respond positively to the Estonian Foreign Minister, Mr. Meri, by suggesting that trade missions be established in each of the Baltic states?

Mr. Hogg: We are anxious to see how we can develop our relations with the Baltic states. A good example of that is the way in which we have used the know-how fund to support activities within those states.

The Soviet Government are well aware of the importance that we attach to an early and purposeful start to negotiations between the Soviet Union and the Baltic republics. I am disappointed that the working parties that have been established have not been used in a more determined way to push forward negotiations.

Seychelles

11. **Mr. Bellingham:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit the Seychelles.

Mrs. Chalker: Neither my right hon. Friend nor I have any current plans to do so. I met the Seychelles Foreign Minister, Mrs. de St. Jorre, when she paid an official visit to Britain in March last year, and meet her often at multilateral gatherings. We have made it clear that, as elsewhere, we support freedom of expression and genuine political participation.

Mr. Bellingham: If my right hon. Friend goes to the Seychelles, she will witness at first hand the antics of a particularly vile extreme socialist regime. She will see numerous abuses of human rights, and no sign of democracy. When such regimes are being increasingly rejected elsewhere, is it not time for Her Majesty's Government to get tough, and to tell Albert René that, unless he reforms his country, aid will be cut off?

Mrs. Chalker: We regard the Seychelles as a one-party socialist state which exercises undue restrictions on freedom of association and of expression. I have made it absolutely clear to the Foreign Minister of the Seychelles that we believe in freedom, both political and economic, and that we are looking for change. I agree with my hon. Friend—there are few signs of the moves for change that we intend to come about. Certainly, the help that we have given the Seychelles people—help with health and education—is very limited; I hope that it will assist the people, but we are not in business to help a Government of that kind.

Lebanon

12. **Mr. Burns:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the visit of the Minister of State, the hon. and learned Member for Grantham (Mr. Hogg), to Lebanon.

Mr. Douglas Hogg: My visit to Lebanon from 9 to 12 June was the first by a British Minister since 1985. I had useful discussions with the President, the Prime Minister, the Foreign Minister and other leaders. They addressed the situation in Lebanon and in the region. I was impressed by the determination of the Lebanese Government to restore their authority over the whole country. I was also able to stress the great importance that we attach to the release of the hostages held in Lebanon.

Mr. Burns: Will my hon. and learned Friend confirm that he conveyed to the Lebanese Government the British Government's support for their efforts to reassert their control over, in particular, southern Lebanon?

Mr. Hogg: That is an important point. We strongly support the policy of the Lebanese Government, and that of the Lebanese army, to reassert control in south Lebanon. We are anxious for the militia now in south Lebanon—particularly the Palestinian and Hezbollah militia—to be disarmed. It is also important for the Israeli army to withdraw to Israel, pursuant to the provisions of Security Council resolution 425.

Mr. Kaufman: Having adverted at our last Question Time to the hon. and learned Gentleman's role with regard to the hostages, I pay tribute to his courage in going there. It is not easy to go to such a dangerous country where anybody's life, however well protected, must be at risk. The hon. and learned Gentleman's visit will, I hope, demonstrate to the relatives of John McCarthy, Jack Mann and Terry Waite that the whole House is determined to bring about their freedom.

Mr. Hogg: The right hon. Gentleman is too gracious, though I am extremely grateful to him. Incidentally, I should pay tribute to the members of the Royal Military Police, who provide the close protection unit for the ambassador, and to our staff there. They are the people who really deserve the credit. I also had the opportunity to meet all the families, and I pay tribute to them. The courage of all of them is extraordinary, as is their forbearance. I would single out Mrs. Sunnie Mann, an elderly lady who is living in Beirut in a block of flats five storeys up and has to carry the water up to her flat. She is a very brave lady. The House should know that.

Mr. Adley: I share in the welcome given to my hon. and learned Friend for his visit. Has he seen the very useful exchange and comments made by the Prime Minister at a recent Prime Minister's Question Time? Can my hon. and learned Friend confirm that the Government still hold the Israelis responsible not just for Sheikh Obeid but for the other Lebanese hostages whom that Government hold? What messages are Her Majesty's Government sending to the Israeli Government about the hostages that they hold?

Mr. Hogg: We have never accepted a linkage between those held by the Israeli Government and the western hostages. There are two reasons for that. First, one does not link one evil with another. Secondly, we do not have the capacity to make the Israelis deliver anything. If we accepted a linkage, the position of the western hostages might be worse rather than better. However, it is extremely important that we should work for the release of all the hostages. I certainly agree that it is highly desirable that the Government of Israel should release Sheikh Obeid and the detainees in south Lebanon. At the same time, the Government of Israel have a perfectly legitimate interest in securing the return of the bodies of their service men, which are now in the Lebanon, together with any of their service men who are still living. All those things are important. To the extent that we can promote them, we shall do so.

Iraq

13. **Mr. Winnick:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest position of safe havens in Iraq; and what consultations have taken place with his United States counterpart on this matter.

14. **Mr. Strang:** To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about the plight of people in Iraq; and if he will make a statement.

Mr. Hurd: To reassure the refugees of their continuing safety once the allied forces have withdrawn, we need, first, an effective presence on the ground. There is better progress now in the deployment of the UN security guards. The UN hopes to have more than 400 in place by mid-July. We need a continuing military presence in the region and clear warnings to the Iraqis that any renewed repression would meet with the severest response. We would see this as a multinational force that could be quickly deployed. Finally, we need to continue the sanctions. We are building up these elements with our allies. Meanwhile, it is too soon to fix a final date for the withdrawal of our forces.

Mr. Winnick: Is the Foreign Secretary aware that I am very pleased about those safeguards? It would be unforgivable for the Kurds, or any other minority group in Iraq—we should not forget the Shi'ites in the south—to be left to the tender mercy of Saddam Hussein. Even if the Foreign Secretary does not agree with me, will he bear in mind the possibility that the people of Iraq as a whole and the international community may have to pay a heavy price indeed for the fact that earlier this year the allies did not complete the job?

Mr. Hurd: I do not agree with the hon. Gentleman's last point. We completed the job for which we put our service men at risk—the reversal of the aggression against Kuwait. However, I agree with the hon. Gentleman's first point. We have always made it clear that we did not intend to complete the withdrawal of our forces from Iraq in circumstances which would create again the problem that they went in to solve the flight of refugees to the mountains.

Mr. Strang: Does the right hon. Gentleman accept that sanctions against Iraq must be reconciled with humanitarian assistance? He has said that he does not want to see Iraq swept by epidemics and starvation. Is he satisfied with the efforts being made to prevent more than 100,000 Iraqi children under the age of five from dying of hunger and disease this year?

Mr. Hurd: The hon. Gentleman talks of hunger and disease, and I understand that, but medicines have never been covered by sanctions. Food for humanitarian purposes can go in, as authorised by the United Nations sanctions committee, which does precisely that, but I do not think that the House would think it right to go beyond that and to allow Saddam Hussein to reconstruct his country when he has not fulfilled all the Security Council resolutions and when his ambitions against the Kurds are all too clear.

Mr. Conway: My right hon. Friend will pay tribute to and recognise the contribution of British military personnel, but will he acknowledge the contribution made by British civilians—and in particular by my constituent, Mr. Floyer-Ackland—in giving humanitarian aid to those citizens in Iraq?

Mr. Hurd: Between 150 and 200 British civilian relief workers have been in action in Iraq, and I pay tribute to them. They have shown considerable courage and perseverance in doing the job for which they are so admirably equipped.

Mr. William Powell: Does my right hon. Friend accept that there is bound to be heightened anxiety about the future of the Kurds when allied forces withdraw, because it is still not possible to rely on the benevolence of the Iraqi authorities, not least in the light of their refusal to allow United Nations officials to inspect the suspected nuclear plant in Iraq yesterday?

Mr. Hurd: My hon. Friend is right. Security Council resolution 687 places a clear obligation on the Iraqis, but they are not carrying it through. Another item in the accounts that I must mention is the continued detention of Mr. Ian Richter: we are determined to get him out.

Pensions

3.31 pm

The Secretary of State for Social Security (Mr. Tony Newton): With permission, Mr. Speaker, I should like to make a statement about recent developments in pension provision and to say how the Government plan to build on those developments for the future.

The Government's approach to financial provision for retirement has always been to increase choice and flexibility for individuals while ensuring an economically sound and sustainable system of state support. Thanks to that policy, we now have a much wider spread of occupational and personal pension provision, and much greater protection for those who move between pension schemes.

Better occupational pensions have made a major contribution to increasing pensioners' incomes in the past decade. In all, nearly two thirds of those who retire can now do so with an occupational pension. Taken together with the abolition of the "earnings rule" in 1989, occupational pensions have made it easier for people to decide for themselves when they wish to retire, and for employers to introduce more flexible retirement policies, irrespective of state pension age. By 1990, about 14 million people had chosen occupational or personal pension schemes rather than remaining in the state earnings-related pension scheme. In pensions terminology, that is 14 million people contracted out.

Against that background, we think that the next priority for the development of policy in this field is to move in a well considered way to establish, in practice, the equality of treatment between men and women, to which we have long been committed in principle.

I shall begin with occupational pensions. The Government must have regard to an important development in European law. Right hon. and hon. Members will be aware of the judgment of the Court of Justice of the European Communities in the case of Barber *v.* Guardian Royal Exchange Group. Mr. Barber became redundant at the age of 52. As part of his compensation, his employer offered him a deferred pension payable from the scheme's normal retirement age, but a woman in his position would have been entitled to a pension immediately.

Mr. Barber's case eventually reached the European Court of Justice, which gave its judgment on 17 May 1990. At the core of this judgment was a decision by the court that occupational pension benefits are "pay" for the purposes of article 119 of the treaty of Rome, which enshrines the principle of equal pay for equal work. As right hon. and hon. Members will know, article 119 has direct effect. The result of the judgment, therefore, is that there must be no discrimination between men and women in occupational pension schemes, for example in relation to pension age.

As I have already suggested, the Government welcome that principle. Our task now is to address its considerable practical implications for the United Kingdom. Occupational pension schemes with unequal pension ages will be the ones most significantly affected, but many others may need to change their benefit provisions to some extent to comply with the Barber judgment.

The judgment clearly applies to benefits based on service since 17 May last year—the date of the judgment. The Government will prepare proposals for legislation as soon as possible to require occupational pension schemes to comply with Community law in this respect. I shall consult the pensions industry and other interested parties on the issues involved, and on the implications of equal treatment for the current arrangements for occupational pension schemes to contract out of the state earnings related scheme. The European Commission is itself considering the implications of the Barber judgment, and we shall play our full part in this process.

Those of my right hon. Friends who are responsible for public service pension schemes are considering the implications of the Barber judgment for those schemes. Some modifications will be necessary and they will bring forward proposals for any such changes in due course.

It is unclear whether the Barber judgment applies also to benefits based on service before 17 May last year. Retrospection would be damaging to the economy, to jobs and to the competitiveness of United Kingdom business. Because contributions to many schemes will not have been set at the level needed to fund equalised benefits, the effect would be to confront schemes and employers with large unforeseen liabilities. These could amount to as much as £40 billion to £50 billion for the United Kingdom as a whole, depending on the assumptions made. That would represent a significant shift of resources away from businesses and those in work.

The Government will therefore seek to clarify the implications of the Barber judgment for benefits based on service before 17 May 1990. As the decision of the European Court of Justice can be clarified only by means of a judgment in another case, we have recently agreed in principle to provide financial support for a case concerning the trustees of the Coloroll Group pension scheme if it is referred by the High Court to the European Court of Justice. We shall seek to ensure that the European Court is made fully aware of the potential implications, both for individuals and for the economy as a whole, of applying the Barber judgment to past service. We shall argue before the court that the judgment does not have that effect. We have already been taking steps to ensure that the European Commission itself, and other member states, understand the implications if the judgment applies to service before 17 May 1990.

Right hon. and hon. Members will recall that the Social Security Act 1990 includes provisions requiring final salary schemes to pay indexed pension increases up to a maximum of 5 per cent. These provisions will apply to all such schemes in respect of future service and, in respect of past service, to schemes with a surplus. In view of the substantial financial uncertainties faced by occupational pension schemes as a result of the Barber judgment, I do not believe that it would yet be in the interests of the generality of schemes or their members to reach a final decision on when the 1990 Act provisions should be brought into effect. I shall review the position again once the present uncertainties are removed. In the meantime, I remain committed to the principle of limited price indexation of occupational pensions and would encourage schemes to pay increases to their pensioners on a voluntary basis where they are financially able to do so.

I turn now to the state pension scheme. We are committed to achieving equal treatment for men and women in the state scheme as well as in occupational schemes, and in particular to tackling the issue of unequal pension ages. There are a number of possible ways of

doing that, ranging from a single common pension age to equality of treatment within a flexible scheme which has no single pension age.

The idea of more flexible pension arrangements is one which commends itself to people both inside and outside this House. For many people the age at which they can receive their state pension remains the major factor in deciding when to retire. We therefore propose to consider in detail whether more can be done to achieve greater flexibility within the state scheme in a practicable and affordable way.

There are many important considerations that will need to be taken into account before any decision is reached on state pension age, including the costs involved, the changing ratio of contributors to pensioners into the next century, and developments in the pension policies of our competitors.

Any changes to the state scheme will require careful consideration and detailed planning, and could certainly not be implemented overnight. The Government believe that it would be wrong to take decisions in this area without a period of public discussion. To help inform the debate, we intend shortly to issue a discussion paper which explores the issues and provides some background information. We shall then bring forward considered detailed proposals in the light of that public debate.

Mr. Michael Meacher (Oldham, West): Equality in pension provision is certainly a very important and pressing issue, but since it has been a pressing issue for over a year since the Barber judgment, and since there is not a single new Government proposal about pension equality in the statement we have just heard, is it not clear that the statement is rather less about equalising retirement ages and rather more about expending the necessary time of the House to keep the right hon. Member for Finchley (Mrs. Thatcher) off the television screens at 6 o'clock?

Regarding equal retirement ages, whereas the Secretary of State says that he will review the costs involved, the changing ratio of contributors to pensions, and pension policies abroad, is he aware that the last time that words like that were used was by his predecessor, the right hon. Member for Sutton Coldfield (Sir N. Fowler), and he used them as a preamble to cutting the value of SERPS by half?

There is one central question which the Secretary of State must answer on this issue and which he ducked in his statement, so I ask it again. Will women still be able to retire at 60 and on a full pension, or are his words meant to rule that out? If he refuses to give that guarantee today, "flexibility" in his language is a euphemism for cutting women's right to a pension at 60, or for paying a reduced pension at 60. If the Secretary of State cannot answer that question, is it not clear that this whole exercise is really a delaying action to push the whole matter of equality for women beyond the next election—when, if his party is returned, he intends to increase women's pension age or to cut their pension?

Turning to the only announcement of substance in the statement, will the right hon. Gentleman accept that his abandonment, for the time being, at least of limited price indexing of 5 per cent. a year is indefensible? Is he aware that surveys show that, at present, occupational pensions are increased on average by only 3 per cent. a year when the average rate of inflation over the whole period of three Thatcherite Governments was 9·5 per cent. a year? Is he aware, too, that even with limited price indexing of 5 per cent. in place, the average occupational pension, according to the pension actuaries Bacon and Woodrow, would still lose about 60 per cent. of its value in real terms over an average 20-year retirement period? Is it not clear, therefore, that any dropping of limited price indexing today will mean condemning 10 million occupational pensioners to an even faster whittling away of their pension assets, and real poverty for millions with the smallest pensions?

As to the future of limited price indexing, is the right hon. Gentleman saying, as he appears to be, that, if the Barber judgment is retrospective, he is dropping limited price indexing permanently? Is he telling occupational pensioners that they can have either equal retirement ages or limited price indexing but not both? That is certainly what he seems to be saying.

If the right hon. Gentleman is saying that, will he acknowledge that there can be no case whatsoever for dropping that modest improvement in limited price indexing, when pension funds in total were recently standing at about £50 billion?

Is it not even more of a scandal that the right hon. Gentleman is proposing to drop, or at least postpone, slightly improved but still inadequate inflation protection for occupational pensioners, while at the same time allowing some of the biggest employers to take contribution holidays year after year because their pension funds are in surplus?

Opposition Members strongly support full equality for women in retirement, but this statement is more vacuous than real and is yet further evidence of dithering by a Government who are afraid to act decisively on the crucial issue of equality for women.

Mr. Newton: I had hoped that we might for once draw a rather more measured and responsible response from the hon. Member for Oldham, West (Mr. Meacher). As it is, we have heard a classic Oldham response—taking up a gun, firing it wildly in the air and finally turning it on himself.

This is a clear statement of commitment in practice, which goes beyond anything that any previous Government have said, to implementing equal treatment in pensions, and I have outlined the steps that we propose to take to that end.

As regards what the hon. Gentleman called the "central" question, we shall publish a discussion paper in which we will set out, as fully and fairly as we can, the costs and implications of all the possible options, including a range of flexible pension schemes. We have made no decision in advance of that—there is no hidden decision. We believe that a decision that needs to take account of demographic patterns over a generation and more and of long-term social, economic and other factors should properly be taken after considerable informed public discussion, which is what we propose to bring about. I am surprised that the hon. Gentleman does not accept that.

There is no question of our having dropped limited price indexation, but we have to recognise that it is a question not merely of a handful of large and sometimes publicised schemes but of many tens of thousands of schemes which do not have large surpluses and which already face considerable difficulties arising from the Barber judgment, even if it is not retrospective. We need to take account of their interests, and we shall be doing no

[Mr. Newton]

favours to occupational pensioners or to anyone else by driving an increasing number of employers to give up occupational pension schemes altogether, which is the risk we run if we do not proceed with care.

Finally, the hon. Member for Oldham, West had the nerve to refer to "dithering". This is the man who has gone around the country making one massive pension pledge after another, including equal pensionable age at 60, most of which turn out on examination to be what the hon. Member for Derby, South (Mrs. Beckett) says are no more than "desirable aims". The hon. Member for Oldham, West has elevated dithering at the expense of pensioners to a fine art.

Several Hon. Members *rose*——

Mr. Speaker: Order. A point of order was raised about this statement before we started questions today. Forty-nine right hon. and hon. Members seek to participate in the next debate. Exceptionally, I shall curtail questions on this statement, which I am sure we shall return to from time to time, at 4.15 pm, when there will a ten-minute rule motion; then we shall move on to the debate.

Sir David Price (Eastleigh): Does my right hon. Friend recall that I introduced a Bill in 1983 based on an all-party Select Committee report which dealt with equality of age opportunity between men and women and with flexibility? It was never defeated, but simply talked out. Therefore, I invite my right hon. Friend to reintroduce my Bill in the next Session of Parliament. It is all there, there is no problem and I am sure that, if he wanted, we could pass it in July and have it on the statutue book.

Mr. Newton: I do not think that I can promise to do as my hon. Friend suggests, but I am grateful for the thought, because I know how much expertise he has in these matters. We shall seek to take account of his thoughts as the public discussion proceeds, and I hope that I am right in reading his remarks as general support for the proposal.

Several Hon. Members *rose*——

Mr. Speaker: Order. May I clarify a comment that I have just made? I intend the questions to continue until 4.5 pm so that we can move on to the debate at 4.15 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Any progress towards the genuine equalisation of pensions is widely welcomed, but will the right hon. Gentleman ensure that steps are taken to begin to end the scandal of companies raiding pension schemes for reasons other than the pensions themselves?

Mr. Newton: I think that the hon. Gentleman will be aware that we have made a number of changes in successive Social Security Acts over many years, which are designed, among other things, to protect the rights of early leavers; that very much interrelates with the point that he has raised. I am aware of the continuing concerns, and obviously we shall continue to consider them during the discussion on which we are now embarking.

Sir Robert McCrindle (Brentwood and Ongar): My right hon. Friend will know that the occupational pensions industry has been more than a little perplexed since the Barber judgment and has been looking forward to some intimation of the Government's intention with regard to the state scheme retirement age. Will he confirm that, while the very desirable consultation about a possible equalisation of pension ages under the state scheme is proceeding, there is no reason why the occupational pension schemes which have been at the forefront in moving to a common and very often favourable retirement age should not continue to do so, in view of the fact that many of them already permit the men and women to retire at the same age, and very often considerably before 65?

Mr. Newton: I underline the fact—almost as an aside, but not quite—that the consultation is not about a possible move, but about the means to be chosen for a definite move in that direction. That is an important distinction. As for the point about occupational pension schemes, many already have equal pension ages. Their number has grown since the Barber judgment, and I want to encourage further moves in that direction. As far as it is in my power to do so, I want to create a reasonably stable framework of policy within which schemes can take sensible decisions to that end.

Mr. Huw Edwards (Monmouth): Would the Secretary of State not agree that, if they really want to achieve equality of pension treatment, the Government must attack the fundamental inequalities between men and women in the labour market? Does he not agree that the inequalities faced by women in their working lives are magnified in retirement? Should not the Government reverse some of their policies which discriminate against women in the labour market, such as their proposal to abandon the wages councils, which provide minimum wages for thousands upon thousands of women in low-paid employment?

Mr. Newton: It will not surprise the hon. Gentleman to know that I do not accept his allegations of, as it were, Government discrimination against women in the labour market. According to some recent reports—again following Barber in part—more firms' pensions schemes are allowing entry to women who preponderantly work part-time and I wish to encourage that. That is one problem faced by many women, and I should welcome a reduction of it.

Mrs. Marion Roe (Broxbourne): I am delighted to learn of the Government's declaration of intent to equalise the state pension age. I have often raised that issue with Ministers, and I welcome the opportunity of a public discussion about that important issue. Can my right hon. Friend say when he thinks that the European Court of Justice will be able to pronounce judgment on the Coloroll case and thus remove the uncertainties in that case?

Mr. Newton: I cannot be absolutely certain about that, although I believe that the outcome of the Coloroll case is not likely until well into next year. However, a number of other cases are going to or already at the European Court of Justice, including one from Germany, one from Holland and some others from this country, so there is a good deal of uncertainty about the timing of all this which I personally cannot resolve.

Mrs. Margaret Ewing (Moray): When the Secretary of State said that he was looking for greater flexibility within the state scheme in a "practicable and affordable" way,

does that mean that the discussion document will study other elements of the benefit system? Surely there must be a need for an overall review of the position, given the knock-on effect for housing benefit, community charge relief and other benefits. When will that be published, and what is the time scale for discussion?

Mr. Newton: The hon. Lady, with her knowledge of these matters, is absolutely right to say that there are closely interrelated issues of other benefits in which unequal age plays a part. We will seek to consider that. On timing, I deliberately used the word "shortly" in my statement, and I cannot refine that further. A great deal of work has already been done, but a great deal of complex actuarial and other work is needed before we can be confident that we have put the best information before the British public. I hope that "shortly" will not mean too long, but I cannot give a clear-cut promise that it will be, for example, before the recess.

Mr. Ian Bruce (South Dorset): My right hon. Friend knows well that it takes upwards of 50 years to earn a pension. Can he give the House an assurance that he will consult widely with Opposition parties so that we can go forward together and not have a lot of chopping and changing? Can my right hon. Friend make sure that the Labour party understands the cost implications of many of the pledges or possible wish lists that it keeps putting before the British electorate?

Mr. Newton: I would very much welcome such an interchange with the Opposition, which is why I was genuinely disappointed by the reaction today of the hon. Member for Oldham, West (Mr. Meacher). It is necessary in this area not only to decide what it might be nice to do, but to look hard at the costs and implications over a long period and not just over the next year or two.

Mr. Greville Janner (Leicester, West): While looking at the cost implications, is the most important part of the right hon. Gentleman's statement the fact that, if retrospective effect is given to Barber, it will cost the industry £40 billion or more? What does he consider that will do to the industry? What are the Government doing to prepare for that? What steps do the Government propose to take now rather than waiting, as they have done in the past, to decide what to do if something happens?

Mr. Newton: The hon. and learned Gentleman, with his legal experience, will know that we are talking about a judgment of the European Court of Justice which I cannot determine and which I cannot invite Parliament to overrule by an Act of Parliament. It is too early to speculate along the lines that the hon. and learned Gentleman invites me to consider. Equally, the effects on British industry will vary very much from scheme to scheme. The worst case—*[Interruption.]* It might be helpful if the hon. Member for Nottingham, North (Mr. Allen) would listen to this. The effects will be very variable, and I invite people to think about the position of a scheme, for example, which has few women and many men in the declining industry in which fewer and fewer people make contributions. That is a maximum difficulty area.

Mr. Iain Mills (Meriden): May I ask my right hon. Friend to agree that it is about time that a Government recognised the long-standing problem of equality of retirement age? Will he accept my congratulations on the fact that, despite the synthetic indignation of the Opposition, he has finally made a proposal that will lead to a solution? Consultation is obviously essential. Can he enlighten us on the resource implications of the various options open and comment on the resource implications of a flexible scheme? I congratulate him—I hope that he will accept this—on taking the first step.

Mr. Newton: I am grateful to my hon. Friend. One of the purposes of the discussion document will be to set out resource and other implications, including those for the labour market, which must not be minimised, in more detail than I conceivably could this afternoon. As a broad range, one is talking, as is suggested in a costing that we published recently, of a cost of around £3 billion for equalisation at 60 and a saving of about the same order for equalisation at 65, and there are a range of options in the middle. The exact costing would depend very much on what one chose. We will seek to set all that out for a proper discussion.

Mr. Paul Flynn (Newport, West): Has not the Secretary of State again understated the value of SERPS in enhancing the pensions that are paid to today's pensioners and overstated the value of occupational and personal pensions? Is he aware that half the value of the contributions that are paid into a personal pension scheme in the first year are swallowed up by commission, and that independent analysts tell us that at least 1 million people who are now making personal pensions contributions will shortly find it in their best financial interests to opt back into SERPS? Will the right hon. Gentleman give an undertaking that his Department will advise those people when is the right time for them to opt back into SERPS?

Mr. Newton: We have repeatedly said that people must take their own advice on their own situation, because the relevant factors will vary greatly from one person to another. I do not accept the generality of the hon. Gentleman's remarks, because the popularity of personal pensions reflects people's wish to have greater choice and flexibility. One of the ways in which we have already moved a long way towards achieving flexibility for many people is by enlarging their capacity to make such choices for themselves.

Mr. Patrick Nicholls (Teignbridge): Does my right hon. Friend agree that one consequence of this welcome announcement will be the raising of expectations in many people's minds that the equalisation of the pension age might actually come about? Does he further agree that nothing could be more cruel and more likely to dash those hopes than for the Labour party to give people the impression that the equalisation of the pension age is an easy option, with no resource implications? Is that not what the hon. Member for Oldham, West (Mr. Meacher) offered, and is it not completely bogus?

Mr. Newton: Yes, I do agree with that, and it is what I had in mind when I intended to say that it is not responsible for the hon. Member for Oldham, West to go around the country apparently promising retirement at 60 for all, when everybody else in his party says that that is not a policy or a promise, but just a "desirable aim".

Mr. Simon Hughes (Southwark and Bermondsey): Will the Secretary of State acknowledge that his statement is a timely reminder of the fact that, to date, those concerned

[Mr. Simon Hughes]

with equal treatment for women have more reason to thank the treaty of Rome and the European Court than the British Government? If we are to have both the flexibility of choice as to retirement between the ages of 60 and 70 and equal treatment, which my colleagues and I would say is right, should we not be able to move quickly towards implementing both those principles once they have been firmly established?

Mr. Newton: I have said that there is widespread support for that principle, and that we shall seek to set out the ways in which it might be achieved—as well as its problems and obvious advantages—when we produce the document. However, I remind the hon. Gentleman that it was the British Government who signed the treaty of Rome.

Mrs. Edwina Currie (Derbyshire, South): Will my right hon. Friend please congratulate my constituent, Mrs. Daisy Adams, who will celebrate her 111th birthday on Sunday and who has been drawing the pension for 51 years? Does my right hon. Friend agree that equality will be expensive, especially since it will mean bringing men's pensions up to the standard enjoyed by women in this country, who retire earlier and live much longer?

Mr. Newton: It is certainly true that at the moment women get a better deal out of most pension schemes than men. That is no doubt one reason why many men will actively support the idea of an equal pension age.

Mrs. Maria Fyfe (Glasgow, Maryhill): Further to his answer to the hon. Member for Moray (Mrs. Ewing), how long does the Secretary of State envisage the consultation process taking once he is ready to send out the consultation document? Will he publish a list of the bodies that he intends to consult, and will he accept suggestions about the women's organisations that he should add to that list? As this issue is of immense importance to millions of women and is so complex, a suitably long consultation period is vital to allow those organisations that will be involved in the consultation process to consult fully with their members.

Mr. Newton: I envisage a consultation or discussion period of some months, because anything less would be unrealistic. I shall try to remember to send the hon. Lady a list of the organisations that will be consulted when I have concocted one. It will certainly be extensive, and will include trade unions, employers' bodies, pensioners' organisations and, of course, women's organisations.

Mr. David Shaw (Dover): Can my right hon. Friend confirm that British retirement ages and total pensioner incomes are among the most favourable in Europe? Can he further confirm that there has been a great improvement in the United Kingdom vis-a-vis Europe on total pensioner incomes since the Government were elected?

Mr. Newton: Yes, many people have recognised that the overall improvement in pensioners' net average incomes —to use the familiar phrase—has been considerable, and, indeed, greater than that for the rest of the population. However, as I always add when I have said that, we recognise that a fair number of pensioners do not have savings or occupational pensions, and we have sought to help them through improvements in income support.

Several Hon. Members *rose*——

Mr. Speaker: Order. I am sorry that I have not been able to call all the hon. Members who were rising, but we must now move on to the ten-minute Bill.

Abolition of Deer Hunting

4.5 pm

Mr. Jeremy Corbyn (Islington, North): I beg to move,

That leave be given to bring in a Bill to ban the hunting of deer with hounds; and for connected purposes.

It is with a sense of sadness that we recall the death of Eric Heffer earlier this year. He was a former vice-president of the League Against Cruel Sports. If he had lived, I am sure that he would have wanted to be a sponsor of the Bill, as someone who dedicated so much of his life to eliminating blood sports from Britain.

The past year has been unprecedented in parliamentary terms, in that a Bill to give greater protection to badgers has been passed into law and a Bill to ban hare coursing has reached its Committee stage. It is still being blocked by the snivelling behaviour of a few hunting Members of Parliament, who turn up on a Friday and grunt objection rather than stand up in the open and say why they are against banning hare coursing. Late last year, a momentous decision was taken through a ballot of the membership of the National Trust to ban deer hunting on National Trust land. Millions of people who support and welcome the general activities of the National Trust look to it to implement the decision of its members and ban hunting on its land.

The purpose of the Bill is short and simple. It is to make illegal in England and Wales the hunting of deer with dogs. At present it is perfectly legal—it happens with deer hounds around Britain—for a deer to be flushed out of the cover where it is hiding and to be chased by dogs and men for many hours and many miles. Sometimes deer are chased for as much as seven hours and up to 25 miles.

During that time, in the name of sport, and sport which is supported by some Members of Parliament who are here today, the animal is driven to exhaustion and fear. At that point, it is supposed to be dispatched with the aid of a gun in a humane manner. Many of the animals are not. They may escape to face death from their injuries and the mental stress that they suffered during the chase. *[Interruption.]* Conservative Members who find it so amusing are undoubtedly the same bloodthirsty louts who follow hunts on foot.

Mr. Speaker: Order. That may not be unparliamentary, but it raises the temperature.

Mr. Corbyn: The matter that we are debating is a serious one, on which many people in Britain have strong opinions, as hon. Members who read their postbags will be well aware. I am describing the cruelty involved in hunting deer with hounds and killing them at the end of the chase. The deer are often torn apart alive by packs of dogs. Great cruelty is involved in such hunting.

Part of the weakness of our legislation is that the Protection of Animals Act 1911 does not protect animals from hunting. Therefore, separate pieces of legislation have to be introduced, as they were in Scotland in 1959, when deer hunting was effectively abolished there. Only culling and stalking are still allowed, which are not covered by the proposals in my Bill.

Hon. Members will be aware that there is overwhelming public support for this measure. They will also be aware that, every time that a Bill to abolish any blood sport has come before the House in the past few years, it has gained a great deal of support and has not been opposed. Yet every time a Bill reaches Committee stage or returns to the House on a Friday afternoon as part of private Members' procedure, it is objected to and Government Members, in a cowardly way, do not stand up and say why they object.

I hope that, on this occasion, the House will allow the Bill a Second Reading and that it will not be blocked at that stage but allowed to make further progress. It is said that, in opposing deer hunting and seeking its abolition, we are acting against the great traditions of the British countryside. I represent one of the most urban constituencies in the country, although I grew up in a rural area, and I believe that those who represent urban areas have as much right to speak on these matters as those who represent rural areas.

Claims that deer hunting is part of the great tradition of the British countryside are wholly fallacious. In the past, the same arguments could have been used for bear baiting, cock fighting, otter hunting, badger baiting and many other examples of cruelty to animals. The Bill seeks to pass a piece of humane legislation to stop a very small number of people enjoying a bloodthirsty activity that they call sport, which the majority of the population find revolting and which is clearly cruel to deer.

The time has come to pass such legislation. If it is not done in this Parliament by a private Member's Bill, I look to a future Parliament, when such legislation can and, I believe, will be passed in Government time.

Question put and agreed to.

Bill ordered to be brought in by Mr. Jeremy Corbyn, Mr. John Hughes, Mr. Harry Cohen, Mr. Chris Mullin, Mr. Don Dixon, Mr. Tony Banks, Mr. Alan Meale, Mr. Andrew F. Bennett, Mr. Paul Flynn, Mr. Dennis Canavan, Ms. Mildred Gordon and Mr. Robin Corbett.

ABOLITION OF DEER HUNTING

Mr. Jeremy Corbyn accordingly presented a Bill to ban the hunting of deer with hounds; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon 5 July and to be printed. [Bill 195.]

Points of Order

4.13 pm

Mr. Tony Favell (Stockport): On a point of order, Mr. Speaker. An important feature of this afternoon's debate is the revised draft treaty for the union of the 12 European Community states. Despite a question to the Foreign and Commonwealth Office last week, the Library obtained the draft treaty, which is 134 pages long, only at lunchtime today from a private, unattributable source. I understand that the Foreign Office was unable to obtain clearance from Brussels to place that document in the Library.

As guardian of this House, Mr. Speaker, will you please write to the President of the Commission, Mr. Delors, and inform him that this House is elected by the British people to form this country's Government? That is still the case, and if there are draft proposals to remove the power from this country to Brussels, will Mr. Delors kindly ensure that we hear about them as soon as possible?

Mr. Peter Shore (Bethnal Green and Stepney): Further to that point of order, Mr. Speaker. I raised that matter in the House last Thursday and, with his usual courtesy, the Leader of the House sent me a letter, which I received today, saying that the document would not be available. However it has been in the possession of the Foreign Office since 20 June, and plenty of time has been available for it to be translated, placed in the Library and made available to Members.

It is an insult to this House that the very meat and substance of today's debate, which affects this Parliament and the people of our country, should be denied to this House until a few hours before the debate takes place. Surely that must be changed. It is a matter to be decided not by Brussels but by the Foreign and Commonwealth Office.

Mr. Tony Benn (Chesterfield): Further to that point of order, Mr. Speaker. Is it not the common practice of the House that, if an hon. Member or Minister refers to a document, that document must be laid? This is not the first time that this problem has arisen. In denying the House the document which is in his possession, the Foreign Secretary, not the Commission, is responsible for denying the House the information to which it is entitled by ancient right and practice.

Mr. Michael Grylls (Surrey, North-West): Further to that point of order, Mr. Speaker. In support of the point made by my hon. Friend the Member for Stockport (Mr. Favell), I would point out that the only document available earlier was one dated 3 May, the early draft of a treaty which was marked on the outside as a non-paper —that was not very encouraging to hon. Members. That was the only document we had to work on until 1.30 pm today, and it is intolerable to embark on a debate in which we all want to be as well informed as possible with such short notice and inadequate documents that are out of date and have been wildly revised.

Mr. Speaker: I do not underestimate the seriousness of what has been said to me, but it is not in order for me to communicate directly with Mr. Delors. I shall be meeting the Speaker of the European Parliament in due course and will doubtless raise the matter with him, but this is an issue for the Government, not the Chair. If documents are known to be available when debates are planned, they should be made available to the House so that we can have an informed debate, but, sadly, that is not a matter for me. Nevertheless, I hope that what I have said will have been heard by those responsible.

Mr. Benn: Further to that point of order, Mr. Speaker. It is in order for you, Mr. Speaker, to instruct the Foreign Secretary.

Mr. Speaker: Order. It is not a state paper.

Mr. Benn: I am sorry to return to this point, but with great respect, Mr. Speaker, it is an ancient practice of the House from time immemorial that, if a Minister refers to a document, the House must have it. This is an internal matter which has nothing to do with Mr. Delors. You are in a position to instruct the Foreign Secretary to make photocopies of the document available before the end of today's sitting.

Mr. Speaker: I think that the documents are now available, but before we have debates of such magnitude and importance, which are of great interest not only to hon. Members but to the whole country, we should have the relevant documents before us in good time.

European Community

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

[Relevant documents: White Paper on Developments in the European Community, July-December 1990 (Cm. 1457), the unnumbered explanatory memorandum submitted by the Foreign and Commonwealth Office on 4 March 1991 describing the programme of the Commission for 1991, European Community document No. 5951/91 on free movement of workers between Spain and Portugal and the other member states, and the minutes of evidence taken before the Foreign Affairs Committee on 12 June 1991 (HC 77-ii).]

Mr. Speaker: Before the Foreign Secretary begins his speech, I regret that, although I do not think that 10-minute speeches enhance such debates, because fewer than 49 right hon. and hon. Members wish to participate, I shall in fairness to them put a time limit of 10 minutes on speeches between 7 pm and 9 pm. I urge hon. Members called before then to bear that limit broadly in mind, in the interest of those who follow.

4.18 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd): We are now about halfway through the negotiations in the two European intergovernmental conferences on economic and political union. We and our partners are planning on the basis that both conferences should reach a conclusion at Maastricht under the Dutch presidency. We are not seeking or expecting any delay in decisions beyond that point. Nor are we expecting a conclusion before then. It is natural to take stock at the meeting of Heads of Government in Luxembourg this weekend and now in this House of Commons. But I would ask the more breathless commentators to remember that the halfway mark is not the same thing as the finishing post.

There are many other important developments in the Community. For example, this year's agreement on farm prices respected both the interest of British farmers and budgetary disciplines. It provides a firm basis for the next state in achieving reform of the common agricultural policy.

Similarly, there has been good progress in negotiations between the European Community and the European Free Trade Association. When those are concluded—as we hope—they will extend the single market to 19 countries covering 370 million people. That will reaffirm that the European Community is outward looking and not an introspective, self-obsessed club.

It is perfectly true that the intergovernmental conferences are central to discussion at the present time. They raise again fundamental questions about what is the best shape and structure for Europe as we approach the 21st century. These issues were last tackled in the run-up to the signing of the Single European Act in 1985. I think that the changes that were made then worked well. It is unlikely that without them we could by now have completed almost 75 per cent. of the single market programme. I think that it was somewhat too soon to re-examine our structures and working methods. However, since last year most of our partners wished to do so, and we decided last year to take a full and positive part in both conferences.

I warmly welcome today's debate because it gives us a chance to grip reality. There has been something unreal about some parts of the recent public debate. I have felt sometimes like a soldier in one of those wars recounted by Homer or Virgil. In those epics, the prosaic tasks of the soldier are suddenly interrupted by interventions from on high. Attention passes to the clash of fabled gods, or even goddesses, in the heavens above his head. Naturally and rightly, their thunder holds all our attention. But when the lightning and thunder of the great ones dies away, those of us on the ground have to get on with the work. Let me tell the House how we are getting on with that work and how we intend to carry out our responsibilities.

My hon. Friend the Financial Secretary will have more to say about the conference on economic and monetary union when he replies to the debate. I shall confine myself to a couple of general remarks about that, restating a familiar position.

The Government will not recommend to this Parliament acceptance of a commitment to a single currency. As my right hon. Friend the Chancellor of the Exchequer made clear over the weekend, there are good reasons to be deeply sceptical about the feasibility of a move to monetary union at present. If, for example, it were to be attempted without substantial progress towards economic convergence, the economic costs would be substantial.

On the other hand, some years hence progress towards convergence might be more marked. A single currency might become feasible and might even have some attractions to consumers and markets. That was foreshadowed as a possibility in the hard ecu plan that we produced last year. In those circumstances, a British Parliament might wish to weigh up the political costs and opportunities of a move to a single currency in the light of economic experience. That is not something which we can prejudge either way today. It would be foolish, however, to close off that option from a future Parliament or to sit on our hands while the next stage of closer monetary and economic integration is planned.

In any case, quite apart from the question of a single currency, there is a good deal of advantage to Britain in achieving a stage 2 package that encourages convergence on low inflation and sound public finance across the Community. Through adopting a positive stance in the economic and monetary union negotiations, we have helped to focus negotiation on the next practical steps that should be taken towards closer economic and monetary integration. Indeed, it seems probable now that some form of hardened ecu will form an important element in stage 2. There is a great deal of work to be done during the discussions and a number of difficult and substantive issues remain unresolved. At Luxembourg, during the weekend, there will be an opportunity to take stock, but not to reach conclusions.

I shall concentrate on the discussions in the other conference—the one for which I am mainly responsible—on so-called political union. Some recent reports and some speeches by Opposition Members have portrayed us as a stag at bay in the manner of a Landseer painting. That is a romantic and not entirely unattractive image, but it is a wrong one. There are a number of proposals on the table that we shall sternly resist. We are by no means isolated in our views on most of them. Indeed, we have been steadily gaining ground on several of the issues that matter to us. In giving evidence recently to the Select Committee on Foreign Affairs, I outlined three of our key objectives. On all of them we are making some progress. The progress is not decisive, but some has been made.

[Mr. Douglas Hurd]

First, we must achieve the right structure for the treaty. Those who favour the creation of a European state want to see all European co-operation ultimately channelled through the institutions established by the treaty of Rome. We do not accept such a model. It is necessary to have common institutions which are to some degree supra-national, to develop and administer some common policies. As we have seen, that is true of the rules that govern the single market and its external manifestations in negotiations on world trade.

That logic does not apply in areas such as foreign and security policy or in the work of Interior or Justice Ministers. The treaty of Rome remains the bedrock of European integration, but there is nothing intrinsically more European about channelling all co-operation through the institutions of the Community rather than proceeding, where it makes sense, through co-operation between Governments directly accountable to national Parliaments.

That is why we favour a Europe in which separate pillars of co-operation are maintained, each reporting to the Heads of Government, sitting as the European Council. That is broadly the model on which the present draft treaty is based. Its proposal to keep intergovernmental co-operation and the institutions of the treaty of Rome separate is an important element in our idea of Europe. The text is not yet right, as many people have pointed out, and it needs further work to ensure that the pillars of co-operation really are separate. We shall press for that.

I shall elaborate a little on the point, as it has attracted so much attention in recent weeks. The subject of structure, or architecture, was discussed at the recent meeting of Foreign Ministers in Dresden. The President of the European Commission, Mr. Delors, criticised the presidency draft and sought to fuse the different pillars into one, but his approach was not accepted by ourselves or by the French and some others, and it has not been adopted by the presidency.

The recent appearance in the draft treaty of an aspiration to a "federal goal" is in effect an effort by the presidency to placate by rhetoric those who have not prevailed on the substance of the argument. Although we are happy, as in the past, to endorse the goal of an ever closer union, a commitment to a federal model, even as a distant aim, raises a different question, as the Prime Minister made clear yesterday.

I cannot recognise some accounts of the previous discussion on this subject in which I took part in Luxembourg on 17 June. Having been there, I can say that there was no ambush, no heated exchange, no interruption. I explained—courteously, but, I hope, clearly—among other criticisms of the latest presidency draft, why we could not accept the phrase about a federal goal. It is true that the phrase means different things to different people, and that on the continent it often signifies the diffusion rather than the concentration of power.

Mrs. Margaret Ewing (Moray) *indicated assent.*

Mr. Jim Sillars (Glasgow, Govan) *indicated assent.*

Mr. Hurd: It is interesting to see the Scottish Nationalist Members nodding their heads. The ambiguity of the phrase makes it a poor and dangerous phrase to import into a text of such significance—and the nods of the Scottish Nationalist Members rather reinforce my feelings on that point.

In Luxembourg, when Mr. Delors's turn came round, he courteously but clearly stated a view opposite to mine. But I was not by any means alone in what I said, and the discussion continues.

Mr. Tony Marlow (Northampton, North): My right hon. Friend will recognise that I am one of the more sceptical members of the Conservative party and am deeply concerned about the ambitions of European institutions to take powers unnecessarily from the House.

I share my right hon. Friend's concern about federal ambitions and the existing European institutions taking over control—competence—with regard to defence, foreign policy, justice and immigration. But I—and, I suspect, many of my hon. Friends—find the proposals on a three-pillared approach that my right hon. Friend is putting before the House quite agreeable, and we would be happy to support them if he can bring them back to us at the end of the discussions on the treaty.

Mr. Hurd: I am grateful to my hon. Friend The consensus is gaining ground. It already has the support of the Leader of the Opposition, so let us proceed in that constructive spirit.

The second objective relates to security——

Mr. Paddy Ashdown (Yeovil): The Foreign Secretary has touched on the nub of the matter—the word "federalism". I remind him that he had some harsh words to say about that after the Foreign Ministers meeting. It seemed that yesterday the Prime Minister took a much more conciliatory attitude towards the issue of federalism. He said that, if federalism was defined in terms entirely consistent with the only definition that I have seen in "The Oxford English Dictionary", and in terms that have already been accepted by all our European partners, it was acceptable to the Government. Is it not now the Government's position that, provided that federalism is defined in terms that have already proved acceptable to everybody else, it is acceptable to them?

Mr. Hurd: I have read carefully what the Prime Minister said. He was making exactly the same point as I am—that the word means different things to different poeple—and, I think, drawing the same conclusion, which is that, for precisely that reason, it is not very sensible to include the word in a treaty of this kind.

My second point concerns defence. Here, there is widespread agreement that Europe needs to do more, especially in tackling threats outside the NATO area. There was almost a consensus in the House in its analysis of the Gulf war that that was so. But in building up a European defence identity, we must not weaken NATO or confront the Americans with an exclusive European view. Because the Atlantic alliance and the presence of American and Canadian forces in Europe remain fundamental to our security, we want to strengthen the existing Western European Union, and make it, if we can, a bridge between NATO and the Twelve. We have made concrete proposals for achieving that, including the establishment of a European reaction force and the moving of WEU's headquarters to Brussels, alongside NATO.

Defence should not be embraced by the European Community, which includes neutral Ireland and which is likely—I hope—to include other neutral countries during the 1990s. We have made good progress within NATO and among the Twelve in establishing that any European defence identity must be distinct from the Community and must be complementary to NATO. That view was clearly accepted by our partners at the recent successful meeting of the North Atlantic Council in Copenhagen. It is not yet decisive progress, but we are getting on. If, in any new treaty, we can reconcile the need for greater European coherence in defence with the essential Atlantic foundations of that defence within the NATO area, it will be a substantial gain for the future.

Mr. Robert Adley (Christchurch): As my right hon. Friend is taking a cool look ahead, does he agree with me that even words such as "neutral" may not mean the same in 10 years' time as they have meant since 1945 and that, in considering the structure of Europe, even words such as "federal" do not cause some of us to lie awake at night—especially if they have the meaning that he has described?

Mr. Hurd: Nor me, Mr. Speaker, nor me. Equally, however, it is not very sensible to include at a key point in a document which we hope will last for some time a word that is clearly open to endless argument and interpretation.

Our third objective is to strengthen the rule of law within the Community. The Community is, and must remain, a community of law. The fairness and consistency with which that law is implemented and enforced are crucial for individuals and companies. There can be few hon. Members who have not received complaints from their constituents that, in one way or another, European decisions are implemented here but not elsewhere. We need a level playing field, and it is up to the Community to ensure that we have one.

At the conference, we have made several proposals to improve the workings of the institutions with that in mind. The most radical is the proposal to give the European Court of Justice power to impose fines when member states fail to comply with judgments by the Court. We have one of the best records for sticking to the rules. Between 1982 and 1989, for example, Britain was referred to the European Court of Justice for infringement proceedings 20 times, while Germany was referred 49 times, France 82 times and Italy 157 times.

Recent figures show one European Court of Justice judgment outstanding against Britain, compared with four against the Netherlands, six against France, 12 against Germany, 13 against Belgium and 37 against Italy. Establishing the primacy of the rule of law is a fundamental principle on both sides of the House, and in the country as a whole. Our proposals to that effect made little headway initially, but they have gathered considerable support, and are now included in the latest version of the draft treaty.

We want to encourage a more active role for national Parliaments in scrutinising Community legislation and co-ordinating their responses to it. We want to strengthen the hand of the European Parliament in overseeing the way in which the Commission spends European taxpayers' money; and we want to establish the principle of what, in the jargon, is called "subsidiarity".

That, too, is a confusing word, but it embraces a sound principle. It means the establishment of rules whereby decisions are made at the lowest practicable level. Centralisation is regarded as undesirable in almost all Community countries, and moves towards it do not become any more desirable if a "Euro" label is attached to them. We are working to devise a formula whereby action will be taken at Community level only if it cannot be taken effectively at national level.

Dr. Dafydd Elis Thomas (Meirionnydd Nant Conwy): Does the Foreign Secretary accept that he has just defined federalism?

Mr. Hurd: If the hon. Gentleman consults all the commentaries, learned and unlearned, that have been produced in this country during the past two or three weeks, he will observe that the definitions of federalism are multiple and contradictory. Let me repeat that it is simply not sensible to use the word: that is why it has not been used up to now, and why the Community's founding fathers did not employ it. It has been brought in for the tactical purpose that I have described.

Mr. Hugh Dykes (Harrow, East): Will my right hon. Friend give way?

Mr. Hurd: I will, but then I want to get on.

Mr. Dykes: Notwithstanding what my right hon. Friend has just said—quite rightly—did not the word "federal" appear in the 1950 Schuman declaration?

If we are proposing an increase in the European Parliament's supervision of, and powers over, the Commission, is it not somewhat illogical not to increase its powers over the Council of Ministers?

Mr. Hurd: I do not agree. The gap in democratic control does not apply to the Council of Ministers. [HON. MEMBERS: "It does."] What am I doing here? I am answering to the House for our performance at the Council of Ministers. But the Commission, and those who actually spend the European taxpayer's money as a result of Community decisions, are not subject to an equivalent examination. We want to divert the undoubted energies and ambitions of the European Parliament into an area that has been very important in the history of the House of Commons—not so much into extra legislative powers as into greater powers to assess, monitor and invigilate what the Commission does.

Dr. David Owen (Plymouth, Devonport): The Foreign Secretary has defined the "three pillars". What is his attitude to subparagraph 2 of article J of the draft treaty, which allows qualified majority voting on nine suggested topics referred by the European Council? This is an over-arching of those three pillars which has serious implications for independent foreign policy-making.

Mr. Hurd: I entirely agree; I am just coming to that aspect.

In negotiations such as those in which we are engaged, other member states have their objectives, too. The give and take of negotiation is getting under way. A number of suggestions are on the table, about which we are by no means persuaded. They include the issues to which the right hon. Member for Plymouth, Devonport (Dr. Owen) has rightly drawn attention. They include proposals for enhancing the powers of the Commission, extensions in

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qualified majority voting, which we believe to be unnecessary, a major increase in some areas of Community competence, a major increase in resource transfers to poorer member states, giving the European Parliament the right of co-decision over legislation, and commitments in the social field—which the Labour party favours but which we believe would destroy jobs.

Let me say a word about the social dimension. We accept the need for proper standards of social provision to underpin the single market. Indeed, we are the only country to have implemented all 18 directives in the social programme agreed up to the end of 1990. Most of the draft social directives on the table may ultimately be acceptable. As I said at Question Time, one of them was passed yesterday. However, we are not prepared to see Community competence spread into industrial relations.

For good or ill, traditions of collective bargaining in this country are very different from those on the continent. It is not necessary to have identical rules at Community level in this area. We do not intend to have our advances of the last decade—which, heaven knows, were hard won—thrown into confusion. Look at the number of disputes and strikes now, compared with the mid-1970s. Yes, there have been advances both in law and in practice. We do not intend to see them thrown away by an ill-judged attempt to force industrial relations practices throughout the Community into a straitjacket.

Community legislation in this area must not push up labour costs, thereby reducing the ability of European business to compete in world markets; nor should it work in such a way as to prevent economic convergence between the performance of the Community's richer and poorer states. It is interesting to note that it is this subject which invigorates the Labour party. It was the discovery of the social charter that acted as the excuse, I suppose, for the Labour party's most recent about-turn on Europe. The Labour party is now on its seventh policy on Europe. It supported membership in 1962, opposed it in 1964, supported it in 1966, opposed it in 1971, supported it again in 1975, opposed it yet again in 1983 and now, in 1991—although I have some difficulty in perceiving it—it appears to support membership once more.

By my reckoning, the right hon. Member for Manchester, Gorton (Mr. Kaufman) has acted as midwife to, or has been present at, the birth of at least six of those seven policies. We are not talking about minor shifts of emphasis—nothing as modest as that. We are talking about a full 180 degree about-turn every time. I see that the right hon. Member for Gorton looks hale, hearty and full of bounce. I am certain that he has more policy reversals in him yet. It is rather important that the shifts and shuffles of the Labour party should continue to be conducted in opposition rather than in government.

Sir Teddy Taylor (Southend, East): Will my right hon. Friend give way?

Mr. Hurd: Perhaps my hon. Friend will allow me to get on a bit. *[Interruption.]* Let me finish this passage; then I shall give way to my hon. Friend.

I welcomed the extensive space devoted by a number of newspapers recently to the views of the Leader of the Opposition on economic and monetary union. They were carried in full. Extensive space was, indeed, needed. There were many long words, but, when strung together, they amounted to nonsense. The truth of the matter is that the Labour party has no coherent policies on Europe. They are empty. The Labour party appears to be united only in its support for those Commission proposals in the social sphere that would undermine prosperity and destroy.

I commend the early-day motion on today's Order Paper in the name of my right hon. Friend the Member for Guildford (Mr. Howell). He seems to have attracted a great deal of attention and support in a short time. I hope that my right hon. Friend's early-day motion will stimulate the right hon. Member for Gorton, when he rises to his feet, to enlighten us, at least partially, about what the Labour party's European policies really are.

Sir Teddy Taylor: Before the Foreign Secretary sorts out the Labour party, will he give us some guidance about what action is available to Her Majesty's Government if the Commission presents directives to change our industrial relations law, under majority voting under the Single European Act, which the Government think are wrong? What powers are available to the Government? What would they do if, as is likely, that happens next year?

Mr. Hurd: I do not think that that is likely to happen next week. The events of yesterday in the Social Affairs Council bear that out. Where there is majority voting, we have found to a considerable extent, and certainly yesterday, that we have enough partners in this argument to block draft directives of which we disapprove. Where there is the need for unanimity, as again there was yesterday, we sometimes find that we need to oppose. We shall continue to do our best to sustain the policy and principles that I have outlined.

Having posed a few questions for the right hon. Member for Gorton to brood over, may I say a few words about the right hon. Member for Yeovil (Mr. Ashdown) and the Liberal Democrats? He is a joy to listen to on these occasions. He is always happier with his feet off the ground. Both at home and abroad, this is characteristic, and rather endearing. The Liberal Democrats love phrases, but they do not pause to examine what those phrases mean—federalism, a united states of Europe, a common defence policy.

"Those phrases sound jolly—let's go for them," the right hon. Gentleman says. He sounds energetic, lovely and lively when he says them—*[Interruption.]* The loveliness wears off after a bit, but the liveliness remains. These matters merit a little more examination than the right hon. Gentleman gives them. He would like us to leap cheerfully at every brightly coloured fly that dangles over the river, but some of these phrases have hooks in them. It is sometimes better to look before one leaps.

The European Council in Luxembourg this weekend will be but one step further in the negotiations. I should be surprised if the occasion were entirely serene. Summits of this kind, as is the nature of democratic debates, throw up some turbulence, but in the end the meeting next weekend will take stock and pave the way for decisions that will be taken later in the year, according to the timetable that I have described. We do not think it sensible to try to pick individual topics for decision at this stage. The package of measures, if we can reach agreement on it, will need to be seen as a whole. If that package is not acceptable to all member states, there will not be a new treaty. In those circumstances, the Community would continue as before.

However, we are working for agreement. There are a number of important prizes to be gained at these conferences. We want to see the Community move forward, but there is no possibility of Britain's being pushed into a new treaty that is repugnant to us.

Mr. Tony Benn (Chesterfield): There is one decision that it is open to the Government to take by themselves—the decision about how this matter, when it is concluded, is to be implemented by Britain. Does the right hon. Gentleman believe that the Government or the House has any moral or constitutional right to give away the powers of the electors without their being specifically consulted?

In that context, will the right hon. Gentleman remember that, whatever view he may take about the Labour party, the one thing that was clear from the beginning was that there should be an election or referendum before Britain entered? That point was embraced by the Labour party and endorsed by the public. We are discussing the rights of the electors. They cannot be handed away without their explicit consent.

Mr. Hurd: The right hon. Gentleman raised this matter at Question Time. I am strongly opposed to a referendum on this point. It is the responsibility of Parliament. I understand that there is to be a general election in this country some time during the next 12 months. It is not intended that any changes that are agreed as a result of these conferences will enter into effect before 1 January 1993.

Mr. Bowen Wells (Hertford and Stortford): I am sure that my right hon. Friend's welcome exposition of Government policy is persuading not only the House but the nation to support the Government's negotiating stance. Does he agree that, if we are to enhance the powers of the European Council, we should ensure that national Parliaments meet regularly and that those attending the European Council report to it as well as to their national Parliaments?

Mr. Hurd: I should like national Parliaments to find ways of working more closely together and of sharing experiences. It is not for the Government to lay that down, but if enough right hon. and hon. Members favour that approach, openings are available for them to take.

In the intergovernmental conferences, we are not seeking to form an axis with any other member state. We carry on conversations and dialogue with each of our partners and form different alliances on different topics. On defence, we have worked closely, for example, with the Dutch, Portuguese and, more recently, the Italians. On subsidiarity, we are working closely with the Germans. On the structure of the treaty, as we identified in Dunkirk on Monday, there is much common ground between ourselves and the French, and on institutional matters we share many views with the Danes and Irish. That means that we are contributing to debates not as outsiders but as full and confident members.

After 18 years of membership, the Community belongs to Britain as much as to any other member state. We have an idea of Europe that involves deepening existing co-operation and widening the Community to embrace new members. We will work for a Community that is outward-looking, that is liberal and that shoulders its fair share of international responsibility.

If successful, the two conferences will shape the Community's institutions for several years to come. Next year, the Community will have a fresh work load, and in the second half of the year will carry on its work under a British presidency. Next year, we shall have to tackle again the finances of the Community, including the next stage in the reform of the common agricultural policy. We shall also have to begin to consider how to handle the fresh applications for membership that, because of its success, the Community is attracting from a growing number of our European friends. We must find the right way of making them welcome. Those will be difficult tasks.

We are often asked to lift our eyes beyond the immediate work load. Indeed, we are sometimes criticised, and sometimes criticise ourselves, because we do not clearly define the final objective. I see us as the craftsmen rather than the visionaries of the Community. We tend to ask the awkward questions—"What does it mean? How does it fit into existing policies? What will it cost?" That is necessary—my right hon. Friend the Member for Finchley (Mrs. Thatcher) was rightly expert at it—but it does not mean that we lack imagination in thinking about the future.

We cannot dictate what our children will make of the Community, but I am sure that we must leave them in a position where they can effectively influence the shape of Europe. History would deal harshly with us if we retreated into some form of querulous isolation, worried always at the prospect of being outwitted by clever foreigners and acting always as a brake on the ideas of others without putting forward ideas of our own.

I have never believed that the Community was simply a free trade area. Of course we must complete the single market and defeat the protectionists. We must win the day against those who want to create a fortress Europe, which would separate us from north America, Japan, the east of Europe and the third world.

There is more to the Community than that. The first and essential achievement was political reconciliation between the countries of western Europe, whose history had been one of destruction and warfare. We have now moved ahead to the positive side of the political work. As Foreign Secretary, I see more clearly day by day the advantages of working jointly in foreign policy with our partners when we can agree a common line—for example, in our dealings with Yugoslavia and the Soviet Union, in helping the emerging democracies of eastern Europe and in the Arab-Israel dispute. Divided, each of us individually would make a weaker impact than when we act together.

As the right hon. Member for Devonport said, common action must be based on agreement. I am not in favour of trying to achieve a mechanical or forced agreement through the use of majority voting in foreign policy. I am in favour of working more strenuously over a wider range of subjects to reach agreement, and then acting effectively together on that agreement.

That is my job, and it is also the job of some of my colleagues. We are only at the beginning of working together in Europe against international crime and environmental pollution. I foresee that work expanding steadily as the need and benefits become clearer sector by sector.

I am sure that that work should not be confined to a single framework simply because that was the framework chosen in 1957 by those who signed the treaty of Rome. What is crucial is not the machinery but the will to act. The

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will to act together creates the habit of reaching agreement —sometimes after fierce discussion—which we see illustrated week by week in Council after Council. We are trying to reconcile the advantages of the Community with the strengths of the nation state. That is without precedent in the history of Europe, or indeed of the world, but it is in the interests of our country and of the Community that we should be full-hearted in that task. We shall persevere, and we have a good hope of success. I believe that that policy, which is forward looking and yet realistic, has the support of the great majority of hon. Members and of the great majority of our people.

4.55 pm

Mr. Gerald Kaufman: (Manchester, Gorton): The House always feels more at peace after a speech by the Foreign and Commonwealth Secretary. Today, we have been enlightened by cultural references to Homer and to Landseer. He made another reference to European culture when, with the profound question, "What am I doing here?", he alluded to Sartre's existentialism. At one point, the right hon. Gentleman daringly tipped a toe into party politics. Having listened to him for the past 37 minutes, it makes one wonder what all the fuss of the past few weeks has been about.

The Labour party will vote against the Government tonight to show our condemnation of their incompetence and bungling in the negotiations at the two intergovernmental conferences. Their failure to work out a clear negotiating line and to stick to it has already caused great damage to Britain's economy and industry and will cause greater damage as the year proceeds.

The Government are unable to take any other course because their main negotiations is not with our Community partners but with Conservative Members of Parliament. That is why, in breach of the precedents for these debates since 1983, there is no substantive motion before the House today, not even a take note motion. The Government fear that if a motion or amendment of substance were debated, the split in their ranks would show in the division Lobby.

Mr. Jonathan Aitken (Thanet, South): Will the hon. Gentleman give way?

Mr. Kaufman: In a moment; let me proceed a little.

That is why, when negotiating with his fellow foreign Ministers in Luxembourg last week, the Foreign Secretary is reported by *The Daily Telegraph* to have made an emotional plea. Mr. Boris Johnson, its European Community correspondent, said:

"Mr. Hurd, Foreign Secretary, appealed to EC colleagues for the language to be toned down, at least during the present period of Conservative turmoil over Europe."

Mr. Aitken: Will the hon. Gentleman give way?

Mr. Kaufman: When I reach the end of this passage.

The political editor of *The Daily Telegraph*, Mr. George Jones, said that the Foreign Secretary

"is understood to have warned the German Chancellor that any attempt to force the pace could cause a serious split in the Conservative party in the run up to the General Election."

Mr. Aitken: I am fascinated by all this talk about splits. In that context, can the right hon. Member for Manchester, Gorton (Mr. Kaufman) explain the Labour party's attitude to a group of his colleagues known as the Common Market Safeguards Committee, which issued a statement claiming that

"it would be bizarre to criticise the Government for saying no to federalism."

Is that the view of Opposition Front-Bench members?

Mr. Kaufman: The hon. Gentleman had better wait and see what I have to say about federalism. That will come a little later in my remarks—[HON. MEMBERS: "Today?"] Yes, certainly today.

The Foreign Secretary disclosed the tension that he felt in the comments reported by *The Daily Telegraph*. That tension has also been revealed in the list that the Foreign Secretary published of the videos that he has been buying recently for the Foreign Office. They include "The Dreaded Appraisal", "Stress", "This is Going to Hurt Me More Than it Hurts You", "Decisions, Decisions" and "Oh What the Hell (parts 1 and 2)". Only a few months ago—*[Interruption.]* I realise that things may be different for the Prime Minister who, according to the *Daily Mail*, watches video nasties featuring the right hon. Member for Finchley (Mrs. Thatcher)—*[Interruption.]*

Mr. Speaker: Order. Let us make progress in an orderly fashion.

Mr. Kaufman: Only a few months ago, the Foreign Secretary felt able to take a much more relaxed view. When we debated these matters towards the end of last year, he told the House that there was

"a great deal more light and sweetness on this side of the House than there was on the other side."—[*Official Report*, 8 November 1990; Vol. 180, c. 153.]

Well, we have them both here this afternoon: light in the form of the right hon. Member for Finchley and sweetness in the form of the right hon. Member for Old Bexley and Sidcup (Mr. Heath)—or is it the other way round?

We are told that the right hon. Member for Finchley has a speech ready in her handbag. We very much look forward to hearing the right hon. Lady, who normally has a handbag in her speech.

The Prime Minister is in a position that would drive even a professional contortionist to despair. His two predecessors are in total disagreement with each other about the European Community. However, both assert that they support the present Prime Minister's policy on Europe.

Several Hon. Members *rose*——

Mr. Speaker: Order. Many of the hon. Members who are pointing across the Chamber want to participate in the debate. It will be difficult for me to call them if they continue to interrupt in that way.

Sir Peter Tapsell (East Lindsey): Does not the total absence of content in the speech of the right hon. Member for Manchester, Gorton (Mr. Kaufman) show the absolute failure of the Labour party to evolve any policy on Europe?

Mr. Kaufman: The hon. Gentleman should wait a little longer and he will then receive an answer to his question.

The right hon. Member for Old Bexley and Sidcup is unequivocal on the subject of the European Community. In the *Daily Mail* last week, he said—*[Interruption.]* I am sorry that Conservative Members jeer at articles by the right hon. Member for Old Bexley and Sidcup. In that article, the right hon. Gentleman said that he was proud to

support the Prime Minister on the European Community. He said that he did that precisely because the right hon. Member for Finchley was at odds with the Prime Minister.

However, the right hon. Member for Finchley also supports the Prime Minister, although she expresses it in unusual terms. She says of the Prime Minister and the Foreign Secretary in the interview with David Frost to be broadcast tonight that "suddenly they're fighting staunchly". She sounds a little surprised, but she supports the present Prime Minister—[HON. MEMBERS: "Talk about Europe."]. I am talking about the right hon. Member for Finchley and her views on Europe. *[Interruption.]*

Mr. Speaker: Order. The debate is of great interest to the House and to a great many people outside who are listening to and watching us.

Mr. Kaufman: The right hon. Member for Finchley said —*[Interruption.]*

Mr. Adley: On a point of order, Mr. Speaker. You must have noticed that the Leader of the Opposition cannot find a seat. Can it be that he wants to be near the door?

Mr. Speaker: Order. It is not for me—*[Interruption.]* Order. Let us get on in an orderly fashion.

Mr. Kaufman: The Prime Minister is also absent from the debate. I thought that this debate was all about Parliament advising the Prime Minister about what he should be talking about in Luxembourg this weekend.

The two ex-Prime Ministers disagree with each other, while they both say that they agree with the present Prime Minister. The Prime Minister must decide which of the two who agree with him he agrees with. He cannot agree with both of them. If he repudiates one or the other, he splits part of his party away from him. That is why the Government's position is so equivocal that even his most sycophantic admirers in the press condemn it.

The Daily Telegraph this week stated that the Government's position was

"cautious almost to the point of evasiveness."

A few days ago, *The Times* said that the Prime Minister was "dodging and weaving" and continued:

"Mr. Major appears at present to have no clear position on the central determinant of British economic and foreign policy in the 1990s."

The Prime Minister's problem is that he has no alternative to the position that he has taken——

Mr. Marlow: On a point of order, Mr. Speaker. This is a serious debate. Can you find someone who is capable of making a serious speech?

Mr. Speaker: Order. This is indeed a serious debate. I therefore hope that we can listen to it and behave ourselves in a serious manner.

Mr. Kaufman: The curious thing that Conservative Members seem not to understand is that their organised disruption is not seen by television viewers and that their efforts, although rowdy and unruly, are making no impression outside the House whatsoever. It has always been significant that, when Conservative Members have their backs to the wall, they try to destroy debate in the House.

The Government have a basic problem in dealing with this issue. The Community does not know where the Government stand, our own country does not know where the Government stand and the House does not know where the Government stand, because the Government do not know where the Government stand. Neither past nor present members of the Government are consistent on the most fundamental matters. Not only do they not agree with each other, but they sometimes do not even agree with themselves.

Examine their position on the exchange rate mechanism. Interviewed by Brian Walden when she was still Prime Minister, the right hon. Member for Finchley (Mrs. Thatcher) supported the exchange rate mechanism and said:

"I am very sure about it."

She said that twice to make it clear, yet, last week in New York, the right hon. Lady sang a very different tune. She said that Finance Ministers of countries in the exchange rate mechanism were

"left like innocent bystanders at the scene of an accident."

When the Chancellor of the Exchequer was asked about that matter on Sunday, he said,

"That's not quite how I might put it."

The Prime Minister had to repudiate the right hon. Lady, pointing out:

"we entered the exchange rate mechanism last year when my right hon. Friend the Member for Finchley (Mrs. Thatcher) was Prime Minister".—*[Official Report,* 20 June 1991; Vol. 193, c. 461.]

and saying that it was right to do so. The Prime Minister was forced to show his total disagreement with his predecessor, even though his predecessor says that she agrees with him.

Of course, beyond the exchange rate mechanism lies the question of the central bank and the single currency. On those matters the Government are in a total shambles. They cannot even agree on the time scale. The chairman of the Conservative party, the right hon. Member for Bath (Mr. Patten), said earlier this month:

"Any decision on a single currency would not be put before Parliament for at least two years."

Mr. A. J. Beith (Berwick-upon-Tweed): Will the right hon. Gentleman give way?

Mr. Kaufman: Not at the moment, no. I would not want to interrupt the flow of the sedentary interruptions from the Conservative Benches.

The Chancellor said last week that the decision on a single currency was "years away". He specified the number of years not as the 10 of the chairman of the Conservative party, but as six, seven or eight. He put the decision even further off, saying:

"seven, eight or 10 years' time."

It is no wonder that he and his colleagues wish to push the problem as far away as possible, for they have no idea at all what to do about it. For a while, they thought that a way of fending off the evil day was to confuse matters with their notion for a hard ecu. We hear little or nothing about that these days. The Foreign Secretary gave the hard ecu no more than a dismissive reference or two this afternoon. That is just as well, because none of them was at all clear about what would become of the hard ecu. The right hon. Member for Finchley, as Prime Minister, supported it because she thought that it was a barrier against a single currency. She said:

"I do not believe that that formula could develop into a single currency."—*[Official Report,* 28 June 1990; Vol. 175, c. 493.]

The Financial Secretary to the Treasury, who is to reply to the debate tonight, took a contrary view. He told the House of Lords Select Committee last year that the next

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stage of having a single currency could happen more quickly by going down the path of the hard ecu. He confirms that today, therefore differing with his right hon. Friend. The Prime Minister himself came somewhere in between in a speech last year which launched the hard ecu. He said:

"In the very long term, if peoples and Governments so choose, it could develop into a single currency."

Mr. Dykes *rose*

Mr. James Paice (Cambridgeshire, South-East) *rose*——

Mr. Kaufman: Hon. Gentlemen have had their say sitting down. I do not see why I should give way to them.

Unlike the right hon. Lady, the Prime Minister turns out to have no problem with a single currency. The right hon. Lady last week warned that such a concept

"would take the heart out of the purpose of our Parliament."

However, last week the Prime Minister, in an interview in *The Daily Telegraph*, said:

"We accept the principle of a single currency."

That is what the Prime Minister said. That acceptance of a single currency by the Prime Minister has very wide implications. The Chancellor has made that clear. Last year, he said:

"History does not provide many examples of a currency union without political union."

That was when he was addressing the Bruges Group. At that time the Chancellor was warning that a single currency meant acceptance of political union. *[Interruption.]* I am quoting the Chancellor of the Exchequer, if the right hon. Gentleman wishes to repudiate that.

The Prime Minister has said

Mr. Tim Janman (Thurrock): Will the right hon. Gentleman give way?

Mr. Speaker: Order. I clearly heard the right hon. Gentleman say that he is not giving way. The hon. Gentleman who is rising is seeking to participate in this debate. I say to him again and to his hon. Friends that it will be very difficult to be called if they intervene as well.

Mr. Kaufman: The Chancellor of the Exchequer said that he warned that a single currency meant acceptance of political union. The Prime Minister has said that he accepts the principle of a single currency. It follows that he must accept the consequence foreshadowed by the Chancellor of the Exchequer, which is political union, so what is all the fuss about federation?

The answer is, of course, that it is a fuss for public consumption only, for the Prime Minister is very careful to state with the utmost boldness his firm and unequivocal opposition to propositions that no one whatever is putting forward. He says that he opposes an imposed single currency, when he knows that it is quite impossible for anyone to impose a single currency on an unwilling United Kingdom. He says that he rejects the idea of a federal superstate, when no one whatever is proposing a federal superstate.

Mr. Genscher, the German Foreign Minister, made that quite clear on Sunday when he said that, to him, federalism means devolution of power to the lowest practical level of government and not the creation of a centralised superstate.

Mr. Patrick Nicholls (Teignbridge): Will the right hon. Gentleman give way?

Mr. Kaufman: The Prime Minister himself recognised that during his visit to——

Mr. Nicholls: On a point of order, Mr. Speaker. This is supposed to be a debate on the immediate state of Europe. Is it in order for the right hon. Gentleman to speak for more than 20 minutes and say absolutely nothing about what his policy is?

Mr. Speaker: Order. It is a parliamentary debate. The whole House knows that, in a debate, if a right hon. or hon. Member does not give way, the hon. Member who is seeking to intervene must then resume his seat.

Mr. Kenneth Hind (Lancashire, West): Further to that point of order, Mr. Speaker. In a serious debate of this nature is not it reasonable to ask a group of Members who put themselves forward as an alternative Governmment to tell us where they stand on the most important policy of the day relating to Europe?

Mr. Speaker: When we get to the Back Benchers—if we get to the Back Benchers—no doubt we shall hear that *[Laughter.]* Perhaps I phrased that rather badly. It was in no way a condemnation of the speech by the right hon. Member for Manchester, Gorton (Mr. Kaufman).

Mr. Kaufman: In thanking you for what you have just siad, Mr. Speaker, may I say that I should have been ready to give way to a number of Conservative Members, in the proper way in which civilised debate is conducted in the House——

Mr. Beith *rose*——

Mr. Speaker: Order. The right hon. Member for Gorton was addressing a remark to me.

Mr. Kaufman: If the Government Chief Whip had not made arrangements to stop a civilised debate taking place *[Interruption.]*

Mr. Speaker: Order. This is a House in which we have a tradition of civilised debate. I ask the House to allow the right hon. Gentleman to continue his speech and not to seek to interrupt him unless he is prepared to give way.

Mr. Kaufman: We know how these people operate, Mr. Speaker, and we have no intention of being intimidated by their hooligan tactics.

Mr. Beith: Will the right hon. Gentleman give way?

Mr. Kaufman *indicated assent*

Hon. Members: Hooray!

Mr. Beith: I am most grateful to the right hon. Gentleman. Could he find a moment to say whether he is in favour of a single currency and whether he believes that a European central bank should enjoy independence in its responsibility for price stability?

Mr. Kaufman: If Conservative Members had remained silent, I should have come to those matters about 20

minutes ago—[HON. MEMBERS: "Answer".] As it is, if they continue as they are doing I doubt whether I shall get there in another 20 minutes.

We were dealing with a question which an hon. Member put to me earlier—federalism. When he was in Dunkirk earlier this week, the Prime Minister recognised the problem about interpretation and the different definitions of federalism when he pointed out that the whole imbroglio about the word federalism boiled down to a question of definition. One of his spokesmen from No. 10 Downing street said, equally sensibly, at the weekend:

"You cannot get hung up on the words of any particular area."

That is why it was a mistake for Mr. Poos to introduce the work federalism in Luxembourg. It creates an unnecessary row about a word when the nature of the political progress being put before the Community is much more important. That pointless row gave the Foreign Secretary the chance to seem what the right hon. Member for Finchley called "suddenly staunch". However, such phoney wars cannot go on indefinitely because, despite what the Chancellor says, decisions are not years but only months away.

The Prime Minister may have won some time this weekend and may win some more at the weekend in Luxembourg. He is seeeking to turn procrastination into policy. The headlines this week show that. *The Guardian* said:

"Major wins time on Europe"

and the *Daily Telegraph* said:

"Major postpones the showdown."

If the showdown is postponed at Luxembourg, it will certainly come at Maastricht, which is only six months from now.

The Prime Minister had hoped to kick the whole problem into touch until after the general election. His bolt-hole has been the diplomacy of delay, but the Prime Minister has to get through this year, right through to Maastricht, almost certainly without a general election. Therefore, at Maastricht he will have to make decisions which could split his party wide open.

The Foreign Secretary has confessed the precise nature of Tory negotiating tactics. He said last week:

"We are doing what Margaret Thatcher always did when she was Prime Minister—we are arguing, we are hoping to agree. She argued and then she agreed over and over again."

That tactic is not only undignified, but bad for Britain. Because the Government start out by opposing everything and then end up caving in about everything, they are not taken seriously when they oppose propositions which it is necessary and sensible to oppose.

Mr. Hurd: Not for the first time, the right hon. Gentleman has made an imperfect quotation. When I said that my right hon. Friend and the Government agreed after arguing, I added:

"when the result is a good one."

I do not know how else the right hon Gentleman thinks that one progressses in life; one argues, one makes a case and, if negotiations are successful and the result is acceptable, one agrees. How else does he intend to proceed?

Mr. Kaufman: The fact is that the Government have caved in on issues when they said that they would not. The right hon. Member for Finchley stated condition after condition for entry into the exchange rate mechanism, including reducing inflation. Yet the Government under her and with the present Prime Minister and the Foreign Secretary went into the exchange rate mechanism when none of those conditions had been fulfilled. That is what is meant by arguing and arguing and then agreeing.

There are issues on which it is necessary for us to disagree strongly with propositions made by our Community partners. However, that disagreement is not taken seriously because it is only one of a whole range of disagreements. For example, at Luxembourg this weekend four major issues relating to political union will be discussed: a common foreign and defence policy; more powers to the European Parliament; extending majority voting on the Ministerial Council; and the social action programme. There is every reason to make progress in three of those areas, even if not to the extent being proposed.

If the United Kingdom delegation were able to do as the Opposition propose, and propose sensible ideas on the European Parliament, majority voting and the social charter, it would be heard with more respect and would have more chance of a response over the issue on which the Opposition believe that a stand should be made—the proposition for a common defence policy.

The Labour party is opposed to such a policy because it confuses the purpose of the European Community, it unnecessarily duplicates the role of the North Atlantic Treaty Organisation and it could act as an obstacle to the desirable accession to the Community of neutral countries such as Sweden and Switzerland.

The hon. Member for Christchurch (Mr. Adley) asked whether the definition of neutrality had changed as a result of the cold war, but the fact is that the constitution of Switzerland requires that country to be neutral and it can be changed only by a referendum. These are very important matters. I believe that a firm no on a common defence policy would have a far better chance of success if it were not accompanied by a stubborn no on practically everything else.

It is the same with economic and monetary union. EMU will come. Indeed, the Government are committed to it. The right hon. Member for Finchley made that very point accurately when she was Prime Minister and she has made it since; the Foreign Secretary has also made it. We signed up for economic and monetary union 18 years ago. The question is not whether it will come, but how and when and under what conditions. If the right hon. Gentleman opts for the two-track approach—the Delors compromise—he will do grave damage to the country, perhaps for generations to come.

Last week, the right hon. Gentleman admitted to the Select Committee on Foreign Affairs that the United Kingdom cannot in the end stop our 11 partners going ahead with EMU if they are agreed among themselves. If the United Kingdom was to veto a treaty of the 12, the 11 could agree a treaty of their own, but in the event of a two-track approach, or of the other 11 going their own way without the United Kingdom, do the Government really believe that Britain could continue as before? Of course it could not. We would be affected in a myriad fundamental ways. In the end, we should probably have to accede to a structure that had been built without any regard for Britain's needs or wishes because we had not contributed to it.

In the 1950s and 1960s, President de Gaulle voted the applications for membership of the European Community made by Harold Macmillan and Harold Wilson until he had obtained a structure that suited him and what was

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then the other five. When the United Kingdom joined, under the right hon. Member for Old Bexley and Sidcup, we had to accept a structure built to suit others, not to suit us. At least that predicament was not of the right hon. Gentleman's or the House's making, but if Britain is excluded from this next and crucial phase, it will be unable to blame anyone else. We shall have only ourselves to blame.

That is why the Labour party says that we should make positive proposals for political progress, and we have a list of such proposals. That is why the Labour party puts forward positive proposals on economic and monetary union and political accountability for the central bank. We have described in detail how that can be achieved and, what is more, we have potential allies in the Community to help us achieve it.

What is more, on convergence, which the Government rightly say is essential if we are to enter a central bank and consider a single currency, we do not merely have to wait for it to come about. The Labour party believes that we should make specific proposals to bring about convergence, including regional policies, structural policies and policies to combat unemployment. All those proposals are anathema to the Government.

I am not saying for a moment that everything that we proposed would be accepted. Everything that any country proposes never is—that is the way the Community works—but a positive contribution gets a positive response, and we would at least get some of what we wanted. That would be important for Britain and for the European Community. The Government, proposing nothing and opposing everything, will get nothing. The they will do what the Foreign Secretary has explained—they will argue and then agree over and over again. The reason is that the Government are fighting a rearguard action over the European Community. They have no idea of what they want and no vision of what can be achieved.

There are those in the House—certainly including myself—who have never been starry-eyed supporters of the European Community. Far from it. I have been a sceptic, but I can at least see that in a world where the United States, despite its problems, has a continental economy, in a world where Japan dominates international investment from the west coast of the United States right through to my constituency in Manchester, where we used to have a wholly British-owned computer manufacturer which has now been taken over by the Japanese because of the Government's destruction of the industrial sector, we are approaching an era in which the development of the Pacific rim and the huge giants of China and India will eventually come to play leading parts in the world economy. In those circumstances, a country such as Britain, which has great talents, skills and capabilities, but only a medium-sized economy, cannot hope to survive and prosper on its own.

I believe passionately in British sovereignty and in the sovereignty of this Parliament to which we have been elected. Indeed, I originaly opposed British membership of the European Community, not for economic reasons, but because of my fears for parliamentary sovereignty. I do not resile in any way from the position that I took or from the votes that I cast in the House and in the referendum, but unlike Conservative Members and unlike the right hon. Member for Finchley, I know that I cannot wish away the developments of the European Community over the past 18 years.

Unlike the right hon. Member for Finchley, who did not pay much account to parliamentary democracy when she guillotined the Single European Act in the House, I have come to the view that a wider Europe need not sacrifice the basic prerogatives of a sovereign United Kingdom Government. The right hon. Lady's notions of sovereignty did not prevent sterling from being buffeted to the extent that a recession was regarded by her—wrongly—as the only sure protection for it. Sovereign Britain did not have a sovereign currency. The former Chancellor recognised that, even outside the exchange rate mechanism, the level of sterling was governed by what happened to the deutschmark. That, to my mind, is sovereignty in name, not in fact.

Today, this sovereign British Government are not in control of the economy—the economy is in control of the Government. Membership of the wider grouping on the proper terms can give a British Government greater freedom to pursue their own internal and distinctive economic and social policies. At present, the Government have the worst of two worlds. I want them to have the best of two worlds. European Community policies—provided that the United Kingdom Government contribute constructively to them—can strengthen Britain's freedom of internal policy and, therefore, Britain's sovereignty. A Labour Government will ensure that they do.

5.38 pm

Mrs. Margaret Thatcher (Finchley): The right hon. Member for Manchester, Gorton (Mr. Kaufman) started his speech by making it clear that his party would vote against the Government tonight. He gave no justification for that course of action. He and his hon. Friends know full well that the hand of my right hon. Friend the Prime Minister would be greatly strengthened in Luxembourg if he had a really good vote behind him when he goes there on Friday. I hope that many people—*[Interruption.]* Not only did the right hon. Member for Gorton give no justification for that course of action: he gave virtually no positive proposals whatsoever. At one time, he seemed to advocate a policy of perpetual disagreement in the Community; then, having complained about unemployment, he launched into an attack against Japanese investment in this country. Many people in this country are very grateful for Japanese investment.

May I thank my right hon. Friend the Foreign Secretary for his clear exposition and for the way in which he puts things? I noted that, at Luxembourg, we shall not reach conclusions, but he will, I think, be the first to agree that we can influence the way in which things go at Maastricht by the arguments and proposals that we make. My right hon. Friend made it very clear that one of the difficulties of discussing the matter of the Community is that it is riddled with jargon and Eurospeak, and that words are used which do not have a precise meaning, such as the word "subsidiarity". It is a vague term which raises far more questions than it answers. When we use those terms, we should be careful to define them.

I do not wish to speak for very long, Mr. Speaker, so may I therefore set the background, as I see it, to my

remarks and then raise five points that I hope my right hon. Friends will consider in their deliberations in Luxembourg?

The issues that we are debating today are fundamental to the future role of this Parliament, and deserve to be treated seriously. They are fundamental to the kind of Europe in which our children will live and they are fundamental to our future relationship with the wider world, especially the eastern European states and the United States of America. The fact itself that we are debating these issues reminds us of the cardinal principle of our system of government—that Ministers are directly answerable to Parliament and that the buck stops here.

My right hon. Friend the Prime Minister has previously spoken eloquently of his wish to see Britain at the heart of Europe. He is right, and we have been. That is how we secured reform of the Community's finances. That is how we won reform of the common agricultural policy, although there is more to do, and that is how we started the creation of the single market. None of those things could have been achieved from the sidelines. We had to be in the midst of battle, and we were. We won many battles, and as we finished the battles, the position was far, far better for Britain than it was when we started. It is by staying in the centre that we can press the case for free trade through the general agreement on tariffs and trade and for reaching agreements with the countries of eastern Europe. My right hon. Friends have pursued those matters with vigour, and they are right to do so.

The summary of the documents for the forthcoming Luxembourg Council—I have not seen the full documents, because they came too late, and I share the views of those who protested that they were not available—reveals a quite different destiny for Europe from any that we were ever given to expect when we went in. They are proposals for a federal union. They call for a common foreign, security and, in due course, defence policy, in which majority voting would apply. They call for a great extension of Community powers and competence in energy, in health and over labour laws—again, often with majority voting.

We had some experience of the extension of majority voting in the Single European Act. I suggest that we are very careful before we consider extending majority voting any further. The fact is that majority voting means that we give the Community the right to impose on the British people laws with which the House—the elected representatives—may fundamentally disagree. That is a very, very serious step to take. The document also calls for a central bank to set monetary policy, leading to a single European currency. *The Times* has referred to all this as "supranationalism run riot". My right hon. Friend the Prime Minister declared in the House on 18 June:

> "A European super-state would not be acceptable to me or to the House—and in my judgment it would not be acceptable to the country".—[*Official Report*, 18 June 1991; Vol. 193, c. 142.]

I wholeheartedly agree with both *The Times* and my right hon. Friend.

Few of us will forget what Mr. Delors told Members of the European Parliament in 1988. He said:

> "In 10 years time, 80 per cent. of economic legislation and perhaps even fiscal and social legislation will be of Community origin."

That is the road that he wants us to take, and it is the road that we must resist.

I understand that my right hon. Friends cannot reveal their full negotiating hand, but I hope that, in their negotiations in Luxembourg, they will keep in mind the following five points. First, the present debate in Europe touches issues more profound than any since the Community's foundation. It is of an entirely different order of magnitude and importance from the debate on the Single European Act. That made some important changes in the concept of majority voting to make it more difficult for countries that do not believe in free trade to block the completion of the Common Market. It repeated earlier commitments to economic and monetary union, while attempting to define it as only economic and monetary co-operation. What is now being considered is a massive extension of the Community's powers and competence into almost every area of our national life and that of other member states. It would be the greatest abdication of national and parliamentary sovereignty in our history.

Some people argue that the changes envisaged in the draft treaties on the table in Luxembourg would not happen for many years, so there is no need to worry. That is a very dangerous approach, because, once those powers were given away, they would never be given back. All the evidence indicates that, while our people want Britain to be actively involved in Europe—and of course, I was the Prime Minister who enabled the channel tunnel to get going, so I do believe in having more to do with Europe—our people do not want to see a massive extension of the powers of Brussels into every corner of national life even if it is dressed up as a step-by-step approach—a kind of federal Europe achieved by stealth. I fully support the firm stand that my right hon. Friends have taken—*[Interruption.]*

Mr. Speaker: Order.

Mrs. Thatcher: I fully support the firm stand that my right hon. Friend the Foreign Secretary and my right hon. Friend the Prime Minister have taken against any commitment to a federal Europe. I would hope that most people in the House were against a federal Europe; otherwise, what is the point of people standing as candidates at the next election—to come back here and propose to hand over all their powers as representatives of constituents to another Parliament?

The second point—[HON. MEMBERS: "The second point."] Thank you very much. The second point is that we should not let those who support a federal Europe pretend that they are somehow more European than the rest of us. They are not; they are just more federal. There is nothing specifically European about a federal structure—indeed, the opposite: it is the nation state which is European.

It has been the great achievement of the Community to bring about greater co-operation between those nation states—not to merge them. Instead of pouring distinctive nations into institutions and arrangements of the same mould, we should be encouraging different kinds and degrees of co-operation between European countries. My right hon. Friend the Foreign Secretary said as much in his speech on 31 May in Shropshire, and I heartily agree with him.

That sort of European co-operation is already developing—for example, in other European matters, France feels easiest with a different defence relationship with NATO than the rest of us, but in practice she

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contributes in important ways to the west's defence. No one says that France is isolated—they accept the difference.

The Schengen group of countries have been able to reduce their frontier controls because of their common borders. We recognise that that would not do for us in Britain, because considerations of security and immigration are quite different for an island nation. But that does not mean that they cannot reduce their borders because all their geography indicates that. These different relationships make sense for those who participate, but they are not a model for everyone. The true Europeans are those who base themselves on Europe's history and traditions rather than on constitutional blueprints.

Thirdly, we should not for one moment fall for attempts to argue that a federal Europe would mean a devolution of powers. If that were the case, why change what we have at present? Powers are devolved, in that they are held by national Parliaments and Governments, as they should be. For Mr. Delors to say that his proposals would mean devolving powers is ridiculous. They are not his or the Community's to devolve.

Mr. Dykes *rose—[Interruption.]*

Mrs. Thatcher: Our sovereignty—*[Interruption.]* I gave way—*[Interruption.]*

Mr. Dykes *rose—*

Mr. Speaker: Order. I think that the right hon. Lady gave way, but the hon. Gentleman did not rise again.

Mr. Dykes *rose—*

Mrs. Thatcher: May I continue? I understand that quite a lot of Privy Councillors want to speak.

Mr. Jimmy Hood (Clydesdale): On a point of order, Mr. Speaker. *[Interruption.]*

Mr. Speaker: Order. What is the point of order?

Mr. Hood: As I am sitting opposite the hon. Member for Harrow, East (Mr. Dykes), perhaps I may be of some help. The hon. Gentleman did stand up, but he was pulled down by a colleague sitting next to him.

Mr. Speaker: I do not know about things like that.

Mr. Dykes *rose—*

Mr. Speaker: It is up to the right hon. Lady.

Mrs. Thatcher: My hon. Friend the Member for Harrow, East (Mr. Dykes) might find it better to intervene when I have finished my next sentence.

Our sovereignty does not come from Brussels—it is ours by right and by heritage. We choose what we devolve to the Community—not the other way round.

Mr. Dykes: The hon. Member for Clydesdale (Mr. Hood) was correct—I was pulled down by one of my colleagues—

Hon. Members: Name him.

Mr. Speaker: The hon. Gentleman should be more robust.

Mr. Dykes: I apologise, Mr. Speaker, if all this has delayed the House when there is pressure on time. I am most grateful to my right hon. Friend for giving way. On the definition of federalism that she has just enunciated, does she agree that it was the American Secretary of State, James Baker, who said that devolution with common integrated structures was the definition of federalism?

Mrs. Thatcher: That is precisely why I made my point clear. Our sovereignty does not come from Brussels, and I hope that my hon. Friend is not arguing that is does. It is ours by right and by heritage. We choose what we devolve to the Community—not the other way round.

The fourth consideration which I hope my right hon. Friends will have in mind is the danger of being drawn along by what start out as vague commitments but end up as highly specific and damaging proposals. There is a much greater willingness in some European countries than in Britain to sign up to great rhetorical statements and declarations, without worring too much about what they will mean in practice; and it is welcome that, as some of the earlier declarations of intent have been committed to treaty language, a number of Governments—not just ours—have become more worried about the practical consequences. Such is the case with the social charter.

Moreover, some are now seeing that a single currency could not possibly work with the disparities between European economies as great as they are now—and that setting the goal of a single currency has no relevance to Europe's current economic problems. Moreover, to go to a single currency—

Mr. Robert Sheldon (Ashton-under-Lyne) *rose—*

Mrs. Thatcher: May I finish this section?

Moreover, to go to a single currency is not just a practical matter: it is a fundamental question of principle. It is not only a merger of currencies: it is to give up for all time the right of the Banks of England and of Scotland and our Treasury to issue our own currency, backed by our own economic policy, answerable to our own Parliament. That is why I do not believe in a single currency.

If, nevertheless, some other members of the European Community wish to agree to the idea of a single European currency—and not all of them belong to the exchange rate mechanism yet—they are entitled to go ahead and do so. Luxembourg is already linked to the Belgian franc, and the Dutch guilder is close to the deutschmark.

But unless legislation on a single currency were contained in a separate treaty, certain consequences could follow. I shall give three. First Britain, although not in a single currency herself, may be expected to contribute to the huge increases in structural funds required in order to allow the weaker member countries to participate in EMU.

Secondly, unforeseen consequences could arise as European Courts interpret the single currency provisions in the context of the full treaty of Rome.

Thirdly, there is no way in which the economies of the former communist states of eastern Europe could withstand the pressures placed on their fragile industries by a single currency—witness what has happened to eastern Germany.

We have to complete the transformation of the countries of eastern Europe into free enterprise

democracies, and enable them to join the European Community as soon as possible. They need an anchor to the west.

I shall give way now to the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), before I come to my final point.

Mr. Sheldon: I agree with quite a lot of what the right hon. Lady has said about European monetary union. However, like many hon. Members, I have seen a number of the reports of what she is supposed to have said as well as those things she has actually said. I find it difficult to understand why the right hon. Lady accepted the exchange rate mechanism when she has said so many harsh things about it.

Mrs. Thatcher: The right hon. Gentleman and I can go into this, but it will take a few moments. First, I am fully in agreement with an exchange rate mechanism that is anchored to the deutschmark, because it is, in a way, like anchoring to the gold standard, provided that that is done at the right value. That is what we have done, and we have done it with a latitude of 6 per cent. That should be perfectly enough to accommodate any swings in the exchange rate.

It is if one moves to a single locked currency that one gets enormous difficulties, because there is no latitude to vary the currency. Therefore, any difficulties in the monetary or economic system have to go either to increased inflation or to increased recession and increased unemployment. The 6 per cent. swing gives us some latitude, but I believe that joining the exchange rate mechanism gave us all we needed for stiffening against inflation, and I do not believe that it is necessary or desirable to go any further into stages 2 or 3—*[Interruption.]* The right hon. Gentleman asked me a straight question and, as always over the past 31 years, I have given him a straight answer.

Finally, looking beyond the borders of the European Community, we have to strengthen and develop Europe's trade with the United States and the rest of north America, Canada and Mexico, perhaps through moves to a transatlantic free trade area. Further, the European nations have to encourage the Soviet Union and its constituent republics as they struggle along the path of reform.

We shall not achieve any of that if we accept a centralised, inward-looking European community. In both Luxembourg and Maastricht, we must speak out and reach out to the wider world. In my right hon. Friend the Prime Minister we have a leader with the vision and sense of purpose to do just that. I wish my right hon. Friends well in their great task, and I give them my full support.

6 pm

Sir Russell Johnston (Inverness, Nairn and Lochaber): I shall not spend a long time on the speech made by the right hon. Member for Finchley (Mrs. Thatcher) because I suspect that other hon. Members will do so. *[Interruption.]*

Mr. Speaker: Order. Will the hon. Gentleman wait a moment? Would hon. Members leave the Chamber quietly, please?

Sir Russell Johnston: I shall simply remind the right hon. Lady of two short quotations. The first is:

> "Periodic expressions of pessimism about the future of the Community have never turned out to be justified. Europe needs to advance its internal development. The progress that has been made towards 'an ever-closer union of the peoples of Europe' of which the Treaty of Rome speaks . . . is unlikely to be reversed."

The second quotation is shorter:

> "It must be our objective to aim beyond the Common Commercial Policy through Political Cooperation towards a common approach to external affairs. Such a policy can only be achieved progressively: it must nevertheless be the aim before us."

That quotation was from the declaration of Fontainebleau made by the right hon. Member for Finchley in July 1984. Certainly to my ears the right hon. Lady's position now, as expressed today and in recent days when she has made some remarks, is in tone and attitude very different. It is much more negative and much more—dare I say it—nationalist.

Why are we talking about political union in Europe? It is because we are doing more and more things together, in our economies, in agriculture, transport, the environment and many other areas. We need to find some way of regulating those activities in a democractic fashion. Unlike the Foreign Secretary, whose remarks I shall come to, Liberal Democrats do not accept that such regulation is felicitously achieved through the Council of Ministers. We are far from being the only people who take that view.

It is right that the word "federal" should be at the heart of the argument. I am astonished at the notion that no one in Britain knows what the word "federal" means and that it means something different in those funny continental countries. Have we forgotten that we gave federal systems to Australia, Canada and the Federal Republic of Germany? Why did we give a federal system to the Republic of Germany? It was in order that Germany would be a decentralised country. Now we are claiming that we do not know the meaning of the word. The argument about Scotland's government appears to have passed the House by. People seem to have forgotten that the argument was between independence, the status quo and a federal solution of some nature.

My dictionary says that federal means "founded upon mutual agreement"—that is a good start—and

> "a union or government in which several states, while independent in home affairs, combine for national or general purposes".

That is exactly what we seek to do—to combine for certain purposes.

The Foreign Secretary attacked my right hon. Friend the Member for Yeovil (Mr. Ashdown)—perhaps attack is a little strong. He tapped him with a paper napkin and said that my right hon. Friend was guilty of deploying fine phrases. I have never noticed it myself—*[Laughter.]* The Foreign Secretary said that my right hon. Friend did not entirely understand those fine phrases. Let me quote some fine phrases to the Foreign Secretary.

> "Thinking as a European and being firmly rooted in one's own native soil,"—

that would appeal to the right hon. Member for Finchley—

> "I am convinced that in order to succeed, Europe will have to learn to live by the motto of 'Unity in Diversity' . . . (it) is in fact a very sound and pragmatic structural principle of the sort of federal system we have in mind for Europe. Europe will be a federal Europe—it will not be a unitary Europe."

That was from a speech made by Chancellor Helmut Kohl in Edinburgh on 27 May this year when he accepted a doctorate in that university. I do not think that the good

[Sir Russell Johnston]

burghers of Edinburgh were astonished at the use of the word or found it incomprehensible. On the contrary, they knew exactly what it meant.

The Liberal Democrat argument is that federalism is about more democracy, not less. The difference between us and the Government is that the Government, as the Foreign Secretary said, think of an intergovernmental Europe in which the Governments parley, debate and deal. We think of a citizens' Europe in which individuals in each of our Community countries have a direct voice in what happens through the European Parliament. Federalism is about limiting central power.

Mr. Sillars: Will the hon. Gentleman give way? I seek a genuine clarification.

Sir Russell Johnston: The hon. Gentleman is always genuine. Carry on. Hurry up.

Mr. Sillars: The hon. Gentleman is usually more courteous. He explained that he is talking about power expressed by the peoples of Europe in a European Parliament. Does that also imply a European Government, which is the Executive of that Parliament?

Sir Russell Johnston: In time, it will. None of us knows exactly what shape that will take, but in the present circumstances we are dealing with the existing institutions —the Parliament, the Council and the Commission. There may be a time long hence, when we shall have some sort of "Europe des regions." I was most attracted by that idea, but it will not be realised overnight.

The point that I was about to make is worth stressing for the benefit of the right hon. Member for Finchley. She attacks federalism as some sort of centralising concept, which is the opposite of what it is. It must be said that, during the past 10 years, centralisation within the United Kingdom has dramatically increased. Local government has been weakened. There has been no attempt to establish regional centres of power in England and no recognition of the aspirations of the Scots and the Welsh to some sort of self-government. I aver that the Conservatives have been complaining about centralisation abroad while practising it at home.

Mr. John Gorst (Hendon, North): Will the hon. Gentleman reflect and perhaps comment on the news that we are receiving from Yugoslavia, which is facing the problems of federation when the republics would prefer confederation, which is a looser arrangement? Will he also reflect on the growing difficulties of the Soviet Union? The problem there is that when disparate peoples have been brought together too closely they do not necessarily work harmoniously together.

Sir Russell Johnston: I hesitate to cogitate for too long, because many hon. Members wish to speak, but I shall lance that argument straight away. In the case of both the Soviet Union and Yugoslavia, centralised power was artificially imposed by dictatorial force. I accept that in the Soviet Union there was a mirage of federalism, but it did not exist in reality. There was a little more reality in Yugoslavia, but nothing like enough to appease the feelings of the Slovenes or Croatians. In the European Community, we are talking about people coming together willingly because of the impetus of the economy to decide how things that must be done together should best be done to benefit everyone.

People continually say that no one makes the position clear. We are quite clear that we want the European Parliament to be strengthened and given powers of co-decision with the Council. We also want it to be elected under a common, fair, proportional system. I am tired of people prating and pomping about democracy when one considers how unrepresentative the House of Commons is. I want discussions in the Council to be open. It is in the interests of the United Kingdom, Germany and France to work for common foreign and defence policies.

The advantages of monetary union to individual citizens and our industries are clear. First, it will make trade and cross-border capital flows easier as barriers to trade are reduced and currency fluctuations ended. A single currency is the logical next step from a single market, as was said by the right hon. Member for Old Bexley and Sidcup (Mr. Heath), whose long, trenchant and honourable defence of the Community I salute.

Mr. Janman: Will the hon. Gentleman give way?

Sir Russell Johnston: It is not that I do not like to give way, but time is pressing and I do not wish to give way too often.

Businesses are looking for stability and the capacity to project price, which this will give them. Secondly, monetary union will give the British economy the balance of a sustained counter-inflation policy that it has long been denied. We are not only not afraid of an independent central bank—the Labour Front Bench indisputably is —but we welcome it. We should be only too pleased to follow the example of the Bundesbank model because it works. Neither do we think that the Bundesbank will somehow totally extricate itself from the democratic system. On the contrary, one saw that in Kohl's decision to override Pöhl on the unification problem. It was an institution committed to price stability.

Finally, contrary to what the right hon. Member for Finchley said, this is good news for the central and eastern European countries that have come to democracy. In the United States the right hon. Lady spoke about "a wealth wall" being built between the European Community and the new democracies. With respect, that is nonsense. Her argument exploits the new freedoms in the east to block further progress in the west.

I accept that Europe does not end with the European Community, but the new Europe begins with the European Community. The new democracies want us to succeed. They want a dependable currency to which they can relate. They would prefer that to be the ecu rather than the deutschmark and we should be pleased that the Germans want that, too. That will be possible because Germany takes not an aggressive but a co-operative view. In nightmares, I sometimes wonder what it would be like if the right hon. Member for Finchley had been Chancellor of Germany.

The European debate should be less about the power of nations, because the nation state has brought much blood to the European continent. The nation state in terms of the old concepts of sovereignty has seen its day. I want a Community that lives in the minds of its citizens. I accept that, of necessity, the Community will set certain parameters, frameworks, minimum standards and rights

for trading relations, fair competition and minimum entitlements in the social sense, and will provide opportunity through the regional and social funds and rights before the law. However, in my view it will not suck in more and more power but will be a group of people seeking a Europe that will not only benefit its own citizens but will make a remarkable contribution to the democracy of all the world.

6.15 pm

Mr. Edward Heath (Old Bexley and Sidcup): I felt sad that the right hon. Member for Manchester, Gorton (Mr. Kaufman) attempted to turn a motion on the Adjournment—intended to be an open discussion of probably the most serious problem facing us at the moment—into a party issue, particularly one of personalities. It was unlike him, and he probably regrets it. I am saddened even more by the Opposition's decision to vote against the Adjournment motion tonight. It is unusual in this House to vote against an Adjournment motion, and it will be taken by all the Labour party's friends in the European Community as another change in the Labour party's position and as being against the views expressed by the Prime Minister. Again, that is a matter for regret.

It is 41 years to the day, the hour and almost the minute since I rose, at 6.12, to make my maiden speech urging the then Labour Government to participate in discussions on the formation of the first European Community. I spoke then for 14 minutes. It think, Mr. Speaker, that you would adjure me that, without interruption—I had no interruptions then—I should take only the same time, and I shall therefore endeavour to do so.

Why did the then Labour Government refuse to take part in those discussions, to which they were invited by Jean Monnet and the six other countries that had agreed to take part? Their reason, amongst others, was that there was no definition of a Community. The answer to that was, "No, but we shall work together to produce the definition of a Community," and that is precisely what they did.

We are now in exactly the same position over the political developments of the Community. The Prime Minister has been absolutely right to try to dissuade us from entering a long artificial and sometimes bitter argument about federalism, because what we are invited to do, and what the Foreign Secretary will do, is discuss the political organisation, how it should be built up, and what its powers and effectiveness should be. We should accept that immediately and not say, "Yes, but what will the end be?" The purpose of the operation is for us to take part in defining and creating the end. That is how the Community works.

The Foreign Secretary rightly said that, after this debate, his job is to get down to that work. He will recall the work on the Community negotiations that was carried out from 1970 to 1974, when he was with me. Time and again, in the 1960s, in our first negotiations and again in the 1970s, the political leaders in the Community said, "We just do not understand how you can carry on a negotiation and, on every occasion, have to return to the House of Commons to read a long detailed report, be subjected to 45 minutes or an hour's questioning and be pressed from all sides to give solemn undertakings about particular aspects of it." That is absolutely true.

Therefore, I hope that the Foreign Secretary will never be either surprised, or ashamed of saying, "This is a matter with which we are dealing, and I shall not be bound absolutely by the words that I say now." If he did not say that, we would have no freedom for negotiation and no ability to persuade, hopefully successfully, other people to share our views.

We are in the same position as we were in 1950 over the future developments of political unity, foreign policy and defence policy. As the then Labour Government refused to participate, it took us 22 years before we became a member of the Community. We must never make that mistake again. We cannot afford to do so, whether in relation to monetary or foreign or defence policy or political union. We can see how such developments are already taking place in Europe, and I beg my right hon. Friends the Foreign Secretary and the Prime Minister not to take the view that, in order to satisfy some part of opinion, they must say no to begin with, drag out the process and finally accept that the other 11 want it. That would not give us a status in the Community that we could later use for other purposes, but it would make the jobs of the Prime Minister and the Foreign Secretary infinitely more difficult than they would otherwise be.

All the signs are that, certainly across the Community and to a considerable extent in this country, people are not as worried about federalism as apparently we are in the House. We gave federalism to Canada, Australia, Nigeria, India and a large number of colonies which wanted their independence—[HON. MEMBERS: "They were not colonies."] A number of them were colonies. Why do we think that not only the word "federalism" but that system of government is so horrible? The Community is responsible for working out what form of government there will be.

Sovereignty exists to be used for the benefit of the people, not for the satisfaction of Governments or politicians. Unfortunately, for many centuries sovereignty was used to wage war in Europe against other countries. That era is over, thank God. When the second world war was over, those of us who survived were determined to prevent it happening again. That was the origin of the creation of the Community. It was Churchill who, in 1940, first stated in his proposal to France that we would become one country and one nation, and it would be an indissoluble unity. Future unity will be discussed at the end of the year. Ever closer unity is set out in the treaty that we signed and fully accepted.

Sir John Stokes (Halesowen and Stourbridge): Will my right hon. Friend give way?

Mr. Heath: No, I am sorry. I am trying to stick to Mr. Speaker's request that our speeches should be as short as possible, because 49 hon. Members wish to speak. Otherwise, I would gladly give way to my hon. Friend, who was a great Oxford friend. However, if I give way once, I shall have to give way again.

Every member of my Cabinet agreed to ever closer unity for the whole of the Community.

Mr. Dennis Skinner (Bolsover): Every member?

Mr. Heath: The hon. Gentleman interrupted earlier, and said that it was the Whip that achieved that agreement, but we had a free vote. It was the Labour party which used the Whip that night, but 72 of its Members defied it, and we won with a majority of 112.

[Mr. Heath]

On the subject of monetary policy, I am sure that entering the exchange rate mechanism was absolutely right and is still right. I regret that we did not do so five years earlier, but that is history. Economic monetary union must come as soon as possible, and with it the single currency. Industry wants the single currency, and we must pay attention to the requests and demands of industry.

Mr. Bob Cryer (Bradford, South): No request from the manufacturing and textile industry.

Mr. Heath: The hon. Gentleman may believe that, but the view of industry as a whole throughout the country is that it wants a single currency, as it will facilitate its activities, give it greater opportunities and lower costs. It is important for the whole country that, when we have a single currency, we shall for the first time bring home to everyone—manager and worker—exactly what the relative position is of the goods produced in each of the Community's member countries. That message will be brought home to everyone in this country and will lead us to make the various necessary changes to compete effectively and get our balance of payments in order. That is a vital aspect of the single currency.

Some of my constituents ask me about the royal family and the Queen's head. There are eight royal families in the Community and it would be perfectly possible to make arrangements for a single currency and coinage on which all eight royal families could be represented. It is also interesting that it was not until 1960 that the Queen's head appeared on this country's bank notes, so those that use that factor as a major argument should remember that it is a new development for us.

A common foreign and defence policy is bound to come, and we have already had attempts at a common foreign policy. Foreign and military problems over the Gulf showed that it was impossible to have a common policy, but that it was necessary to have one. It was because other countries had different judgments about interests in the Gulf that such problems arose. It is now essential that the problems of each part of the world should be thrashed out in a common foreign policy produced by Community members.

We should also have a common defence policy. I hear talk about a bridge between Europe and the United States. We do not require a bridge; we are together in the North Atlantic Treaty Organisation, along with Canada. What is required is that Europe should take a greater share of defence responsibility and work out its own common policy. I know that some people who have held high positions in the defence sphere do not accept that view, but it is consistently put forward. An attempt was made to implement that policy 30 years ago, but, because of France, it was unsuccessful.

However, we can now make a successful attempt in the knowledge that the relationship between the defence policies of France and Germany is closer than ever before. If we are to have a common defence policy, we must have the political institutions to deal with it, and that is the next stage on which the Foreign Secretary and the Prime Minister will be engaged. I am sure that they will handle it extremely well.

We have already given up a large part of our sovereignty to NATO—an attack on one member is an attack on all. We do not have time to say, "We do not accept this; we do not want our sovereignty affected." We have given up our sovereignty in that respect. We have pooled our sovereignty within the Community, other countries share it with us, and we share theirs. That process will inevitably continue and will become more and more satisfactory because it will benefit the people of this country, which must be our main purpose.

Why are Sweden and Austria applying to become Community members? They are already in a free trade area, and they know that the Community is infinitely better than that. That was why we applied to enter the Community. We created the free trade area in 1958 when we were not prepared to take the decision to enter the Community, but by 1961 we realised that it was not the answer. That is when we had to have first arrangements for negotiations. Sweden, rather unexpectedly, and Austria are both applying to be full members of the Community. That is because they like the Community and realise that a free trade area does not satisfy them.

As for the defence consideration, I believe that Austria's position is changing. We have sometimes said that Austria is bound to neutrality by the four-power treaty of 1955, but that is not correct, as Austria is now saying. It made a statement that it would be neutral, but that is all. Austria itself can change that. If it became a member of a Community with a defence policy, I believe that it would want to be involved in that policy.

The position of Eire is also changing. It said that it would never become part of a defence policy which was Atlantic, but a European defence policy is different. I believe that Sweden, with the collapse of the Soviet Union, will also be prepared to consider its position. If Sweden and Austria are to be full members of the Community, we will naturally expect them to take a full part in the foreign and defence policies of the Community.

We can encourage the countries of central Europe by our investment and our technology, and by being careful to ensure that they are not in a position in which they can say that there is an attempted takeover by the capitalism of the west, which is in their minds. We must recognise that it will take them time to come up to the level that we in the Community have reached. There is nothing selfish about that. There is no question of our using our wealth to keep them out. West Germany is pouring wealth into what was East Germany to try to bring that area up to the required level. What was West Germany acted on currency even before the unification of what were the two countries. The currencies were unified. That is exactly what Erhard did when he took over as Minister of Finance under Adenauer in what was then West Germany. The Germans should have our admiration for what they have done in what was East Germany.

After 40 years of repression in Czechoslovakia, Poland, Hungary and Bulgaria, leaving aside Romania for the moment, and inactivity in the industries of those countries, it will take them a considerable time, however hard they try and however much we help, before they can be on a comparable basis with the members of the Community.

I have stated before the cases of Spain and Portugal. After the two dictators died, it took those countries 10 years before they were able to say to the Community, "We are now in a position when we can become a full member." They were right. The position of Spain, however, was infinitely stronger than that of any of the eastern European countries now. Under Franco, Spain developed a strong

middle class, which was trained administratively, financially and technically. The members of that middle class took over and ran Spain, and they were backed by a powerful king who put down the first attempt at rebellion. None the less, 10 years passed before Spain could present itself as a full member of the Community.

Central and eastern European countries are realising the problems that they are up against. If they were to become full members of the Community now, notwithstanding 1992 and the removal of all barriers, they would be swept off the face of Europe. There is nothing that the present members of the Community would want to buy from them. There are no services that we require from them. However, they, knowing what we have, would want it. That is natural. The process is bound to take time, and it must be handled carefully by us in the west. The Community is using its resources to help the countries of central and eastern Europe in the process, and rightly so.

When the Community began in 1950, it was unique in many ways in world history. That is also true of its institutions. We, the countries of the Community are sui generis. There has never been anything like us before and there is nothing like us anywhere in the world. We shall continue to be sui generis in the developments which my right hon. Friends the Prime Minister and the Foreign Secretary will work out.

The United Kingdom made a unique decision of immense historical importance when it decided to go into the Community in 1972. The decisions that will be taken at the end of the year will similarly be of immense importance for the future of the Community, for our country and for future generations. We shall benefit from the continued development of the Community as a community, and that should be our purpose.

6.34 pm

Mr. Denis Healey (Leeds, East): The right hon. Member for Old Bexley and Sidcup (Mr. Heath) and I have lived through the events that we are discussing this evening for 50 years. I now share his view that Britain made a great mistake in not involving itself in the negotiations that took place in 1950 and in the years that followed. As the right hon. Gentleman reminded us, the Conservative leadership took exactly the same view as the previous Labour leadership when it took power, and it took 10 years to change its mind. I agree also with what he said later about the importance of Britain playing a constructive and, to some extent, visionary role in the Community. It struck me that he used words similar to those which were employed by my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman).

These are not necessarily party issues, but, inevitably, party politics sometimes becomes mixed up with them. Almost all the speeches that have been made so far have disappointed me, if I may say so, because they have ignored the most important economic and political events of recent years. Changes in each of those sectors is already having a major impact on the way in which the Community will develop in future, and that will continue.

It has not been mentioned that information technology, combined with the abolition of exchange controls, has robbed all countries which have abolished exchange controls and have information technology of economic sovereignty. Money is now managed by a mafia of young lemmings, who send 20 times as much money across the foreign exchanges in search of speculative gain as is required to finance world trade in both services and industry. The young men on the financial markets determine exchange rates, and through exchange rates they determine interest rates. Through both, they determine inflation and growth in all countries. That makes most of the argument about economic and monetary union almost irrelevant to the real world.

I note that the right hon. Member for Blaby (Mr. Lawson) shakes his head. I well remember that in the middle of the Conservative party conference in 1989 he was compelled to increase British interest rates—that was before we joined the ERM—within 40 minutes of the Bundesbank raising German interest rates, after spending £2,000 million of our reserves trying to delay the increase until at least the conference was over. So much for sovereignty. I am glad to see that the right hon. Gentleman is now nodding in agreement. I described exactly what happened.

These developments have had an enormous effect on how the exchange rate mechanism works. It is bizarre that in recent years the currencies which under the old system would have been weakest as a result of high inflation and a bad balance of payments, such as those of Britain, Spain and Italy, have found their currencies at the top of the grid. The country with the best economic performance, the lowest rate of inflation and the highest rate of growth—Germany—has often found its currency at the bottom of the currency grid.

One lesson that can be derived from these events is that we cannot leave such massive issues at the mercy of markets that can behave so perversely. They produced the crash of Black October, and they have produced similar results in many parts of the world in the past 12 months. However, no Government on their own can buck markets, not even a Government who are a member of the ERM. Capital flows across the exchanges every day are six times larger than the foreign reserves of all the countries in the ERM, so the scope for managing exchange rates through intervention is limited.

I do not have time even to sketch the way in which I think that a group of countries working together could influence markets for the better. I am certain, however, that it will be essential for Britain, with other members of the Community, to pay attention to the problems to which I have drawn attention rather than to the many abstract problems that fall within the present agenda for economic and monetary union which, in my view, will lead to them wasting their time. I also believe that the Community must address the social consequences of its economic actions. It is ridiculous that the Community is not prepared to develop a common social policy to meet the consequences of the economic and financial changes that it introduces.

The other great change that has taken place is much more recent. The change in the financial system is about 10 years old now, but the other big change—the end of the cold war—began in 1989 and was formally ratified by the proponents of the cold war at a conference less than a year ago in Europe.

The end of the cold war has produced an explosion of nationalism on both sides of what used to be the iron curtain. The interesting lesson that we can learn from that is that the federation of separate nation states has not been able to withstand those nationalist forces. All the existing international federations are now breaking down or are under great strain—the Soviet federation, the Yugoslav

[Mr. Denis Healey]

federation and the Czechoslovakian federation. Even the Canadian federation is threatened with the secession of Quebec, which is asking for a referendum such as that which the Croatians and the Slovenes have just held in Yugoslavia.

Britain should recognise that fact as much as any country should, because, as the right hon. Member for Old Bexley and Sidcup pointed out, at one time we were the great federateurs. We created the West Indian federation, which broke down under disagreements between the islands concerned. We created the central African federation, which broke down for similar reasons. The Nigerian federation is not a good example because it had to be established by the bloody civil war over Biafra.

It is worth reminding ourselves that even the American federation, which is not international but was composed of small bodies of colonists—at that time, they were all from Britain—required the bloodiest war in which America has ever been engaged to settle its internal problems. More people were killed in the American civil war than in all the wars that have followed, up to and including the Gulf war, yet it took place when the United States had only one seventh of its present population. Even the Swiss federation, which has been cited today, was established after a civil war between its existing states and the so-called Sonderbund, in 1847.

With respect to those who believe, as the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) appears to, that a federal superstate is an answer to the problems of nationalism in the modern world, such a belief flies in the face not only of history but of recent experience. On that matter I find myself unwillingly agreeing with the right hon. Member for Finchley (Mrs. Thatcher)—it was the only thing in the right hon. Lady's speech with which I did agree—[HON. MEMBERS: "What about Germany?"] The German federation was imposed by the victors on a vanquished Germany to prevent it from having central power. That federation should not be used as an analogy for anything that might happen in Europe. It is quite different. The analogy would be if it were decided to break Britain up into a federal state giving separate representation to Yorkshire, the west country—that prospect would please the Liberal Democrats—Wales, Northern Ireland and Scotland. That would not be especially desirable.

It is essential that the world must find new forms of political relationship which respect the undoubted force of nationalism—nationalism is by far the strongest single force in world affairs—yet which would not allow the nation state that was so praised by the right hon. Member for Finchley to produce war on an ever-increasing scale, as it has done continually since it came into existence at the end of the 18th century. The nation state is quite a recent product—there were different sorts of states before that. Even in its present form, the European Community has at least done that. War between its members, who have so often fought one another in the past, is now absolutely unthinkable. Nevertheless, taking the problems of recent federations into account, we must be cautious, as the Government rightly are, in moving further in that direction.

The most important issue that we face today is that of enlarging the Community. Membership of the Community is the best and only hope for the east European countries to make the necessary transition to stable democracies and prosperous market economies. If they fail to make that transition, the consequences for western Europe could be cataclysmic. Tens of millions of impoverished and desperate people would flood across the frontiers into western Europe, as they did into western Germany before unification. For that reason I believe that widening the Community must take precedence, if necessary—if there is a choice—over deepening it.

Of course, I believe that all the European Free Trade Association countries that wish to do so—as I believe that they all will, once Austria and Sweden have joined—will come in as well. We shall have a completely different sort of Community, in which most of the arguments that we have exchanged in the House today will be totally irrelevant.

I regret that Britain is not bringing those issues before the public at present. The Foreign Secretary did not do so in his speech today. Too often, Britain's behaviour seems to have justified the judgment of the Quai d'Orsay—the French Foreign Office—which called us

"hesitant in action, maladroit in execution and infirm of purpose when it counted."

I reassure the Foreign Secretary that those words were used to describe a previous Conservative Government after the Suez campaign in 1956—but I have heard similar words used about the conduct of the present Government.

I find it ludicrous that the party that forms the British Government should now be split over theoretical arguments about sovereignty and a federal super-state which have no relevance in the world that we now inhabit. The situation reminds me of the Punch and Judy show in the Labour party 10 years ago over unilateralism and multilateralism which prevented my party from discussing the real difficult problems of defence—some of which, I am bound to say, have not yet been tackled by the Government.

I believe that the Punch and Judy show that has monopolised our television screens for the past week—and, indeed, some of the debate today—must end.

Mr. Skinner: Why?

Mr. Healey: On this issue I would rather put my country and my world before my party. However, I assure my hon. Friend that I may find it necessary occasionally to comment on the behaviour of the Conservative party because, after all, it forms the Government who represent Britain in the negotiations.

The Conservatives have done nothing to explain the issues that I have attempted to describe. We are now told that the Conservative party chairman is the evil genius behind the Prime Minister—certainly he is the leading Christian Democrat in the Tory Government. The party chairman has failed to remind his colleagues in the past week that last year, before the Conservative party decided to encourage its Members of the European Parliament to join the European People's party, that organisation produced a manifesto committing it to work for a federal constitution of the European union.

I am not entirely surprised that the chairman of the Tory party has preferred to escape from confronting those little local difficulties into a rhetoric that has grown increasingly baroque in the past week or so. With my own ears, I heard the right hon. Gentleman saying on television last week, "The Government have a heroic commitment to

hard-nosed pragmatism." The same day, he followed that up with another interview, in which he said that European monetary union was, "spectacularly hypothetical". Sometimes I wish that the right hon. Gentleman had been gobsmacked at birth.

Just to satisfy my hon. Friend the Member for Bolsover (Mr. Skinner), let me say a word about the Prime Minister. I watched the right hon. Gentleman's face as his predecessor spoke this afternoon and I have never seen such inspissated gloom etched on a human visage in my life. When the right hon. Member for Finchley (Mrs. Thatcher) said that she planned to support him in the next election, he must have been reminded of Lenin's promise to support the social democrats as the rope supports the hanged man.

All of us like the Prime Minister and it is difficult to be rude about him—I have not yet attempted it—but I must confess that he reminds me of one of the most notable characters in current folklore—Charlie Brown in "Peanuts". You may remember, Mr. Speaker, because I am sure that you are an avid follower of "Peanuts", that Charlie Brown was once approached by Lucy—a bossy little girl—*[Laughter.]* The parallel escapes me. Lucy asked Charlie to join her on an ocean cruise, so they got on the boat and she took Charlie up to the sun deck and said to Charlie, "Now, Charlie, there you will see a stack of deckchairs, and you have to put your deckchair up—and Charlie, if you want to look backwards, you put it facing the stern of the boat"—which she obviously preferred herself—"but if you want to look forward into the future, you place it facing the prow of the boat." "Now, Charlie," she said, "which way do you want your deckchair facing? Charlie replied—so much like the Prime Minister—"I don't seem able to get my deckchair unfolded."

I hope, without great confidence, that the Prime Minister will manage to get his deckchair unfolded at some time in the next 12 months. But, of course, after 12 months, the liner will be under a different captain.

6.53 pm

Mr. David Howell (Guildford): The right hon. Member for Leeds, East (Mr. Healey) is, of course—*[Interruption.]*

Mr. Speaker: Order. Will hon. Members who are leaving please do so quietly?

Mr. Howell: The right hon. Member for Leeds, East is quite right to remind us that the most enormous changes have taken place in Europe over the past two or three years—and more are taking place even as we debate the motion before us, particularly as yet more fearsome dangers develop in the Balkans and as Yugoslavia begins to fragment. No doubt we shall see many more dramas as the Soviet Union, the creation of Lenin, is replaced by something entirely different in the coming years.

When we hear great debates about the European Community, its purposes, origins and intentions, we all sometimes feel that we are fighting battles of old—I agree with the right hon. Member for Leeds, East on this—and about the issues of yesterday, and that we are not concerned with the problems, issues and needs of the Europe of today and how best to address them.

Let me start with the speech made by the right hon. Member for Manchester, Gorton (Mr. Kaufman), who got into a bit of a muddle. The right hon. Gentleman seemed to start by getting rather swamped by his press cutting service. Once he got going, however—and I come to the serious part of his speech—he eventually expressed the view that there was some kind of monolithic set of European views and that Britain was fighting a desperate rearguard action against it. If the right hon. Gentleman listened more carefully to his right hon. Friend the Member for Leeds, East, and to others who understand what is happening in Europe today, he would realise that his view of a line-up of the eleven, all holding a monolithic commitment to a single currency from Lisbon to Berlin and to a federal European state, does not accord with the views or the motives of any of the major states of the Community today.

We do not need to guess at that—to suck our thumb and hold it in the wind—because we can see that, at the moment, the motives of all the various countries are very different and that the politics of the Community are leading us into fascinating new patterns. At the moment, the Germans still want just to submerge their identity in a larger federal European state, but they want that to come very slowly indeed, because they are extremely nervous that the deutschmark will be watered down if the French, the Spanish and others get their sticky political fingers on it. So the Germans want to go slowly.

The French have quite different motives for wanting to reassert themselves at the centre of Europe—some would say, unfairly, for trying to reverse the verdict of Waterloo. At any rate, they want to assert a kind of Europeanism which I do not think is shared by the federalists in Italy, who take yet another view, which is that Brussels would probably be able to manage their affairs better than Rome—which is why they are totally in favour of everything to do with a federal Europe—or the Spanish, whose main concern, which has emerged clearly in recent weeks, is that they want and hope for substantially larger dole-outs of money to compensate for any federal involvement that they may pursue.

The various countries have different motives, and to regard them as a massive rugby line-up, with poor little Britain having to fight against them with no hope of changing their views, is a complete falsification—a complete parody—and encourages the kind of unnecessary defeatism that Britain should not for one moment accept.

The right hon. Member for Leeds, East was again right to say that we must understand what the European Community's motivations now are. We know what they used to be. Right at the beginning, they included reconciliation between the French and the Germans—the "never again" mentality. They used to include the aim of forming a west European enclave for capitalism against the great Communist leviathan in eastern Europe. Frankly, both those motives have long since given way to the much more subtle and important task of creating a gigantic prosperous centre of free trade—a great single market—in which the old fortress mentality and the idea of lining up against nameless enemies from the east have disappeared. I have no difficulty at all—although I think that some of my hon. Friends have a difficulty—in envisaging a new Europe, whose motives are different from the original motives, moving at a variety of speeds. I am not even sure that I accept the idea of speed, because it implies a clear destination, but, in any case, I have no difficulty in envisaging a Europe moving in different gears

[Mr. Howell]

and in different ways and with different and diverse policies all within the broad aims of the European Community.

Our corner on European monetary union is that we want European co-operation and want to try out the idea of a common currency—the hard ecu, or a hardened ecu, or a hardened basket ecu, or whatever the Spanish want—but that we are very sceptical about the idea of ever seeing a single currency operate throughout this gigantic continent, let alone throughout the enlarged continent that Europe is bound to become.

I find that—as the Americans would say—an entirely comfortable position. We should not be afraid to fight our corner and to set out clearly why we are where we are. We should be prepared to explain why, although we see the benefits of a degree of monetary co-operation and—if we stretch the sense of the word—union, we also strongly endorse the perfectly respectable arguments that hold that a single currency is a rather silly idea.

Perhaps, at the time of the treaty of Messina and the formation of the Common Market, we missed a few buses, or failed to catch a few trains. In this instance, however, such analogies prove false: history does not repeat itself, but, as Mr. Balfour said, historians repeat each other. This time, there are not buses to be missed—although, if we drive too fast, there will be car accidents to be avoided. We are, I think, right to develop ideas for a common currency, if people want it. We should allow the choices of the future to lie with the people of the future, if the markets say that it makes sense for a single currency to be run by a single central bank for the whole gigantic continent. Personally, I think that they will say the opposite, and that in 10 or 15 years' time—given the existence of more electronic and information technology—Europe may have more currencies than it has now.

As I have said, I envisage no difficulties over the monetary aspect; I think that we can fight our corner. Now for the political side. We hear the word "federal"—which my right hon. Friend the Foreign Secretary, in what I considered an excellent speech, called a poor and dangerous word. Today, of course, he is right: to Conservative Members at least, the word has come to mean some rather undesirable things that we have spent a whole decade trying to get rid of. It evokes the collectivising and centralising mentality that struck us as so uncongenial in comparison with enterprise and the market economy.

It was not always like that, however. A long time ago—in pre-collectivist and pre-socialist history—"federal" meant something entirely different. To James Madison and company, the founding fathers of the United States of America, it meant extremely limited and carefully circumscribed central powers; they wanted not a strong centre, but a weak one. The aim of the liberals of those days was to establish a weak centre for the federation, or confederation, that became the United States.

Because of the American civil war, two world wars and other factors, the proposals of the founding fathers did not work out. They argued, however, that, from time to time, certain powers should be given to that weak centre, and that, from time to time, certain powers should be taken from it. There should, they said, be no inevitability about successive increases in power at the centre. That was the true spirit of what was then called "federation"; alas, the word has now been hijacked, and I understand why some of my hon. Friends—and my right hon. Friend the Foreign Secretary—find it difficult to deal with.

That, however, should not stop us arguing in favour of our view of the European political structure of the future. It is, as my right hon. Friend said, the right structure; and, if it must be translated into English as "confederal" instead of "federal", I see no problem in that. The structure to which I refer is based on nation states' ascribing to the centre—the Community institutions that are their servants as opposed to their masters, inferior rather than superior in terms of political power—certain tasks that from time to time should conveniently be done on a Europewide or Communitywide scale. Those tasks must be performed under a strictly accountable Council of Ministers.

I do not see why we should not boldly assert that that is our European view—and we are good Europeans; certainly the country wishes us to be. We want a Europe that is rather different from the old-fashioned, collectivised federalist ideal: we do not believe that there must be huge strength at the centre if the system is to work. We must look both to a future that will not require that strength and to the distant past, when our forefathers perceived that a gigantic, collectivised state machinery was not required to enable nations to co-operate effectively.

For more than a century, thus fashionable political philosophy espoused, and led to, a drift of power to the centre. I believe that, at this point in our history, we have a fabulous chance to enable European countries to come together and work together, free from the vanities and conceits of collectivism and the overweening state. We have a real opportunity to establish a different kind of Europe—different, in a way, from what the United States has become, and certainly different from the now collapsing Union of Soviet Socialist Republics. That was the ultimate over-centralised structure; such structures cannot hold, and are destroyed by the spirit of the age and the advance of technology, as Mr. Gorbachev is rapidly discovering.

Conservative Members have told us this afternoon that we should be very afraid of certain things—although my right hon. Friend the Member for Old Bexley and Sidcup seemed to be saying that we should not be afraid of anything. Certainly there are some dangers. Perhaps I am myself courting danger if I take the middle position; Aneurin Bevan said that those who walked down the middle would be run over, so I shall probably emerge as a pancake.

The real danger is the danger of paralysis in a European Community that is too inward-looking and to preoccupied with strengthening its central institutions. We should fight that danger—not just Britain, but many other democrats and liberals; perhaps Liberals as well. Conservatives, too—indeed, all non-socialists—do not want an early 20th-century socialist Leviathan to be recreated on a European scale.

There are two ways in which we can fight that self-paralysis. First, we can do so through the vigour of our positive arguments, not only here in London but at every meeting attended by my right hon. Friends. We see the need for further European development of every kind; we see the need for reform of the Community institutions; but those institutions are our servants, not our masters. That is the principle on which our proposals for political reform must be based.

Through his calm and common-sense approach, my right hon. Friend the Prime Minister has succeeded in depolarising the fruitless debate of the past, and reduced it to the key question: not whether we should be in or out, but what European structure we should now have. As my right hon. Friend the Foreign Secretary pointed out, our ideas should be to the fore. We should not be constantly on the defensive, saying what we do not like.

That is the first thing that will save us and our friends from what has come to be called federalism—wrongly, in my view; it is really the centralism endorsed by those who want much stronger institutions at the centre, telling us what to do in a quite unnecessary way. The second—here I agree with my right hon. Friend the Member for Finchley (Mrs. Thatcher)—is the opening up of eastern Europe, and the marvellous commitment of the Governments who are succeeding the communist regimes of Poland, Hungary, Czechoslovakia and the rest to market economics and open, free trading. That may push the protectionists in western Europe—and they are there—and the centralists —they are there, too—on to the defensive, and stop them constantly presenting their views as though they were the good Europeans and the rest of us were not. I believe that it ought to do that, and also to put our ideas of the European future on the offensive.

Let me echo earlier speakers by saying that, above all, we must understand that if the eastern European countries, having sloughed off communism, fail to make it to democracy and market prosperity—and they are not there yet—we shall all fail. That is the ultimate surrender of the very task for which the Community was formed; it may not be an exaggeration to say that the second world war was fought for it. It was the dream then that Europe should be a continent of free nations, although that disastrously failed to materialise in 1945.

Mr. Devlin: Does my right hon. Friend agree that, if the rest of the Community goes ahead without us and we are left outside, still dominated by the decisions of those who remain within, we, too, shall have failed?

Mr. Howell: My hon. Friend's question has been asked many times over the years. It presupposes that a great, unified team is marching ahead and that Britain is outside it. I believe that not to be true. The political scene is far more open. It is possible for us, using our best skills, to join in. What will defeat us is our silence, equivocation and total negativism. If, however, we are positive, we shall have a role to play with the other parts of Europe that decide to go ahead together. We ought to go ahead with them.

Political reform in Europe is needed. The treaty of Rome will probably have to be amended. I have no doubt that that will come out of one of the intergovernmental conferences, just as proposals for monetary development will come out of another intergovernmental conference. On the political side, however, we need very tightly defined powers for the Commission——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I remind the House that speeches between now and 9 o'clock are limited to 10 minutes.

7.10 pm

Mr. Peter Shore (Bethnal Green and Stepney): As always, I find myself in substantial agreement with the right hon. Member for Guildford (Mr. Howell). In particular, I would emphasise what he said about the importance of a wider Europe—a more all-embracing Europe than the present Community of the Twelve. In addition, whatever that Europe's policies are, they should not be Euro-centrist. We are now part of a world community. We should be involved in global management, not simply with the affairs of Europe. That is one danger that the increasingly tightening bloc in Western Europe faces.

I want to turn to what I believe is at the very centre and heart of the debate—federalism. The debate is not just about the word but about the reality of federalism. What I say will, I hope, be helpful to the House. The right hon. Member for Old Bexley and Sidcup (Mr. Heath) asked, "What is wrong with federalism? Did we not give it to Canada?" By saying that, I think that the right hon. Gentleman showed that he had entirely missed the point.

We are not talking about devolution within a sovereign state. All sovereign states have different measures of local government, regional government and so on. That is not the issue. Those who say that it is are concealing the truth and confusing others. The essence of the federalism that we are talking about is when a sovereign state accepts a higher tier of government than itself—when it is prepared to transfer powers to that higher body, powers which previously it exercised exclusively on its own behalf.

In countries that practise federalism, we know that there are three marks that distinguish every federal state that has ever existed. One of them is a single currency and a central bank. Show me a single federal state that has not got them. There is not one. Secondly, a federal state is one in which its external affairs—trade, foreign affairs, security and defence—are no longer controlled by itself as a sovereign power but transferred to the higher authority. The third distinguishing mark is the recognition that, when there is a conflict between the lower tier—the old nation state—and the upper tier of the federation, it is the upper tier whose laws have supremacy. As we know, that is written into every European Community Act.

If we look at the substance of the two treaties—I am not talking about the use of the word "federal"—what do we find? One is about economic and monetary union, in which the proclaimed goal is a single currency and a central bank. The other treaty—I am glad that the Foreign Secretary does not want to go along with it, and I hope that he will resist it very hard—would lead to the creation of a common security policy, a common foreign policy and a common defence policy. There is no doubt about what they are up to.

Article H of the draft treaty, which is not before us today, says:

"Member states shall support the Union's foreign and security policy actively and unreservedly in the spirit of loyalty and mutual solidarity. They should ensure that their national policies are in line with the common positions agreed upon. They shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations. The Council shall ensure that these principles are complied with".

Article K says:

"Once the objectives and means of a joint line of action have been defined, each Member State should be bound by the joint line of action in the conduct of its international activity."

There follows this lovely sentence:

"At international conferences and in international organisations, the Union's position shall, as a rule, be put by the Presidency."

[Mr. Peter Shore]

If such a commitment is accepted, we shall not even have a voice. How do we exercise our power and our voice in the Security Council if we allow the presidency to speak for us and on our behalf? I know that the Foreign Secretary will resist that with all his power, but make no mistake: the essence of these two treaties is that they are federal treaties in character and in intent.

The opening words that Mr. Delors and Mr. Poos have put together are explicit on the matter. They have let the word "federalism" out of the closet. They say at the very beginning:

"This new Treaty marks a new stage in the gradual process leading to a federal type Union."

They end with these words, under the heading "Final Provisions":

"An intergovernmental conference"—

another one—

"shall be convened by"

1996

"at the latest to examine the provisions of the said treaties from the standpoint of strengthening the federal nature of the union."

No British Government and no Leader of the Opposition, if he were in government, would dare sign to those words and commitments. It would be a breach of faith with the British people and an unforgivable act against the interests, wishes, prosperity and independence of this country.

7.16 pm

Mr. Jonathan Aitken (Thanet, South): It is a pleasure to follow the right hon. Member for Bethnal Green and Stepney (Mr. Shore), whose trenchant speech, like that of the right hon. Member for Leeds, East (Mr. Healey), had the useful effect of showing up the speech of the right hon. Member for Manchester, Gorton (Mr. Kaufman) for what it was—a second-rate, evasive, scissors-and-paste job, quite unworthy of anyone aspiring to the job of Foreign Secretary.

On our side of the House, the debate has been dominated by two ex-Prime Ministers. I am extremely happy that the Government's negotiating position is very much closer to the views of my right hon. Friend the Member for Finchley (Mrs. Thatcher) than to those of my right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath). That negotiating position, spelled out with excellent clarity by my right hon. Friend the Foreign Secretary, is one of being hostile to federalism, staunch in the defence of our parliamentary sovereignty and positive in its enthusiasm for union through European co-operation. One should be intrigued by the negotiating skills for building these pillars of co-operation outside the competence of the Commission. That is certainly the right way to go. I applaud that approach and thoroughly support it, but one must ask: can my right hon. Friends, as negotiators, deliver it when it comes to the crunch at Maastricht?

The trouble we face is that there is an impatience in certain European quarters with the British emphasis on co-operation, evolution and pragmatism. That impatience comes not from the member states but from the Commission. It is the Brussels Commission that is fighting for its empire of the future and that wants to extend the Community's competence in a whole range of areas that impinge on our national sovereignty.

Let us look, for example, at Home Office issues—terrorism, drugs, immigration, security. No nation wants to co-operate more than Britain does with that sort of pillar of union inside Europe to fight these various Home Office matters, but the one thing that we do not need is to have that truly national area of policy subjected to the paraphernalia of the treaty of Rome, majority voting and so on. Our negotiators are right to resist such policy being sucked into the competence of the Commission.

It is crucial to understand that the device by which the Commission seeks to extend its competence appears in the preamble, or chapeau, of the draft political union treaty—the inclusion of the words "federal destination" or "vocation federale". That device will give the Commission the prescriptive right to bring such policy under its control.

That is why it is crucial not to use federalism as a semantic argument, but to tackle it head on. It is the litmus test of whether we should veto the political union treaty and whether the phrase "vocation federale" is included in the umbrella, preamble or chapeau of the treaty.

There is a second litmus test, because, under article 189, the draft treaty seeks to impose the radical, revolutionary principle that my right hon. Friend the Foreign Secretary mentioned—co-decision in legislation for the Commission and the European Parliament. That would take sovereignty from national Governments and Parliaments. Co-decision in legislation, as all Back Benchers know, is impossible in its practicalities and quite wrong in principle. I am certain that those two litmus tests—the vocation federale and the treaty, if we signed it—would be a massive and irreversible diminution of Britain's parliamentary sovereignty.

To show the depth of what I am saying, I take the House to the heart and soul of the draft treaty, which is in print for the Luxembourg summit but apparently is not in the Library. I refer to the parts of the treaty that seek to impose majority voting on a range of new law-making areas, such as industrial policy, energy policy, tourism, health, culture and defence. Those policies have been central to the responsibility of national Governments and Parliaments for centuries. A political union treaty, in anything like its present form, will mean an unacceptable shift of power from Whitehall and Westminster to the Commission. That momentous change must mean the downgrading of Parliament to the level of a regional assembly or a glorified county council.

Surely, as British legislators, we should draw the line in the sand right there. If those elements still appear in the treaty after the Maastricht conference in December, that will be the crunch, and we will have to face up to the grim possibility of vetoing it. One need not be too pessimistic; there is plenty of negotiating to be done.

When making decisions on our future role in Europe, there is a difficult conflict, or at least tension, between Britain as a parliamentary nation and Britain as a trading nation. We joined the Common Market, as it was then called, to extend our trading opportunities. We certainly do not want to lose the advantages of the single market or to be excluded from this powerful club—as a trading nation, we have a great role to play in the club by making it more outward looking, less protectionist, larger and more of a genuine free-market enterprise—but to stay in the club, must we make certain concessions and accept some reduction in our parliamentary sovereignty. The answer to that question is yes in pursuit of co-operation, but no in pursuit of federalism.

Let us remind ourselves that federalism was not in the original treaty of Rome. The original treaty referred to

"an ever closer union among the peoples of Europe."

I see that as union through co-operation. That idealism was good enough for Schuman, Adenaur, Spaak and Monnet and should be good enough for us, our partners and even the Commission.

The more I participate in Euro-debates, the more I realise that the true argument on Europe is not between opponents and proponents, between Europhiles and Europhobes, but between dreamers and realists. The crunch of realism will come when we vote on what has been negotiated at Maastricht. The $64,000 question is, should Britain accept a political union treaty or EMU treaty, the effects of which will mean a substantial change in our constitutional arrangements and a severe reduction in the power and sovereignty of Parliament? If the treaty that has been finally negotiated means accepting a federal destination, and it says so, the principle of co-decision in legislation and vast expansion of majority voting into new law making that has hitherto been controlled by the House, Government and Parliament should say no and veto the treaty.

With six months of negotiation remaining, we should not talk too easily about vetoing. I do not believe that it will come to that. Let us trust our Prime Minister and ministerial negotiators to achieve what we all want to achieve in knocking out the more objectionable parts of the draft treaty. Let us wish them well in their efforts to build a pillar-by-pillar union by co-operation. Let us hope, too, that our European partners are listening to these arguments, will take heed of our special British and parliamentary concerns and will change course enough to let us build an European union by co-operation and not by federalism.

7.25 pm

Mr. Giles Radice (Durham, North): We can all agree, whatever the heat of the debate, on the importance of the decisions taken at the two intergovernmental conferences, especially the one on economic and monetary union. Whether we stay out of or participate in the arrangements that emerge from the IGCs, they will help to shape our destiny for the next 50 years.

I agree with the right hon. Member for Old Bexley and Sidcup (Mr. Heath) that the United Kingdom must participate fully in economic and monetary union and in the moves to closer political union. I do not believe that we can afford to be excluded. Three times in the past 40 years, Britain has decided to stay out of agreements to integrate western Europe. Each time, the decision proved to be against our best interests.

When the United Kingdom rejected the Schuman plan at the beginning of the 1950s, it helped to establish the Franco-German hegemony, which is now such a dominant feature of the Community. In the mid-1950s, we stayed aloof from the plans to establish a Common Market and ensured that the shape and rules of the Community were designed to suit the interests of the original Six and did not reflect British needs. We also missed out on the great period of Euro-growth in the 1960s and 1970s. At the end of the 1970s and during the 1980s, we refused to join the exchange rate mechanism and not only deprived ourselves of an extremely valuable counter-inflationary discipline but were shut out from the central economic management of Europe, although we were increasingly affected by the decisions that were taken.

We cannot afford to be excluded again. Those who fulminate so fiercely against EMU should have the courage to give us the alternative. A Britain outside economic and monetary union would be relegated to the second league.

Mr. Austin Mitchell (Great Grimsby): Why?

Mr. Radice: If my hon. Friend will keep quiet, I shall tell him.

Inward investment would go to the inner group of the EC at our expense and our financial dominance in Europe would be threatened.

The right hon. Member for Cirencester and Tewkesbury (Mr. Ridley) has implausibly suggested that Britain outside EMU could become the Hong Kong of mainland Europe. Even if we could agree that that would be a desirable objective, I doubt whether an excluded Britain would be able to play that role.

It is significant that key peripheral countries such as Sweden and Austria are now applying to become full members of the EC obeying all the rules including the move to EMU. On the other hand, a British Government who took the decision in principle to join EMU would not only be in a good tactical position to influence the timing and shape of the eventual EMU package which emerges at Maastricht, but would give their economic decision makers a long-term objective which would help them to take the right decisions to improve the underlying performance of the economy in terms of inflation, productivity levels and investing in the supply side.

A decision in principle would thus help to create conditions that would lead to the convergence which hon. Members on both sides of the House believe is necessary to make EMU work. In those ways, participation in EMU would assist in keeping Britain in the European first division and would therefore would be in the best interests of this country.

In the few minutes that I have left, I want to consider the debate about the political implications of the two intergovernmental conferences and the language that has been used. We have heard much about the "F" word – federalism. I do not want to add much to what has already been said, except to agree with those who believe that it is basically a red herring.

To some extent, the EC already has some federal aspects. European law has primacy over laws legislated by national Parliaments. Under the Single European Act, the Council of Ministers takes certain decisions by qualified majority voting. The Commission has considerable executive power particularly in agriculture and trade. The European Parliament is also directly elected.

However, clearly the EC is not in any real sense a federal state on the German model or any other model. Nor is it likely to be in the near or medium-term future, whatever my colleagues may say. Instead, it is moved forward according to the Monnet strategy of building a united Europe in an ad hoc, block-by-block way.

The right hon. Member for Old Bexley and Sidcup is right: the EC is sui generis. We cannot use the old terms to describe it. Peter Jenkins was right, when he stated in Tuesday's *Independent*:

[Mr. Radice]

"Europe's destiny . . . is more likely as a sui generis community of nations, increasingly federal in some aspects, but increasingly confederal in others, a pluralistic amalgam of interdependence and local independence."

So the debate about federalism is a red herring. However, in addition to the "F" word there is the "S" word which is used by Britain. That is "sovereignty". As the Select Committee on Foreign Affairs pointed out, to the United Kingdom the notion of national sovereignty is almost indistinguishable from the concept of parliamentary sovereignty. That arouses great passion in British political circles, although, according to the polls, it is not so important among the electorate.

I remember the then Prime Minister, the right hon. Member for Finchley (Mrs. Thatcher), during her disastrous Rome summit statement which led to her downfall, taking me severely to task when I suggested that her hostility to a single currency threatened to relegate the United Kingdom to the European economic second division. She asked me why then, as an advocate of EMU, I was bothering to stand for Parliament. Behind the right hon. Lady's taunt lies her belief in exclusive parliamentary sovereignty.

However, the notion of absolute parliamentary sovereignty has already been severely eroded by our membership of the EC. The right hon. Member for Finchley was a member of the Cabinet that took us into the EC which now has an extensive system of law. The Government signed the Single European Act which established qualified majority voting. The Government also joined the exchange rate mechanism which limits the right to change the value of the currency. All those actions have eroded parliamentary sovereignty.

In any case, the doctrine of parliamentary sovereignty, so confidently advocated by Dicey at the end of the 19th century and now so fervently echoed by the right hon. Member for Finchley a century later, is out of date in terms of individual rights. It has proved inadequate to defend British citizens against the abuse of power by the Executive.

Significantly, there have been 21 judgments against the United Kingdom in the European Court of Human Rights—the largest for any signatory nation. Seventeen of those have taken place under this Government. The new democrats of the EC cannot fail to note that the Community countries with written constitutions and a codified Bill of Rights have performed far better in respect of individual rights than the United Kingdom, which has relied exclusively on parliamentary sovereignty.

The United Kingdom is the most centralised state in the Community. In most other member states the regions now have considerable powers guaranteed by their constitutions. In the Community, it is the doctrine of parliamentary sovereignty—not federalism—that upholds centralised power. It is certainly right to be concerned about democracy in the Community, but the answer to the question about the democratic deficit is far more likely to be found in extending the powers of the European Parliament, as the socialist parties in the EC argue, than vainly trying to defend the indefensible—the anachronistic doctrine of exclusive parliamentary sovereignty.

We must insist that our negotiators free themselves from such outdated concepts and ignore emotional language such as we heard from the right hon. Member for Finchley. Instead, they should consider carefully where British interests lie and be clear about their aims and press for a positive and constructive outcome. Common European action is needed when national effort is inadequate. It is very much in the interests of the British people and other European nations to join together to create common policies, rules and institutions. Our future lies in the European Community.

7.36 pm

Mr. Nigel Lawson (Blaby): I welcome this debate, which is about one of the most important and challenging issues facing our country at the present time. Happily, with the conspicuous exception of the speech by the right hon. Member for Manchester, Gorton (Mr. Kaufman) from the Opposition Front Bench, the speeches we have heard today have lived up to the importance of the issue.

The Government undoubtedly have an extraordinarily difficult hand to play. I believe that they are playing it with considerable skill and they deserve the full backing of hon. Members not merely on this side of the House but of the House as a whole.

I speak as a long-time supporter of British membership of the European Community. Like many others, I welcomed the Community as an inspired constitutional innovation far more intimate than any conventional alliance, but less than a federation, providing a framework in which independent nation states could co-operate as never before.

Despite the common agricultural policy, the Community has proved over the one third of a century since its foundation to be a remarkable success, particularly now, with the single market programme in full swing—although some difficult decisions lie ahead—and the prospect of enlargement to include the European Free Trade Association countries and, as soon as practicable, the countries of central and eastern Europe.

With regard to the central and eastern European countries, incidentally, when certain of those countries—in particular Hungary, Poland and Czechoslovakia—are making heroic efforts to achieve the unprecedented transformation from a command economy to a market economy and their peoples are suffering as a result of the short-term hardships inevitably incurred in the adjustment process, it is deplorable that the European Community should deny them the markets that they so badly need for their agricultural produce.

But, the CAP apart, the Community has proved to be a remarkable success—and it is the beacon to which Hungary, Poland and Czechoslovakia are now drawn. However, paradoxically, it is at just this point that we are being asked, in effect, to jettison the Community and to replace it with a full-blooded federation.

The origins of that misguided initiative are sometimes misunderstood. They are various, but pre-eminent is the fact that France has always seen itself as the heart and head of the Community. It has therefore found the dominance of the Bundesbank in the important monetary field increasingly irksome. In fact, I believe that the dominance of the Bundesbank, which has not been imposed on the member states of the Community, but arises from the free play of market forces assisted by the independence of the Bundesbank—something from which we could learn—has served Germany and Europe as a whole. But for France it was politically objectionable and

it was thus in their view necessary to abolish the Bundesbank. That could be done only by replacing it and, indeed, all the other national central banks by a new European central bank responsible for a single European currency. But that move, however understandable—although, I believe, misguided—has the most profound political consequences. Even the *Financial Times* a few months ago admitted:

"The economic benefits of EMU remain speculative. The ultimate effects on the distribution of power between member states on the one hand and the European Community as a whole on the other are likely to prove substantial. EMU is a political project, as the Commission states."

That is quite true, but let me quote from an even more exalted authority than the *Financial Times*, Hans Tietmeyer, a very able man who is the present deputy president-elect of the Bundesbank. Indeed, in two years, when important events are going to take place, he will almost certainly be the president of the Bundesbank. A fortnight ago,, he said:

"All participants must be clear that the loss of monetary sovereignty will make national efforts to solve domestic economic problems impossible . . . EMU requires a single monetary policy and effective rules to enforce budgetary discipline on the member states. These prescriptions are difficult to implement because they affect national sovereignty. On this issue it becomes clear that EMU can work only within a wide-ranging political union."

That is what Hans Tietmeyer said, and he is absolutely correct. In other words, it requires a federal Europe—a united states of Europe—or a single super-state, if one likes to use that word, with a federal constitution.

A single currency requires a single bank which must be matched by a single Government and a single state if the democratic deficit, which people are concerned about as it is at present, does not become completely impossible and intolerable.

Of course, there is nothing whatsoever disreputable about advocating a federal Europe. The only thing that is perhaps the faintest bit disreputable is the behaviour of those who maintain that there is no real issue—that it is merely a question of semantics. Would that it were so, but nothing could be further from the truth. Federalism is indeed, as the Liberal spokesman, the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) said, a dispersion of power, but it is a dispersion of power within a single nation state. It presupposes the existence of that nation state. That is the point.

The question really is whether federalism—a federal Europe—is right either for Britain or indeed for Europe as a whole. In my judgment it is not. Look around the world today. As the right hon. Member for Leeds, East (Mr. Healey) pointed out, almost everywhere, multinational federations are under intolerable strain, from Yugoslavia, which is falling apart as we speak, to Canada whose Government are struggling desperately to keep French Canada and English Canada together. There are many other examples.

The right hon. Member for Leeds, East was right to identify the acute difficulties in the foreign exchange markets today, but the solution lies not in EMU, but rather in the development of the G7 process of co-operation, because this is a worldwide problem, along the lines which I and others tried to get going with the Plaza agreement and the Louvre agreement some years ago.

A federal Europe, if it were ever to come about, would produce just the same strains that we see in other multinational federations today, and they would inevitably be exploited by nationalist demagogues of the worst kind. That is something that I view with the deepest foreboding.

Finally, I revert briefly to the question of the single currency. It is, fortunately, a long way off, so there is time for the issues to be fully argued out and for wiser counsels to prevail. Meanwhile, I believe that the Government are entirely right in refusing to be bounced into agreeing to the principle of a single currency on the disingenuous grounds presented to them that progress is possible only if there is a clear commitment about the precise nature of the ultimate destination. Not only is that not how the Community has worked in the past and not a sensible way to work now, but it is disingenuous, as I have said, because it ignores altogether the vital political question of what precisely is the proposed constitution of the new single-currency Europe.

It is only when that—the destination that until recently dared not speak its name—has been fully hammered out, with this country playing its full part—I have never at any time nor will I advocate the empty chair—that this House can sensibly be asked to decide whether it wishes to preserve the constitutional status quo—that is to say, to preserve the European Community which has been a constitutional innovation and a great success, or whether it wishes to embark on some new and, in my view, profoundly unwise adventure.

7.45 pm

Mr. Robert Sheldon (Ashton-under-Lyne): I start by agreeing with the right hon. Member for Blaby (Mr. Lawson) that this debate has indeed been impressive. It is right that the clear differences that we have heard within each side of the House have been expressed in the way that they were by the right hon. Member for Finchley (Mrs. Thatcher), who praised the Government but certainly disagreed with many of their policies, and by the right hon. Member for Old Bexley and Sidcup (Mr. Heath).

The central issue is whether we wish to remain a country enmeshed within the Community. If we do, we have to pay some attention to the wishes of other members, particularly when we find ourselves in a minority of one. Such a minority position is not a matter for rejoicing, as the former Prime Minister seems to think; it is a matter for great dismay.

If we play such a part in opposing what other countries want, in the end they will find ways of managing without us. The story of the dog in the manger did not end with the dog for ever denying food to the hungry; there are ways of dealing with such a dog. That role can operate only for a limited time. We could find ourselves bypassed. Once again, we could find ourselves excluded.

Why is it that other countries seem to see such advantages where we see few or none? Let me detail some disadvantages. My principal opposition to EMU is that we are a country economically much weaker than the Government seem to think we are. We need to restore our manufacturing industry to the comparable levels of the past and comparable levels with Germany. In fact, if we had an economy as flourishing as Germany's, I would be a whole-hearted supporter of the EMU. The system of a central bank in Europe, leaving aside the control of it, will favour the powerful economy. I only wish that that was us. Even if policies were wise and far-sighted, there would be

[Mr. Robert Sheldon]

great time lags in their results. The public expect earlier successes than even the most enlightened programmes can provide, and elections come round before even the most far-seeing policies can deliver.

What are the prospects for a European central bank? Britain would, of course, have a representative, and the bank might have to report to a group of Finance Ministers. Controlling a central bank in one country is difficult enough. I recall a Chancellor of the Exchequer envying the role of the Governor of the Bank of England. There is the day-to-day tussle even when it is nationalised. Nobody can doubt the present Chancellor's problems with the Governor. In Germany, as we know, it is even more difficult.

Why did we nationalise the Bank of England? Why did it get the support of prominent Conservatives such as Bob Boothby? It was because the lack of control was obvious. An international bank with immense powers would supposedly be controlled by people from different countries with different views and different languages. Since when have politicians been prepared to hand over such authority to such a powerful bank or to give it authority in the day-to-day running of monetary affairs for the whole of Europe? We cannot be sure that our Prime Minister will be as powerful as the chairman or the governor of such a central bank.

The trouble is that the major loss to the independence of the United Kingdom would be its ability to set our exchange rate. My right hon. Friend the member for Leeds, East (Mr. Healey) is correct: one cannot have complete control over one's exchange rate, but one can have some. In an area where there is so little control, that little is certainly of value. The case of East Germany is a problem writ large. If it is bad for us, how much worse would it be for a country like Portugal or Greece?

The role of the exchange rate is crucial to the conduct of economic policy. If one could separate the economic controls that one can devise, I have always held, "Let me control the exchange rate and you can have everything else." The economic performance, the balance of trade and balance of payments desperately depend on the role of the exchange rate, which would be the responsibility of the managers of monetary union. Such a monetary union could not work for long in the way that enthusiasts for it expect.

Even in the old East Germany the only prospects for success—in their exchange rate equalisation with western Germany—lie in an enormous outpouring of funds from West Germany for 10 to 15 years before it will have the advantages of West Germany. That is the position when the two are part of the same country, sharing the same language and culture. In the Community of the future, such massive movements of capital are, to say the least, unlikely. In the absence of those, the Community cannot accept a central bank which would provide gains to the wealthy at the expense of losses to the poor.

Of course we want convergence, but it will take a long time and will require certain political decisions which many countries will find distasteful. However, we are not the only people who are claiming to see into the future. Such a commonplace observation must be occurring to people in the other 11 countries. If those economic laws are certain, they will be so proved and will result in changes within the Community.

I do not believe that there are industrial dragons in other countries waiting to do us down. If Europe is not a co-operative venture, it is nothing; it will collapse under its own deceptions. The Community has to convince each participant of the advantages to them. That is why so many countries in Europe, outside the Twelve, want to participate in and to join the Community, and we must welcome that fact. The future of the Community must lie in co-operation—without co-operation it is bound to disintegrate. The trouble is that the determined non-co-operators reside within our country.

There comes a time in any organisation when the impetus for change is so great that to resist it means the ultimate exclusion of the dissenters. It is far better to point out the difficulties, discuss the problems and assume our rightful place in the field of consultation and deliberation and so use our influence for good as well as for the common good. That is why it will be necessary to ally ourselves with other Community countries, which will eventually come to realise the dangers, including those of federalism, and construct new ways to provide for such an authority.

We have to decide our future on the basis of what we may be giving up and of what we may get in return. Is it the right to an independent destiny? The real great British disease lies in comparative analysis, when we compare our hopes for the future with the present performance of others. Such words as "economic miracles" and "Germany, watch out" play a large part in this Walter Mitty world. Meanwhile, we maintain absurdly high interest rates, which are inflicting great and lasting damage on our manufacturing industry. Reducing interest rates may weaken our position in the exchange rate mechanism, but that is a risk which we should be prepared and willing to take.

It is a pity that the right to continue our own, if disastrous, economic policy is seen as the right to control our own destiny. That so-called "right to our own destiny" has to be offset by the danger of failing to play our full and proper role in a Community which has consistently been more flourishing than we have been on our own.

We still have certain advantages, but we have failed wretchedly to make the most of them. Probably our greatest benefit is that we share the language of the United States of America and the geography of western Europe. Our position as a bridge between them ought to have been of immense advantage to us. By playing a full and less reluctant role we could still use some of those advantages which we possess even yet.

7.54 pm

Mr. William Cash (Stafford): Today we have heard some of the most interesting contributions to the debate on the future of Europe for many years. Having participated in such debates over a long period, I believe that it is important to view this debate in the context of recent speeches by the Prime Minister at Swansea, the Chancellor of the Exchequer to the conference on economic and monetary union the other day, and the evidence of the Secretary of State for Foreign and Commonwealth Affairs to the Select Committee on Foreign Affairs a few days ago. If we look at the content of those speeches and

observations, against the background of what we have heard today, it will be apparent that there is a genuine centre of gravity in the Conservative party and across the Floor of the House, which arches over party political interests.

Above all, this is a national question and for that reason those of us who have tried to stake out territory on this matter have done so with vigour and have received some flak for it.

The idea that we could get ourselves into a federal Europe is absolutely unthinkable, and that is clear from speeches made from both sides of the House today. If one message goes out to Mr. Delors and the European Commission today from a series of vigorous, robust, clear and constructive speeches, which were not anti-European, that message is that the House does not wish us to become part of a federal Europe.

As the Prime Minister said the other day, one cannot stop history. He also said that one cannot stop the European Community. Some hon. Members want the essence of this House to be reflected in the European Community and that is its democratic traditions. That is the essence of today's debate. The heart of Europe lies in its parliamentary assemblies and this Parliament is at the heart of democracy in Europe.

One agenda to which we have not given much thought during the debate is that, if there were to be a federal Europe, who would run it? We ought to glance at that during these discussions.

It is clearly stated in the basic law of Germany that there should be a united states of Europe, and that has been forgotten. We must ask ourselves about the cluster alliances which would tend to gravitate around the economic dominance of Germany. I am not saying that I would not want Germany to play a full part in a co-operative Europe, but I do not believe that it would be in our interests, or in the interests of Germany, to allow that country to develop a predominant role, based upon the Franco-German axis which has been generatd since the 1940s and 1950s for valid reasons. That would tend to dominate the Community and would not be in the interests of the people of Europe or of this country.

Another problem is whether we should accept the draft treaty amendments now being proposed. If one examines the proposals, one sees that it is not merely a question whether there might be federalism. If one takes the draft treaty at face value, it is crystal clear that it is talking about the high contracting parties establishing among themselves a union and not, as I heard earlier, an ever closer union.

The treaty marks a new stage in a process leading gradually to a union with a federal goal. Citizenship of the union is the essence of it. Every page of the document—its breadth, its length and its depth—is pure federalism. Therefore. we are not merely up against the prospect of whether the word "federalism" might be introduced into the language of the Community. The truth is that, in six months, when the debate takes place in Maastricht, we shall be faced with the question whether we could accept it. It is clear from today's debate that we could not. If that is the case, we should ask ourselves how we are able to get into the negotiations in December and extricate ourselves in such a short time. If only we had been able to discuss these issues more openly before. I am afraid that that question might have to remain unresolved.

Another issue to be considered is that Germany does not want a central bank and economic and monetary union of the type proposed until 1996. What is the reason for getting into this serious discussion which is now in train and for staying with it in December? We should be persuading our partners in the European Community that what is happening will help destroy the very Community that we want to maintain. That is the problem.

On "The Money Programme" the other day, I heard the German Economics Minister say that, in the light of the reunification of Germany, he was worried about Germany being faced with civil disorder. That scenario will, as I understand it, be compounded by the withdrawal of social security benefits from 1·7 million Germans on or about 1 July, with all the strikes and difficulties in the rest of Europe—in Greece and in France where the growth rate is also plummeting. Why on earth are we still faced with the prospect of that happening, not as a dance on a theological pin and not as a question of semantics about subsidiarity which would shove everything up to the top so that we should have a centralised system, but as the political reality of seeking to do something that is politically and economically unrealistic and not in the interests of Europe, let alone the interests of the people of this country?

We must ask ourselves some fundamental questions not only about whether we can square the theoretical circle about the constitutional arguments that we have discussed today, but whether we can square the circle of the political and economic realities with which we are also faced. We should bear in mind the words of Humpty Dumpty in "Alice's Adventures Through the Looking-Glass" who, when asked about the meaning of words, said that they can mean whatever one chooses them to mean. He went on:

"The question is . . . which is to be master—that's all."

At the heart of the question is not merely the issue of semantics—what is federalism or what is subsidiarity—but the use of power; the use of power which could easily gravitate to some countries at the expense of this country by the cluster of alliances to which I referred. However, if that did not work and we were trapped into a system that would not produce the right results, there could be massive instability as a result of which the whole of Europe could disintegrate at the end of the century when we could least afford that to happen. The experiences of the USSR and of Yugoslavia have shown that to be the case, and we need to learn their lessons. The debate is not about semantics, but about the realities of political life.

8.4 pm

Dr. David Owen (Plymouth, Devonport): One important feature of the debate is that there is a readiness on all sides of the argument to accept that we are dealing with fundamental questions. I welcome that, for there has been nothing worse than the attempt to evade the underlying reality that the founding fathers of the European Community always dreamed of a European state. That was checked by General de Gaulle, and when Britain decided to join in 1971, the House was assured by many people, not least the then Prime Minister, the right hon. Member for Old Bexley and Sidcup (Mr. Heath), that we were entering not a united states of Europe, but a European Community that had changed of its own volition as a result of the acceptance of the French position that no country could have its vital interests overridden, that the Luxembourg compromise existed and that the European Community would be a community of nation states, a confederation.

[Dr. David Owen]

It is humbug to try to pretend that the word "federalism" means devolution, or that it is about giving power to Scotland—of which I approve—or to Northern Ireland and Wales. I want to see a federal United Kingdom and I believe that it makes sense. I do not wish to see a federal state of Europe in which fundamental decisions affecting the destiny of this country are made by that state, its own elected president, its own Cabinet and its own European Parliament. It is high time that the right hon. Member for Old Bexley and Sidcup came clean and said that that is what he wants. It would not be a bad idea if the right hon. Member for Finchley (Mrs. Thatcher) also came clean. She does not like the European Community as it is. She would prefer a free trade area and resents elements of the transfer of sovereignty over and above a single market.

I believe that the vast majority of people in the House and in the country want a European Community that is genuinely sui generis, which is not modelled on the United States of America, which cedes and has already ceded sovereignty in various key matters and which is not trying to cull that back. In external affairs we have already ceded responsibility to the Commission for negotiating the general agreement on tariffs and trade. The draft treaty now asks us to cede—undoubtedly and ineluctably—decisions on foreign policy and on defence and security.

I read the treaty for the first time today, and there is no question in my mind but that, were it to be put before us in December, we should have to reject it. It will undergo much negotiation; it may be possible to remove some of these elements, and we will have to seek compromises on various matters.

Much attention has been paid to European monetary union. The right hon. Member for Finchley accepted a Europe of different patterns and recognised that the Schengen group of countries—initially five or six, and now eight—have accepted no borders between them. That seems perfectly acceptable, and it would be wrong for Britain to say that they should not do so. They have contiguous borders. It makes sense to them, and nobody should object.

We must get used to seeing a variegated pattern for the European Community. As I understand it, the Government are saying that if within the European Community some member states wish to opt for a single currency and fixed exchange rates, we shall not stop that development. However, we are not ready to say that we would join that system now. We will not act as we did over the European monetary system and say that it is not a question of when, but of whether. We are reserving our judgment on both whether and when. We want so to design the treaty that it does not mean that one is a pariah because one has stayed outside it.

Can anyone seriously believe that Greece will be in a condition to have a single currency and fixed exchange rates within the next decade? There are a number of other Community countries that will also not be in that condition. I fear that if we sign up for a treaty in which only Britain is allowed to be a rather oddball exception, it will encourage the belief in Brussels in a tight, narrow Community. It will then be said, "Of course, we cannot have Poland, Hungary and Czechoslovakia in."

The right hon. Member for Old Bexley and Sidcup (Mr. Heath) made the matter clear. He seemed to expect that it would be 20 years before such countries could come in. The right hon. Gentleman cited the problems of Spain. I remember that many people in Brussels argued that Spain could not be taken into the European Community in 1977 and 1978. It is to the credit of the then Labour Government that we strongly argued for enlargement, and Spain has been a striking success.

What are we about in this European Community? Are we seriously saying that we dare risk a failure of the transition from a communist country to a democratic market economy for Poland, Hungary and Czechoslovakia? If there is one border in Europe which could bring back war and certainly tension, it is the Polish-German border. If there were a massive economic barrier between those two countries, there would be tension and problems. It is time that we said to the European Community, "For geopolitical reasons, you must expand to those three countries."

We might even have to say to the Scandinavian countries, "Of course you are going to come in, but hold back a little while we enlarge and you take on responsibility for Estonia, Latvia and Lithuania when they become"—as I hope they soon will be—"free and independent nations again, wanting to make the transition to democracy and to a market economy, and needing the help of the Scandinavian countries." Yes, we will have a community of 24 or 26 countries in the first decade of the new century, but our fundamental responsibility is to make certain that the countries that have come out of the communist fold succeed. Then it will be time for us to spread our wealth and expertise into the Soviet republics, and then it may be time to take on the problems of Bulgaria, Romania and Yugoslavia.

We cannot do it all. We have seen the problems that the united Germany faces in the former East Germany. It will be a difficult task to achieve the transition successfully, especially for Poland, but it is our moral and ethical responsibility to do so. Hungary opened its border to Austria, which was the key factor that allowed the Berlin wall to break down. The Germans have a moral responsibility. We who left Czechoslovakia to stand alone in the 1930s have a moral responsibility to help the Czechs to rediscover their nationhood.

Let us not be ashamed of nationhood. There were comments about the horrors of nationhood. What about the glories of nationhood? What about the fact that Britain was prepared to stand on its own at one stage in the cause of freedom? This is not chauvinism or jingoism. I am prepared to concede more sovereignty in some areas within the European Community. It may be difficult for us to do that, and compromises will have to be made. We may have to agree to discuss in a co-operative sense some areas of policy, which hitherto we have not wanted to do.

The key point is the question of majority voting. If we go down the route of paragraph 2 of article J in the draft treaty we allow majority voting for some areas of foreign policy decided by the European Council. Are we saying that, every time that the European Council meets, and foreign policy is on the agenda and common action is agreed, we will veto it? That is the only way if we are to preserve the principle. If we do not veto it every time it comes up, we allow majority voting. That is nonsense.

What are the nine areas suggested? They include relations with the Soviet Union, which may be the most complex and difficult question that Europe has had to face and on which the present members of the European

Community have had very different views in recent memory. Many of them were not prepared to deploy cruise and Pershing missiles. Many were not prepared to stand firm against the Soviet Union. Many have not been prepared to take on international terrorism. Many were not prepared to support us in the Gulf war. Belgium has refused to supply ammunition to the British forces within the past 12 months. Am I now to be told by the Belgians that we are to have foreign policy decision-making on a majority basis? It is nonsense, and it has to be made clear that it is nonsense.

The value of the British Government's position at present is that they are arguing their case as Europeans. That is the great achievement of the Prime Minister and of the Foreign Secretary, and that is why they deserve our support in the Lobby tonight. They are not arguing as people who want to turn the clock back or as people who do not want the European Community to succeed. They are not saying that there are some areas of new sovereignty that we are willing to concede. They are saying that it is in the interests of Europe that the European Community does not become a federalist, narrow, inward-looking, mercantile and rather neutralist outfit. There is an idea that this will be a superstate. Half my worry is that it would not have the power that is needed.

8.15 pm

Sir Richard Luce (Shoreham): I am glad that the right hon. Member for Plymouth, Devonport (Dr. Owen) focused some of his remarks on central Europe, and I will come back to that issue. In a debate like this, one cannot help but reflect that it is an occasion on which to take stock and to look at the overall perspective. We tend to lose sight of that when we live in the Community day by day.

One cannot help two reflections. The first is that it is a remarkable achievement that we are arguing in the Community about how we should evolve rather than fighting wars as we have done twice this century. That in itself is a remarkable achievement.

The second reflection is that, if we were to withdraw tomorrow morning from the Community, we could only ask ourselves what the consequences would be for Britain. They would be total isolation, no political influence and economic decline for this country. Those two reflections in themselves denote the importance of the debate about our membership of the Community.

Against that background, I thought that the speech of the right hon. Member for Manchester, Gorton (Mr. Kaufman) was quite astonishing. We were waiting to hear what the Labour position was on the Community. The speech reminded me very much of a play by Samuel Beckett called, "Waiting For Godot", which I watched as a student. We waited and we waited, and Godot never came. I must confess—perhaps I should not, as a former Minister for the Arts—that it was the only play I ever walked out of. At least I did the right hon. Gentleman the courtesy of staying in the Chamber.

By contrast, we had an inspiring speech by my right hon. Friend the Foreign Secretary, which reinforced what the Prime Minister said so strongly—that we in Britain must be at the heart of Europe. I cannot help but reflect, having listened to the speeches of my right hon. Friends the Members for Old Bexley and Sidcup (Mr. Heath) and for Finchley (Mrs. Thatcher), former Prime Ministers and former leaders of the Conservative party, that both have played a notable part in building up Europe. My right hon. Friend the Member for Old Bexley and Sidcup took us into Europe and my right hon. Friend the Member for Finchley played the most prominent role in helping to create a single market in Europe. Both of them have played a remarkable role in that connection. Even if they are not prepared to rest content with that, at least I will rest content with that.

The clear theme that comes out of the debate is that the Community is constantly developing and evolving, and that there is no single label such as "federation" that is the appropriate answer. The process is sui generis—it is developing of its own accord, and we must look at it in that way.

Against a background of a constructive, sensible and pragmatic approach by the British Government, and one in which we intend to comply, once we have agreed to a decision, with the decisions of the Community, we must consider the eastern—or as I prefer to call it, the central—European situation. In my view, nothing could be politically more important for the future of Europe than the stability of central Europe. We are already involved in negotiating association agreements and in negotiating with the European Free Trade Association. However, we must remember the lessons of the 1930s, when a former Conservative leader talked about. "a far-away country" about which "we know nothing". My goodness, we came to regret that attitude of mind and that approach. Just look at the consequences. We cannot afford to see that happen again.

Above all, next weekend in Luxembourg, it is supremely important that we give a clear message of support to the democracies of Poland, Hungary, Czechoslovakia and the others. Following the end of Soviet domination and of communism, they are now struggling to achieve democratic systems and to develop economically in a plural society. If they fail, that could lead to disaster for all of us—not just for them. It could lead to disillusion, to authoritarian rule, to the growth of ethnic tension, to fragmentation and inevitably, as we have seen throughout the centuries, to rivalry from their large neighbours.

The Community has rightly done much by providing emergency aid, food, structural and economic aid. Although all that is beginning to happen, it is crucial that we now reach an association agreement with those three countries that gives them access to trade. As my right hon. Friend the Member for Blaby (Mr. Lawson) rightly said, the most vital thing for them at present is for their agricultural and other produce, and goods and services, to have access to the outside world. Between now and the Maastricht meeting, it is important that we decide the likely implications of those three countries—and the other nine—acceding to the Community in the longer term, because their accession will almost double its size. We cannot ignore that issue. Even if it means slowing down the pace of achieving closer co-operation within the Community, that is a price worth paying for welcoming the central European countries into the democratic fold of European nations.

When my hon. Friend the Financial Secretary to the Treasury replies to the debate, I hope that he will tell us whether the Community is giving priority to assessing those implications and, above all, to giving a warm welcome, a gesture of friendship and encouragement, to central Europe by providing those countries with an association agreement and the clear signal that, in due

[Sir Richard Luce]

course, we will welcome them fully into Europe. That political gesture is of the utmost importance, not only to them but also to ourselves.

8.21 pm

Mr. Nigel Spearing (Newham, South): At the beginning of his speech, the right hon. Member for Shoreham (Sir R. Luce) referred to the parts that have been played by his right hon. Friends the Members for Old Bexley and Sidcup (Mr. Heath) and for Finchley (Mrs. Thatcher), who are both former leaders of his party. I should like to reflect first on their "contributions" and then to turn to the machine of the European Community in its legislative form. I believe that the hon. Member for Strafford (Mr. Cash), who said, "It is all right as long as it is not federal," is being a little over-optimistic.

The position of the right hon. Member for Old Bexley and Sidcup can be summed up by what he did to the Crown in Parliament, which, as everybody agrees, was our final authority until 1972. In passing the Act for which many Conservative Members voted, the right hon. Gentleman effectively said that the legislation of the European Community could, without further enactment, become the law of the United Kingdom. In other words, that Act and that right hon. Gentleman constructed a bypass around the Crown in Parliament. It is true that, at that time, the only area in which majority voting operated was the rural byways of the common agricultural policy, but those provisions bypassed the Crown in Parliament, and thus this House and the electorate.

The right hon. Member for Finchley then came along. She is a great marketeer and is keen on markets, wanting freedom from the oppressive state. But markets are not necessarily free of authority: the more complex the market, the more rules are needed. Let us look at the money markets. What is a bank? It is what the Bank of England says. It is what our statutes say it is. The more markets there are, the more authority is needed to control them. The idea behind the Single European Act was to ensure a multiplicity of markets throughout the Community in almost everything—trade, money, speculation or specification and, potentially, in the wages and conditions of people at work, which is known as the social dimension because men and women are economic persons and, if nothing else, are part of the labour market.

Knowingly or otherwise, the right hon. Member for Finchley agreed the definition of the single market as "an area without internal frontiers." In that connection, people think of lorries, barriers and 1992, but they do not think of the legal frontier of the market—yet frontiers can be legal as much as physical. If one removes the legal frontier, as required under article 8(a) of the Single European Act, one has to provide an authority over the whole. The Single European Act centralises that authority for any market.

In addition, that authority is determined not by unanimity but by majority voting. There are three elements to this issue—"without further enactment", "without internal frontiers", and "without unanimity". Taken together, those eight words represent an awesome degree of central power. That central power exists even now—even without economic and monetary union. That central power is not, and need not become, federal—it exists as a unitary power.

There has been a lot of talk about federalism and about federal organisations. Federations can be either weak or strong but, on any definition, they all involve a separation of powers. Under the treaty of Rome, however, there is very little separation of power, because power is centralised to an extraordinary and remarkable extent. The Foreign Secretary may talk about subsidiarity at the best place, but the centre decides where that best place shall be. As the Single European Act and the idea of a single European multiplicity of markets automatically make that place the centre, subsidiarity cannot apply in any case.

What then becomes of national Parliaments? Like other colleagues, I have had the privilege of meeting many parliamentarians from other countries. Sadly, we have come to more or less the same conclusion—that even now, with the present single market being due for completion at the end of 1992, national Parliaments can be little more than national advisory councils on the scope of the present European treaties. If any hon. Member thinks that a national Parliament can do more, I should be pleased to hear about it.

That is the present scope of the national Parliaments according to the European treaties, even in relation to European monetary and political union, which we have been discussing today. Therefore, I advise those Conservative Members who think that they can get rid of that "F" word, "federalism", that that is not really the point, because the basis of power already lies in a unitary structure, which, by definition, has great power at the centre.

Although the Financial Secretary to the Treasury is no longer in his place, I understand that he will be replying to the debate, so I should like to ask him a question. The Prime Minister has said that he will not allow a single currency to be foisted upon us—at least, not without the acquiescence of the House. However, under the so-called "compromise" which has been suggested, I can see a different scenario.

If we have fixed and irrevocable exchange rates, a common interest rate and a single economic policy, does it matter what one calls one's currency? Do they not amount to the same thing? Would it not be possible to keep the pound, just as the Irish kept the punt, although only as a matter of presentation? I fear that the Government may seek to go down that road to fulfil the demands which are properly made from their Back Benches. The Government will merely create a presentational solution, while there would be economic and monetary union in every sense of the words.

I conclude with three questions which must be answered fully and squarely if the British public are to understand the issues. First, if we are to avoid a central Government of bankers, by bankers and for bankers, how can we have a central political institution which has not in effect become a centralised European Government?

Secondly, what study have our Government made of the benefits of economic and monetary union? If they have carried out such studies, will they please publish them? What study has been made by any other Government—I am referring to national Governments, not to the

Commission or the Council of Ministers—of the same matter? What benefits do other Governments expect will be available?

Thirdly, given the scope of the treaty—perhaps much watered down from the drafts which are floating around now—on political, economic and monetary union, and however the bankers and the money are controlled, what future do members of all parties in this House see for national political parties? Surely, national political parties can operate only within the power given wholly to national Parliaments.

If the power of national Parliaments is much reduced, what is the use of a national political party? If the function of parties is limited, or if they disappear into some great European arrangement—there are already moves in that direction, certainly across the Floor of the House—what is the value of the vote of the citizen of the United Kingdom?

8.31 pm

Rev. Ian Paisley (Antrim, North): Previous dreams of a great central European power have been responsible, as history accurately records, for war, hatred, bloodshed and disaster. In the past, those dreams have turned into nightmares. Anyone who visits Strasbourg, Brussels or the institutions of the Community is well aware that there is a mad craze to build a new superpower in Europe. One has only to examine the construction of certain pressure groups in the Strasbourg Parliament and read the reports that come out of them to know exactly what those groups are up to.

We are told that the great new power that will come to fruition will take away from this and other national Parliaments 80 per cent. of the matters with which we now deal. Where will they be dealt with? They will be dealt with according to the President of the Commission in Brussels. The amazing thing is that we are told that the system of taking 80 per cent. of the powers of national Parliaments to Brussels is a form of wonderful devolution. It will spread power to the lowest possible level. In my opinion, the lowest possible level must be in the moral level. The change will certainly not benefit the constituents.

We are also told that we are to have a central bank. We are told that it will be a financial wizard and that it will give us a single currency. It will dictate both monetary and economic policy for all who are in the superstate.

When one sits in Europe as I do, one hears wonderful things. Conservative Members may not know that in the last debate in the previous session of the European Parliament, one of their colleagues—a Mr. John Stevens who represents Thames Valley—told his colleagues not to be unduly worried because Parliament would realise its ambitions once people had "Europe in their pockets"—in other words, the ecu in their pockets. He will find that Britain will not have Europe in its pocket, but that Britain will be in the pocket of Europe.

We are also told that the supergovernment will take over not by election or democratic principles but by appointment. The great so-called European ideal was produced by Delors and his clique. The House should note that the members of the Commission are not the masters of Europe. They should be the servants of Europe. It is about time that that message went out from this House.

It worries me that by a cunning scheme of propaganda our nation is reckoned to be a poor European. Yet when I take up the standard of our nation in Europe, I discover that we are well ahead as Europeans. Let us take the directives that must be made part of our law in order to bring in the Single European Act. Belgium lectures us, yet it has not even touched 31 directives. Denmark has never even considered 25 directives and Spain has not considered 38 directives. The Italian Foreign Minister read a lesson to us all on television the other night about what Italy intended to do. Yet Italy has never even looked at 70 directives. Greece has not considered 28 directives; the Republic of Ireland has not considered 44 directives and Holland has not considered 35 directives. Yet Britain has to implement only 23 more directives. We are third in the league, yet we are lectured that if we say anything about Europe or denounce anything that is done in Europe we shall not be considered good Europeans.

This Parliament has been a good European. It has been too good about playing cricket by the rules while other nations ignore the rules altogether. It is wrong for people to say that, simply because we object to certain European proposals, we are not playing the game. Our nation has played the game, even too well.

What have been the effects of our membership of the Common Market? To hear some of the folks speaking today, one would think that everything that the right hon. Member for Old Bexley and Sidcup (Mr. Heath) told us during the referendum campaign had come true. We were told that membership of the Common Market would be a panacea for all our ills and would cure unemployment. What has happened? Before the United Kingdom joined the EC, its home market was larger than it is today. The seven other countries in the European Free Trade Association, the Republic of Ireland and all the Commonwealth states charged a lower level of duty on United Kingdom commodities. Between 1957 and 1973 United Kingdom manufacturing output rose by 67 per cent., but from 1973 to 1988 it rose by only 3 per cent. We need not expect the market to be the be-all and end-all of our troubles.

The report of the European Commission tells us what we can expect in this great new Europe. It tells us that the economic forecasts for Europe are not encouraging. The slump and deterioration in the Community are expected to worsen. The report says:

> "Economic growth in the community decelerates significantly from 3·3 per cent. in 1989, to 2·7 per cent. in 1990, and 1·4 per cent. in 1991. Investment growth slows down dramatically in 1991 to a poor 0·8 per cent. Employment creation will almost reach a standstill in both 1991 and 1992."

Do we want to hand over this Parliament's powers which alone can deal with our economic ills and the employment question, to a Commission that admits that that is what lies ahead in Europe?

According to a leading socialist, Mr. Metten, at the previous debate in Strasbourg, the idea is to create the new bank and put it into an annex to the treaty that can never be amended by any Parliament. Will the Government stand for that?

8.40 pm

Mr. Jim Sillars (Glasgow, Govan): The two speeches that I found slightly amusing this afternoon were made by the right hon. Members for Finchley (Mrs. Thatcher) and for Plymouth, Devonport (Dr. Owen). They were good speeches, but from a Scottish nationalist point of view they were amusing. The right hon. Lady said that the nation state was the foundation of European union, but the

[Mr. Jim Sillars]

United Kingdom is a multinational state. The right hon. Gentleman said that we should not be ashamed of nationhood and made a stirring speech that received cries of "Hear, hear" from both sides of the Chamber. If I had made such a speech about Scottish nationhood I would have been denounced as a narrow nationalist.

My party's policy is to obtain Scottish independence and for an independent Scotland to be a member state of the European Community, just like Ireland and Denmark, which the Foreign Secretary said earlier this afternoon were his partners in one of the consensus-building exercises in which he is engaged. However, I shall concentrate on the political and constitutional issues and, were I in an independent Scottish Parliament, I would make the same kind of speech as part and parcel of the debate on the future development of the European Community.

At first, the European Community was entitled the "European Economic Community", and there is bound to be a logical progression from that foundation to a single market, from a single market to a monetary union and, ultimately, from EMU to a single currency. Time does not permit the deployment of the arguments on that particular proposition, but those economic impulses, and the framework and institutions that they throw up, automatically create a need to address the political framework of the European Community. The political institutional framework must match the economic framework that is developing.

I am in favour—as is my party—of the maximum amount of unity possible, not only in western Europe but in eastern Europe. I have much sympathy with those who argue for a federal Europe because I understand perfectly their motivation to bring the peoples of Europe together more cohesively than ever before. However, I wish that they would not go down that road, because I do not believe that it will reach the objective that their motivation sets in train.

The speech by the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) was fascinating. He told us that there was no problem in defining "federal". When I asked him, in the context of giving greater powers to the European Parliament, whether that meant that an executive would be drawn from the Parliament, he had great difficulty admitting that an executive would have to be drawn from that Parliament in a proper federal constitution. He tried to escape by saying that that was some way down the road. He also said that one reason why he believed in federalism was that it meant more democracy. I am not sure whether that is so. Federal organisations in the world show that a test must be applied to see whether they can work effectively in a truly democratic sense. I define "truly democratic" as being whether it engages the individual person in the decision-making process within that political entity.

Confederal Canada lacks the required homogeneity constantly to work in a perfect way—or as near perfect as human beings can get. The test of homogeneity is very important. For example, I cannot conceive of a federal united states of Europe where a citizen in Taranto in southern Italy is tuned into the argument in exactly the same way as someone in Inverness or a town in Germany, understanding perfectly the common policies that apply to them all, and where the person in Taranto will vote in accordance with what he or she thinks is good for the person in Inverness because he understands the social and economic problems there. That does not exist in Europe because the culture and history vary widely. Such understanding is unlikely ever to exist in what we now call the European Community.

If we get it wrong—if the size is too big and it is not homogeneous—the Government machine will be alienated from the citizen. An excellent example exists in the United States of America, where only 70 per cent. of those entitled to vote register to vote. The turnout at presidential and congressional elections shows that there is something fundamentally wrong if my test of people feeling engaged is applied. In the great Kennedy-Nixon debate, which the world thought was extremely important—as a young person, I stayed up all night watching the results on television—only 62·8 per cent. of voters turned out. In the great Vietnam presidential election in 1968, only 60·9 per cent. of the electorate turned out. In 1988, the turnout was 50 per cent. and in the 1990 congressional elections, the turnout was only 33 per cent.

It must be difficult for a state with such a large population and geographical spread to achieve the political homogeneity about which I was arguing. The European Community must develop forms of union and greater unity, but it would be far better if we understood that it must be done on an incremental and ad hoc basis over a long period.

I return to the point that I made earlier about my desire for greater union and unity within the European Community. The European Community represents a potential core of stability in a continent that is not in a stable position at present. Some hon. Members have said that Europe will not experience a repetition of what happened in 1914-18 and from 1939-45. I am less sanguine. There are many problems to be solved in western and eastern Europe and the relationship between them. Having developed a degree of co-ordination and unity over a period of time, the European Community represents a model and a core of stability round which the rest of Europe can cohere in due course. However, the Community's relations with eastern Europe are fundamentally important.

In 1918, peoples and statesmen throughout Europe got it wrong and we got it wrong again in 1945. Earlier this afternoon at Question Time, the hon. Member for Bolsover (Mr. Skinner) told the Foreign Secretary that he was concerned with the past eleven hundred years of history. I am not particularly concerned with 1,000 of them, but am most concerned with what has happened in the 20th century. Because we got it wrong in 1918 and 1945, this has been a blood-drenched continent, and we cannot get it wrong this time.

8.49 pm

Mr. Terence L. Higgins (Worthing): I shall begin by taking up a point made by the right hon. Member for Manchester, Gorton (Mr. Kaufman) in the slightly sordid preamble to his speech, which was longer than the speech itself. In it he sought to exploit the view that Conservative Members were divided down the middle on this issue, which is not so. I believe that a small number of

Conservative Members are Euro-enthusiasts and, at the other extreme, there are perhaps a greater number who are Euro-sceptics.

Certainly, those extreme views have, to some extent, been personified by the opinions expressed by my right hon. Friends the Members for Old Bexley and Sidcup (Mr. Heath) and for Finchley (Mrs. Thatcher). It is perhaps a little ironic that the constituents of my right hon. Friend the Member for Old Bexley and Sidcup have been more adversely affected than anyone else by the channel link with Europe and curious that my right hon. Friend the Member for Finchley should conclude that the right place to attack the whole federal idea was the United States of America—an idea that did not seem to occur to her or her audience.

The vast bulk of Conservative Members, and I suspect Opposition Members, are firmly of the opinion that we should not take either of those extreme views but, on the contrary, do everything we can to back my right hon. Friend the Prime Minister in what are immensely difficult negotiations of fundamental importance to the future of not only this country but Europe as a whole. Therefore, it is important to do all we can to ensure that those negotiations come to a satisfactory conclusion.

I share the views expressed by the right hon. Members for Bethnal Green and Stepney (Mr. Shore) and for Plymouth, Devonport (Dr. Owen) and a number of my hon. Friends that the draft treaty floating around the House—still unofficially, I am sorry to say—is unacceptable in a great many respects. My right hon. Friend the Prime Minister has a difficult task during both sets of negotiations at the intergovernmental conferences. We have to decide where to strike the right balance. We are pretty clear about the draft treaty and I want to stress a point made in a report by the Treasury and Civil Service Select Committee on the Delors report:

"The power of the House of Commons over the centuries has depended fundamentally on the control of money, both taxation and expenditure. This would be jeopardised by the form of monetary union proposed by the Delors Report which would involve central undemocratic direction from within Europe of domestic budgetary policies."

The control of money that has been fundamental to the power of the House over the centuries.

I greatly welcome what my right hon. Friend the Foreign Secretary said about it being wrong to hold a referendum on the issue of a single currency. The issues surrounding it are extremely complex and confusing. There is a fundamental difference between a single currency, where all other currencies are abolished, and a common currency set alongside the existing currencies. I suspect that, if we had a referendum, the number of people capable of making such a distinction would be remarkably small.

What should we do about the single currency? Are we in favour of a single currency in principle? We certainly did not receive an answer to that question from the right hon. Member for Gorton this afternoon. I shall make my own position clear: I am in favour of a single currency for Worthing and, by and large, for the United Kingdom, but I am totally opposed to the idea of a single currency for the world as a whole. The crucial issues are the size of the geographical district being considered and the differences in economic performance in relation to a number of important factors.

It would be totally wrong for the Government to go along with a treaty that stated that we should move to a single currency at a certain date without regard to what had happened in relation to convergence. I agree with the view expressed by a number of my hon. Friends that, if we had a single currency, it would place a barrier in front of outsiders, making them incapable of joining that single currency system within the next 50 to 100 years. That in turn would diminish the extent to which the Community could be widened into eastern Europe and elsewhere. Therefore, the issue of a single currency is crucial.

The Delors report envisages that, in order to offset the traumatic effect of perpetual unemployment, which a rapid move to, or general agreement on, a single currency might create in some parts of the Community, there should be a large fund from the EC moving from one part of the Community to another. There are two objections to that. First, allocating resources to underdeveloped areas has not worked in the past. Secondly, there would be no guarantee that such financial flows would take place. Therefore, we should strive to create common interests with a number of other Community partners, not least Spain and Portugal, and oppose the idea of a single currency.

The broad scope of economic opinion is that, even if we moved to a single currency, it would not be necessary to hand over control of fiscal matters, whether taxation or public expenditure, to the Community. The control of such issues by the House is important. I am puzzled, because those are simple points that any decent, first-year economics student should make, but we have failed to get that message over in the Community. I do not know why Community members are pressing ahead with those ideas, which would be disastrous for us if we were to rush ahead on a preconceived timetable.

My right hon. Friend the Member for Finchley made an important point when she said that, if we were not to go along with a single currency but some other Community members were, it would be totally inappropriate to start making large fiscal transfers that were supposed to offset the effect of the single currency. I am worried about the way in which the rotation of the presidency of the Council of Ministers from one country to another gives an enormous impetus to whomever happens to be president to say, "We must do something impressive." That happens each time the presidency changes, which is after only a short period. If we were to lengthen that period, whoever happened to be president would take a less macho approach.

We have tremendously a difficult role to play. Mr. Delors seems to think that it has something to do with the date of our election, and that if we let him go ahead with what he wants now, we can then decide whether to go along with it after the election. That is a total misconception of what this is all about.

We have a role to play in obtaining the right solution for the United Kingdom and for Europe as a whole. It is right that my right hon. Friends the Foreign Secretary and the Chancellor of the Exchequer should put over the simple arguments that I have sought to advance during the negotiations. There will be extremely difficult negotiations in both intergovernmental conferences, but I have great confidence in the ability of my right hon. Friend the Prime Minister and his ministerial colleagues to reach a satisfactory solution. That is something on which I believe my right hon. and hon. Friends are united, and I would hope that Opposition Members could reach that position as well.

[Mr. Terence L. Higgins]

It is my impression that those who occupy extreme positions are beginning to come more towards the centre. It is right that right hon. and hon. Members on both sides of the House should give clear warnings on the real dangers that we shall face if we do not recognise that we are discussing matters of the greatest importance. It would be extremely dangerous to rush into a timetable.

8.59 pm

Mr. Brian Sedgemore (Hackney, South and Shoreditch): The speeches of the two former Conservative Prime Ministers, the right hon. Members for Finchley (Mrs. Thatcher) and for Old Bexley and Sidcup (Mr. Heath), showed clearly that one purpose of the debate is to enable us to express our grief about the way in which European issues threaten to destroy the Conservative party. As Jacques Delors, our dear socialist friend would say, "C'est la grand tristesse pour tout le monde." In other words, such sorrow for us all.

Recent unattributable briefings from Downing street have sought to suggest that there are only six venomous vipers on the Tory Back Benches who are causing trouble over Europe. Senior Foreign Office officials have told me, however, that they are working on the basis that there are about 80 spotted snakes among Tory Members, whose poisonous tongues will have to be excised if the European dream is to come true. My response to those officials has been to say that those 80 or so Tory Members are no more than the dying embers of the old order and are the sarcophagi of British political life. Perhaps it is only right on moral as well as political grounds that a backward, fractious and ignorant island like ours should have about 80 backward, fractious and ignorant Tory Members sulking and skulking on the sidelines of Europe and of history.

On 30 May I attended an all-day conference organised for senior business men and women, which was entitled "European Monetary Union in a Turbulent World". The first speaker, the Chancellor of the Exchequer, gave what everyone present described as a surly, anti-European address. Over lunch, the Germans and French to whom I was speaking expressed alarm at the Chancellor's lack of authority, stature and gravitas. The Chancellor's speech was followed by one by Rudiger Dombusch, a distinguished American academic from the Massachusetts Institute of Technology. He said that joining EMU was rather like getting married—one could either draw up a long list of reasons for not marrying or just get on with it and marry. I think that he added, "We have just heard the list."

On 10 June, in an effort to make up for the damaging effect which his speech of 30 May had had on our European partners, the Chancellor met Pierre Beregovoy from France, Guido Carli from Italy and Hennig Christopherson, the EC Economic Affairs Commissioner, and led them to believe that the British Government accept the principle of EMU. Unfortunately for the Chancellor, Beregovoy, Carli and Christopherson made the content of their private conversations public. Immediately all hell was let loose in this country, and on 11 June the Government, who only the day before had been dealing with the Second Reading of the Dangerous Dogs Bill, came under savage attack from the pit bull terriers of the Bruges Group. The Prime Minister was accused of being scared to use his veto and his predecessor, the right hon. Member for Finchley, was reported as having said of him, "He stands for nothing. He is nothing."

At almost every Question Time now, a member of the Bruges Group asks the Prime Minister to exercise his veto over developments in Europe. Invariably he answers, "We will not allow a single currency to be imposed on this country without the consent of Parliament." Commenting on this on 15 June, *The Economist* under its byline, "Bagehot", said:

> "But Right-winger's question has gone unanswered. Challenged to veto change, Mr. Major instead offers a vote before the change is implemented in Britain—something quite different. Yet nobody complains. The exchange has been on the level of: 'Is the Eiffel Tower a fish? Yes, she is a banana.' (Rumbles of assent from Tory benches)."

Where in the world, except in this place, would such prime ministerial ineptitude be tolerated?

Nor does the Prime Minister's approach impress Sir Alan Walters, the former chief economic adviser to the right hon. Member for Finchley. Sir Alan is worried about the exchange rate at which Britain joined the ERM and its damaging effect on the recession. He is right to be worried. Like Sir Alan, I do not speak with hindsight. On the very day that we joined the ERM, I said that the rate was too high. Moreover, it seems inconceivable that we should be thinking in terms of holding the rate of DM 2·96 to the pound right up to the point at which EMU and the creation of a single currency comes into operation, as it assuredly and happily will. At the current rate of exchange, Britain will not be able to return to its warranted rate of economic growth until 1994 at the earliest.

The Labour party's position on EMU and the creation of a single currency is translucently clear. It is that we accept the principle of monetary union with a single currency, but we believe that we will first need some years of a Labour Government to improve our economic performance in relation to that of Germany. It takes just 36 words to set out the Labour party's position.

I am convinced that the creation of a European central bank controlling monetary policy, with a single interest rate throughout the Community, will inevitably and inexorably lead in the direction of close and intimate political union.

I do not understand the Foreign Secretary when he says that Britain will not accept a federal European structure. Using words and political concepts according to their ordinary meanings, the European Community already has a federal structure, and Britain is a member. The question is not: "Does Britain support a federal destiny for Europe?" but "What kind of federal destiny do we support?" To be or not to be a federalist—that can no longer be the question. We are all federalists now.

In Britain we must accept that such values as our parliamentary democracy contains have to compete in the intergovernmental discussions on a new constitutional settlement in Europe, both with the French system of government as laid down by Napoleon and with the German devolved and regional system of government, which arose from the post-war settlement. Both the French and the German systems work better than ours, but I believe that Europe should model itself on the German system and be prepared to test that system to destruction. In particular, the European Parliament needs a second regional chamber to balance the enhanced powers to be given to the first chamber.

In Britain we have nothing to lose and much to gain from federalism. It is time that we preferred success to failure and stopped sneering at the material wealth and culture of the French, Germans and Italians. It is time that we spurned small-minded and shrivelled isolationist views and—on this side of the House, at least—co-operated with our Euro-socialist friends on the continent to inspire our nation. That is what we should be voting for tonight—the triumph of European socialism in less than two years in Britain, Spain, France and Germany, led by Felipe Gonzalez, President Mitterrand, Bjorn Engholm and the next Prime Minister of this country—my right hon. Friend the Member for Islwyn (Mr. Kinnock).

9.7 pm

Sir Teddy Taylor (Southend, East): The hon. Member for Hackney, South and Shoreditch (Mr. Sedgemore) always appals me—the changes in his views remind me of a Militant supporter collecting funds for the Primrose League. He has suddenly become a violently enthusiastic European, but what he tried to say about what would happen to the Conservative party or to the Labour party is largely irrelevant. I hope that he and others appreciate that if the proposals were accepted it would matter not one bit whether we had a Conservative, a Labour or a Liberal Government—or any other kind. The same basic policies would be applied irrespective of who won the election.

The vital issue that we should consider is that of democracy. Whether one supports the Conservatives, the Labour party, or anyone else, or the principle of our democratic system of government is that people can choose. If they think that the Government are doing a rotten job, they can chuck them out. It they do not think that the Government are doing well they can give them a warning at a by-election.

The tragedy of the transfer of power to Brussels and the European Community is that people's views are wholly irrelevant. If we look to eastern Europe and elsewhere we see that where Executives and civil servants have power without any kind of democratic control, the same thing always happens: they become wasteful and irresponsible towards the public. If we throw away our democracy something very serious has happened.

This was expected to be a debate in which everyone would disagree, but the strange thing is that almost everyone has agreed. Almost every speaker has said that the subjects that we are discussing are vital and constitutionally significant. It worries me sick that we have heard almost exactly the same words in almost every debate whenever we have transferred sovereignty away from the House.

During the debate on the Single European Act, which was guillotined late at night, the same words were used. When we gave extra cash to the EEC, the same words were used. When we had the so-called reforms of the CAP and gave extra cash for that, the same words were used. But on every single occasion, after all the complaints and all the protests, the House of Commons has voted away its sovereignty because it has been reassured in some way. On the Single European Act, the House was apparently satisfied by the assurance that majority voting would be used only to enhance free trade. Sadly, it is now being used for almost everything—almost every law affecting us at present. On increased funding, the assurance that we were given was that there would be strict budgetary controls; they proved to be a joke.

What worries me is that, today, word is again going around that these are significant, dangerous and worrying proposals but that, so long as we do not have federalism, everything will be okey. I am sure that the Foreign Secretary will accept that all this federalism talk is a load of rubbish. If we had a federal state in Europe today, we should have more sovereignty guaranteed for the House than we have at present.

Today, because of the power of the various authorities and because of what is in the treaty, hardly any basic power is left to the House of Commons. It has almost all gone. To say that we shall enjoy some kind of victory if the word "federal" is removed is merely to give the House an excuse to agree to what is happening.

It worries me that there has been a failure to face up to reality in the debate. We hear about free trade in 1992. Over a year ago, I asked my county council to tell me of any firm anywhere in Essex that would benefit from the specific proposals. I am still waiting for an answer. I have asked my local chambers of commerce, "Does anyone here know of any firm that will benefit?" Again, I am still waiting for an answer. Yet glossy pamphlets are put out saying, "We will have free trade."

Even the superb right hon. Member for Plymouth, Devonport (Dr. Owen) says, "At least we will hold on to our frontier controls." The right hon. Gentleman said that eight of the member states are to go ahead, three are left out and, happily, Britain is excluded. The right hon. Gentleman is not up to date. We have been excluded until the latest date—1995—the control of our frontiers has gone, and all that remains to us is the derogation. The sad fact is that we have lost almost everything. That is why it is vital that, in this occasion, we make the right decision and hold on to what little sovereignty is left.

We pretend that we still have sovereignty. People write us letters saying, "Please cut interest rates." On the radio the other night, we heard some idiot from CBI saying, "We appeal to the Government to cut interest rates." What we have to tell them that there is nothing that we can do about interest rates. We must wait and see where the ERM washes us. If we want to cut interest rates, the only way to achieve that is to send some of our friends over to try to create instability in Germany. The Government's powers are virtually nil, so we are kidding ourselves if we pretend that there are great powers that can be exercised by Labour, the Conservatives or anyone else.

We have to get it right. I am one of those who have voted against the various measures, waving the union jack with a dozen other Tories and saying, with them, "We are doing a grand job." The sad fact is that, although we talk about these things, we get nowhere at all.

I fear what will happen when we have another vote. The Conservative party is changing pretty dramatically. There have always been a dozen of us who have regarded the EEC as a nasty protectionist racket, and there have always been half a dozen Tory Members who think that the EEC is the best thing since sliced bread, but the mass in the middle have been broadly supportive of the EEC. The change is now affecting them. Although they broadly support the EEC, they are now worried, concerned and alarmed—as we have heard today—about what is happening to our democracy and our economy.

[Sir Teddy Taylor]

We are at a time of change, but the change will not affect everyone. I am sure that it will not affect the Secretary of State, but it is affecting most Conservatives and a lot of business men. We must simply hold on to what sovereignty we have. What the Prime Minister appears to be suggesting could be the best way of holding on to it, and that is a twin-track Europe—twin-track without any commitment to join in treaties or to pay the vast sums that will be spent by the central bank. The central bank will be able to do many things, but the main thing that it will do is to hand out billions and billions of pounds to try to achieve convergence. As long as it is "if" and not "when" —as long as no cash is committed—the twin-track approach might at least allow us to hold on to some of our basic sovereignty.

I believe that the Conservative party is undergoing a change—at least we are anxious to achieve unity—and that the principle of a twin-track Europe, without any possible commitment—and without any question of a contribution of cash—may be a way in which we can unite the Conservative party, which is understandably worried and concerned. It would also be generally acceptable throughout the country. If we do that, the time may come when we can ask Labour what its basic policy is.

Ultimately, the issue is far more important than what will happen to Labour or to the Conservatives. Let us at least accept that if we allowed the treaties to be implemented with our name on them and to be applied to us, it would not really matter which party won the next election. The same thing would happen: our democracy would be wholly eroded.

If we have one duty, it is to safeguard our democracy and not pass the powers to a central, bureaucratic machine over which the people have no control.

9.15 pm

Mr. Austin Mitchell (Great Grimsby): There is no doubt that this year is a major turning point. This is our last chance to draw lines. If the proposals now envisaged, or any like them, are accepted, we shall be locked into a remorseless and irreversible momentum towards political federalism and the powers of our Government and our Parliament will be reduced to the equivalent of the powers of a charge-capped local council. We shall also see the peripheralisation of the British economy. Neither process is in Europe's present interests: we should consider the wider Europe, not just the little Europe that is advocated by some of my hon. Friends.

Our main aim should be to bring Europe together—to bring the eastern European states into a wider and looser relationship. Every time that we make that relationship deeper and more "committing", we erect bigger barriers against the states that we need to help and integrate. The same applies to the nations of the European Free Trade Association. We must not become more exclusive and selfish, and keep such nations out.

Nor do I accept the idea that we should build this federalism on the basis of economic and monetary union. We have already had 11 years' experience of the first stage, in the form of the European monetary system. The consequences of that have been disastrous for the European economy: growth has slowed more, unemployment has risen more and the deflation record has been worse than in most comparable economies. The position, in all those respects, has been worse than that in the United States and the EFTA countries. Europe's record has been even worse than the pathetic record of our Government. Europe has become the deflationary blackspot of the advanced industrial world—and this has been only the first stage of economic and monetary union.

We have now embarked on the second stage. Britain's experience of the exchange rate mechanism, since the present Prime Minister forced it on his wilting, submissive, nervous predecessor, has been disastrous. We have been locked into a deflation process that has become inescapable. The Government say that, if we get inflation down, interest rates will fall. That simply is not true; interest rates will fall only when the level of the pound permits it. Our control over our interest rates, which we need to manage the economy, has been subordinated to the need to keep the pound in the currency band. It is like trying to improve the weather by nailing the needle on the barometer.

Last October, when we entered the ERM, the level was over-valued—more than 20 per cent. up against the deutschmark, in real terms, on the level in the last quarter of 1986. That will have exactly the same consequences as those described by Keynes in 1925, when Churchill returned to the gold standard with an over-valued level.

We are now locked into a depression—a deflation—that is the preliminary to a sustained deflation of the kind that France experienced in the 1980s. That still awaits us, but we shall experience it at the end of the present ordeal. Economic and monetary union would compound the problem. It could work in only two sets of circumstances. The first is an absolute convergence of growth, productivity and industrial power. Without that, we get the strong draining the weak, as is happening in east Germany, or there needs to be a massive machinery of redistribution—the McDougall committee suggested about a tenth of European gross domestic product—to offset the consequences. Neither is proposed. If we say not whether but when, we abandon the attempt to get either of those two preconditions, which will be disastrous for this country.

In the absence of control over our interest rates and exchange rates and our budget and tax policies, we will be unable to rebuild the economy. The role of this Parliament will then change. Traditionally, the role has been to bring our grievances first to the monarch, then to the Executive and now to the party in power. We shall continue to bring those grievances—there will be many more of them—but there will be nobody here to bring them to.

9.20 pm

Mr. George Robertson (Hamilton): This memorable debate has spectactularly shown that grand passions are rightly and properly excited by the European debate. This is far from being the first time when Europe has dominated the headlines and produced wildly differing but equally strong felt opinions.

As so many hon. Members have emphasised and underlined in the debate, this is a momentous time for our country and our continent. At this time, therefore, of all times, with the intergovernmental conferences under way and, behind closed doors going into the details of arrangements that will last for a generation and beyond, for our Government to appear to have as their principal

and overriding objective the impossible task of holding together their own warring factions is the most foolish and unproductive of all negotiating techniques. It represents a genuine tragedy for this country.

I agree with my right hon. Friend the Member for Leeds, East (Mr. Healey) that the issues that we are debating today are so basic to our nation's future that we must and should be clear about our objectives. My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) made clear the Labour party's objectives in the intergovernmental conferences. Hon. Members who were not listening will be able to read the details in *Hansard* tomorrow.

Let me make it perfectly clear that the Labour party believes in Europe, broad and deep, as a community, not just as a market. We believe that closer co-operation on monetary policy between the European Community countries is both inevitable and desirable. We believe, too, that our European Community partners are intent on economic and monetary union. That was the objective of the Single European Act that Conservative members endorsed in the Lobby. Our partners want a European central bank, leading, if possible, to a single European currency. The Labour party believes that it would not be in the national interest if Britain allowed itself to be excluded from such developments, but have our own conditions for that process.

First, accountability must be at the heart of the process, with the Council of Finance Ministers having the task of providing strategic guidance for the union. Secondly, there must be convergence between the economies. That will be necessary, not just for this country but for any system to operate. In distinction to the Government on the issue of convergence, we believe that there should be instruments that will make that convergence happen. That means strengthened regional and other structural funds.

The Financial Secretary to The Treasury (Mr. Francis Maude): Will the hon. Gentleman tell us, because I am sure that he and his right hon. and hon. Friends have worked this out very carefully and done their sums very carefully, what sum they propose should be added to the Community's budget for this additonal regional structural policy and what effect it would have on the net contributions to be paid by British taxpayers to our colleagues and partners elsewhere in the Community?

Mr. Robertson: I was coming to that, but I shall deal with it now. Unless the Government change the rules on the regional funds, any increase—there will be an increase in regional funds, whether the Government like it or not—will mean that we will be larger net contributors to the budget. The rules must be changed to allow inter-regional transfers. We are not in a position to give——

Mr. Maude *rose*——

Mr. Robertson: I have little time to make my speech. I cannot give way to the Minister, who keeps bouncing up and down all the time.

I make clear and repeat what my right hon. Friend the Member for Gorton said this afternoon, amidst the hubbub of Conservative members. Our objectives for the political union IGC are clear. We support the social charter and the social action programme. We favour majority voting in the Council of Ministers on social and environmental matters. We favour some extension of power to the European Parliament and early enlargement of the Community by its immediately welcoming Austria and Sweden, which have applications on or about to lie on the table.

That places Labour firmly in the mainstream of European thinking and in a strong position to negotiate with sensitivity and good will on the other matters that are being suggested.

Mr. Nicholas Budgen (Wolverhampton, South-West): Will the hon. Gentleman give way?

Mr. Robertson: I shall make progress with my speech.

It would be impossible to wind up the debate without mentioning the right hon. Member for Finchley (Mrs. Thatcher). [HON. MEMBERS: "Where is she?"] I understand that the right hon. Lady informed the Chair that she would be slightly delayed in returning for the wind-up speeches because she is attending a dinner in honour of the late Ian Gow—a friend and an individual for whom I had enormous respect. I forgive her and hope that these views will be communicated to her. Speaking last Monday to friends of mine—and of the Government Chief Whip—on Chicago Council about foreign relations, she said:

"a little less silence might be called for."

We got full value this afternoon, when the right hon. Lady outlined five principles, with the implied, perhaps even explicit, threat of going critical if the Prime Minister does not stick to them. She said that she was in favour of the broad band of the exchange rate mechanism and that, "it is not necessary to go beyond that."

The Prime Minister has said that we shall soon move into the narrow band of the ERM. He told *The Daily Telegraph* last week:

"We accept the principle of a single currency."

Clearly, war is declared between the Treasury Bench and the Conservative Back Benches. I urge the Prime Minister, in his interests and those of the country, to ignore and defy the instructions and advice from the Finchley bunker.

I understand that the Prime Minister is a cricket fan. Like me, he attended the second test last week. It was the first cricket match I had seen; it took me only an hour to find out who was batting! When I heard that the Prime Minister was there, I thought that he must have been thinking back to the memorable words that were uttered in the House last year by the right hon. and learned Member for Surrey, East (Sir G. Howe). Speaking of the previous Prime Minister's tactics on Europe, he said:

"It is rather like sending your opening batsmen to the crease only for them to find, the moment the first balls are bowled, that their bats have been broken before the game by the team captain."—[*Official Report*, 13 November 1990; Vol. 180, c. 464.]

The right hon. Lady still seems to be breaking bats. In the interests of our country, the Prime Minister would be wise to avoid that.

Divided at home, isolated in Europe, the Government continue cynically to put party before country in these vital negotiations. Because of that and because, unique among our debates on this formula since 1983, the Government have not had the courage to table a motion, we will vote against them at 10 pm.

The greatest evidence of the Government's confusion was revealed in their obsession with the "F" word—federal. It appeared last week in the latest of three draft treaties produced by the Luxembourg presidency. I remind

[Mr. Robertson]

my colleagues who quoted copiously from that draft that it is simply a draft and that many changes have been made in the various documents.

The latest draft was tabled last Monday by the Luxembourg presidency, and our Foreign Secretary promptly pressed every panic button in sight. He ignored the discussions on the three pillars and the substance of the final form of the treaties. He ignored the suggested new competences of the Community that were tabled at the same meeting and the sections about majority voting and the powers of the European Parliament. At his press conference afterwards, it appeared that nothing mattered more to Her Britannic Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs than the inclusion of the word "federal".

Mr. Hurd: That is entirely wrong. I did not even mention the matter at my press conference until I was asked. I mentioned all the other matters which the hon. Gentleman said that I failed to mention. He has got it exactly the wrong way round.

Mr. Robertson: Sources close to the Foreign Secretary said that he was slightly agitated by a comment from Jacques Delors, who was not even a member of the intergovernmental conference.

As has been said in the debate, "federal" is a trigger word which is confusing and heavy with conflicting symbolism signifying different things to different people. That is why it does not appear in any of the declarations of the confederation of Socialist parties of the European Community—not because we are afraid of the word, but because it obscures rather than illuminates the issues at stake.

However, as my right hon. Friend the Member for Leeds, East said, when the chairman of the Conservative party applied for membership of the European People's party in April, he made it absolutely clear that the application enjoyed his full support and that of the

"Prime Minister as Leader of the Conservative Party."

Sir Christopher Prout, the leader of the Conservative Members of the European Parliament, was clear and unambiguous in his letter backing that application. He wrote:

"I should like to emphasise that my colleagues fully support, inter alia:

The institutional development of the Community into a European Union of a federal type".

He went on to say that they believed in the development of a common foreign and security policy within Europe. He then stated that he and his colleagues believed in

"the establishment of an Economic and Monetary Union with an independent European Central Banking System and the ultimate goal of a single currency."

That application came not with the imprimatur of an obscure Member of the European Parliament, but in the name of the chairman of the Conservative party and the Prime Minister. When we hear so much noise about the word federal and what it means and how important it is to the British Government, we must bear that carefully in mind.

In a week of desperate, demeaning and pleading visits around European leaders, the Prime Minister has claimed a so-called triumph—*[Interruption.]* The Foreign Secretary may hum and hah. Is he going to pretend that there are no divisions of opinion or a stark and obvious contrast between the Prime Minister's words and those uttered by his predecessor even this afternoon?

The triumph that has been achieved in a week of meetings has been the exorcism of one word and a little extra time before the Government must fall into line and capitulate with the majority. That is a ludicrous semantic juggling act which simply postpones the inevitable—as inevitable as the tactic of the right hon. Member for Finchley of very noisy opposition followed by abject surrender.

It is a point of national importance that the Government's form of negotiation is uniquely unproductive. They stand out against the imposition of a single currency when they know that it cannot be imposed. They stand for an opt-out clause on the EMU when they know that the only alternative that is involved is a guaranteed second division status for this country. They stand for the rights of the British Parliament, but the same party drove through the Single European Act on three-line Whips and on a whipped guillotine motion. They may have a victory on the withdrawal of the "F" word, but on the key matters in Europe they are marginalised. Only on a common foreign and security policy, which in itself is a minority pipe dream, to which we certainly do not subscribe either, can they count on the fact that no pressure will be put on them. On all the rest, this last-legs Government are out of line and out of touch and, pretty soon, will be out of time.

The Government set themselves against all the rest on an increase in majority voting in the Council of Ministers. They set themselves against fast-track decision-making on social and environmental affairs to accompany and complement decisions that were taken on the single market for the commercial and business world. They set themselves against the powers of scrutiny for the European Parliament that are designed at least to put back some accountability to areas that have already been ceded to European level and have now been left without any scrutiny by elected representatives.

We see the European Parliament having power to supplement but not to replace the work of scrutiny on what is being done in our name in Europe. The Government set themselves against a targeted regional policy when they know that it will be necessary to make the convergence about which they talk actually work. They set themselves against the social action programme and look sillier and sillier as they become more and more isolated.

The Secretary of State for Employment—an expert on unemployment since, of course, we have the fastest rising rate of unemployment for the second time in a decade—tells us that the regulations that will come forward are a guarantee of more joblessness. However, the ordinary voter will ask the architects of unemployment in this country whether, if that kind of regulation and those kinds of proposed standards have produced the benefits enjoyed by workers in Germany, Denmark, France and Belgium, that is not a better risk to take than staying in the jobless, growthless paradise being created by this Government. The social charter makes simple, basic, elementary common sense to our partners, even the right-wing partners in Europe, who recognise that a framework of rights for working people within which the social partners can continue their own detailed arrangements is necessary to make the single market fair and effective.

The Government know that they will have to give way on some of those key issues if any agreement is to be

reached—the sort of agreement that the Foreign Secretary so reasonably explained was the outcome of any negotiations. However, the future of Britain in the new Europe is far too important to be relegated to third place behind binding Tory wounds and their faint hope of an election win some time next year. The negotiations have to be played with vision and purpose and with some idea of what role Britain needs in Europe and what we have to do to obtain it. No other country seems to be so hopelessly preoccupied with semantics and symbolism as we are and as our Government are. The Government increasingly resemble Japanese soldiers who were left behind in island jungles, unaware that the war was long over.

Won or lost, like it or loathe it, the Common Market war is over and it is no longer a matter for any of us to be in or out, cool or warm, or pro or anti-Europe or European integration. European politics is now British politics, as the previous Prime Minister knows only too well. What is at issue now is not if, but how, we fully participate in the affairs of the European Community.

Instead of emulating our endless and self-indulgent guerrilla war over words, the other countries in Europe are engaged and succeeding in the substance of what Europe is all about: in the reform of the common agricultural policy with all its impregnable lunacies; in developing a Community industry policy that will enable Europe to compete effectively with Japan and the USA; in research and technology; and in looking to the enlargement of the Community, towards embracing with enthusiasm the vibrant economies of the EFTA countries and providing realisable targets for Europe's new democracies, the countries of central and eastern Europe.

In the week when Germany's capital has moved 500 miles to the east, Britain has moved even further to the periphery of the Community. We should be looking forward to the opportunities of Britain's presidency of the Community in the last half of next year, establishing what our priorities will be for the post-1992 Community. That is what is preoccupying Opposition Members, because that is looking forward.

If the Government were less interested in saving their own skins and more interested in the national interest, they would be doing the same. What can Britain do for Europe and what can Europe do for the people of Britain? Those are worthy and proper questions for our country to have the answers to. Sadly, the country will get genuine leaders who are willing to answer them only when they have a new Government—a Labour Government—and the sooner the better.

9.40 pm

The Financial Secretary to the Treasury (Mr. Francis Maude): This is the fourth of these debates that I have had the privilege to take part in in the past two years. Since I have been a Minister, I have taken part in a great many European debates and, if it is not too trite to say it, it is on such occasions above all that the House rises above party political point scoring. In general, there is an adversarial system in the House—the Chamber reflects that system, unlike those of many of our counterparts who have hemispherical chambers which perhaps reflect a less adversarial system. It is ironic that a less adversarial and less partisan approach is reflected in European debates.

Of all the European debates in which I have taken part, none has been as great or as serious or has been graced by so many distinguished parliamentarians as this one. I counted two former Prime Ministers, two former Chancellors, one former Foreign Secretary, and a number of former Cabinet Ministers, and many other distinguished right hon. and hon. Friends and Opposition Back Benchers, who have a good deal of experience in these matters and have participated in such debates for many years.

Mr. Devlin: Like my hon. Friend, I feel that this is an important occasion and that the House should have been able to express its views. Given the large number of former Prime Ministers and Privy Councillors who have spoken today, would not it have been better to schedule a two-day debate for the subject so that the whole House could take part?

Mr. Maude: Those are not matters for such as I to decide. I would have had no regrets about a longer debate—it is valuable. The seriousness of the debate reflects the fact that the issues involved go to the heart of what the House of Commons is about.

The debate has lifted us above and beyond the narrow short-term perspectives of party political politics, with one or two exceptions. The vacuum that most of us perceived in the early part of the debate came from the Opposition Front Bench. I except from that comment those Liberal Democrats and Labour Back Benchers whose speeches were distinguished by seriousness, thought and independence.

The right hon. Member for Manchester, Gorton (Mr. Kaufman) signally failed to rise to this parliamentary occasion. I feel inclined to buy shares in the press cutting service to which he subscribes—he must be comfortably its best customer. I am gratified that one of my modest offerings found its way into his speech. I do not think that the press cutting service received a fee for that, because it was left over from a previous speech. This was at least the eighth time that that quotation has been used in such debates, and I am becoming very fond of it. It is nice to have it repeated on these occasions.

There was a serious vacuum in the Opposition Front Bench. The right hon. Member for Gorton signally failed to answer the questions that he was asked, and the hon. Member for Hamilton (Mr. Robertson), when I asked him a couple of simple questions, gave an inadequate answer and then refused to amplify.

The European Community is now a powerful force in the world, especially in economic terms. It and its members were the first to provide help for the reforming countries of eastern and central Europe, and it is forging strong and flexible bonds with those countries through the association agreements now being discussed to which my right hon. Friend the Member for Shoreham (Sir R. Luce) referred. It is correct that it was a British plan that was readily accepted by our partners in the Community, and we hope that the discussions will be brought to fruition later this year.

As my right hon. Friend the Foreign Secretary said, in the discussions being conducted with the countries of the European Free Trade Association, we seek to create the largest single market that there has ever been. It is now not controversial to predict that both sets of discussions are likely to be preliminaries to a substantial enlargement of the Community in the coming decade.

[Mr. Maude]

If I judge the sense of the House correctly, that development is regarded as desirable and inevitable by a majority of hon. Members, if not by a consensus. As it grows and as its economic weight develops, the Community will have its special duty reinforced as the world's largest trading bloc and it must exercise its power responsibly. The Community must be sure that it leads the discussions in the general agreement on tariffs and trade towards a liberal free-trade solution. The day the European Community seems more interested in its internal debates and in its internal evolution than in its relationship with the wider world will be the day the Community begins to die.

The single market has most enhanced the Community's status in the eyes of the world. That cause has been passionately espoused by Britain. We have urged it with our rhetoric, driven it in the negotiations and implemented it in practice. I was interested to learn that yesterday one of the Commissioners, Mr. van Miert, said at a conference in London that, once a directive has been agreed, Britain was better than any other country at translating it into national law. He contrasted Britain with Italy where, he said, they were good at making fine European speeches, but had a poor record at turning European law into Italian law. He said that he was not content with the Italian record of living up to their European commitments.

No member state has a better record of compliance and implementation than Britain. It is right that we should recognise that certain consequences flow from that. If a member state dislikes a proposal and judges its effects to be harmful, two courses are open to it. The first is to agree to the measure but subsequently not to implement or enforce it, thus leaving it a dead letter. The second course is to seek changes in negotiation to render it acceptable, and to reject it if such changes cannot be achieved. We take the second course, and we usually achieve the changes that we seek. It is very rare, where there is qualified majority voting, for Britain to be outvoted. However, it must be clear that the extension of qualified majority voting is less acceptable to a country that religiously implements agreed measures than to countries that take a more relaxed view of their legal obligations.

We cannot go along with the Opposition and the Liberal Democrats in their headlong rush down that track. Those who advocate it must be prepared to answer the question: do they believe that Britain should abandon its rigorous approach to implementation, or are they content that Britain's businesses should be disadvantaged relative to their competitors in more relaxed regimes abroad? That is an important question which has to be answered if those proposals are to be pursued.

Two measures under discussion illustrate the dangers—the directive on part-time and temporary work, and the directive on working time. Both would reverse growing flexibilities in the labour market. Many have pointed to the growing benefits of part-time—what is known in the Community as "atypical"—work. I quote from the European Commission's own annual economic report. It says:

"Rising wage pressure in a context of still high level of unemployment points to the need for more fundamental structural reform in labour markets to strengthen employment creating investment ... Further obstacles to employment creation should be removed and wage setting procedures should allow a fuller reflection of differences in productivity so as to improve adjustment of demand and supply of labour."

Those directives would run directly counter to that spirit, and they would carry huge costs in the United Kingdom alone. As we are the country which, history suggests, is most likely to implement such directives, if agreed, it seems to me that we have an overwhelming case for resisting them. Equally, we have an overwhelming case for resisting the extension of qualified majority voting to other similar measures.

My right hon. Friend the Foreign Secretary dealt comprehensively with the discussions on political union at the outset, and I have little to add. The debate shows how the Government's approach carries overwhelming support in the House and, I believe, in the country. It must surely be right to seek improvements to the treaty of Rome. It must surely be right to develop more and better means to co-operate closely to do those things together that cannot effectively be done separately. That was the approach of my right hon. Friend the Member for Finchley (Mrs. Thatcher) in her speech at Bruges and it is an approach which, with support elsewhere in the Community, we shall continue to press. Again, if I judge the sense of the debate correctly, that is what hon. Members of all parties would like us to pursue. Essentially, the House would want us to press improvements in co-operation between Governments.

Mr. Stuart Bell (Middlesbrough): The Foreign Secretary said that he would leave to the Financial Secretary the debate on economic and monetary union, and on the hard ecu. It would be useful for the House if the hon. Gentleman could dwell on that.

Mr. Maude: I will come to that in a moment. On the political union discussions, it must be right for us to urge our approach, to seek progress on these fronts from within the negotiations and to be, as my right hon. Friend the Prime Minister said, at "the heart of Europe". The House would expect that, and I believe that the House would support it.

But the House would not expect us to agree, nor would the House support, the adoption of a federal goal for Europe. It may be as my right hon. Friend said, that the phrase has different meanings for different people. It may be that those who urge a federal goal are visionaries with their eyes cast forward to an inevitable federal destiny, but I do not believe that it is a destiny which the country desires or that the House would accept. I say again to the House that we shall not ask it to do so.

I turn now as the hon. Member for Middlesbrough (Mr. Bell) suggested I should, the discussions on economic and monetary union. Those discussions have been disappointing in many ways—but only to those commentators who promised themselves blood, conflict, drama and division. Week after week they have waited, fingers poised over the pre-programmed key of their word processors which prints "Britain isolated". I fear that they may be disappointed yet. Some have urged that we should seek conflict by declaring in advance that we will use our veto, as if we were faced with an unalterable text which had either to be accepted, or rejected. This is not how it works.

The right hon. Member for Gorton demonstrated his clear failure to understand how the process of negotiation in the European Community operates. He jeered at the Foreign Secretary's description of negotiations, which was

that one argues and argues and then agrees if the outcome is acceptable. That seems a pretty accurate description of negotiations. I do not know what the right hon. Gentleman would suggest in its place—perhaps he would agree and agree and then argue if the result were unacceptable.

We are talking about a process of negotiation. Treaty changes can be agreed only by unanimity. The negotiation is to establish what it is that all 12 member states are agreed upon. Some have said that we should set out what we will agree to in detail and in advance. It is not fudging the issue or being evasive to say that it would be premature to do that. We are only halfway through the negotiations. The propositions are not yet fully formulated.

We can say, and we have said, that there are some things that the treaty should not contain. We will not, for example, accept treaty changes that commit the United Kingdom to take part in a single currency. To answer the point raised by the hon. Member for Newham, South (Mr. Spearing), I accept that that includes an irrevocably fixed exchange rate. They both amount to full currency union. We will not accept treaty changes that commit us to take part in that, but that is not to say that there will never be a single currency. It is not even to say that Britain will never be part of a single currency. It may be that, years hence, a future British Government and a future British Parliament will want to decide whether Britain should take part in a single currency, but that will be a decision for that British Parliament and that British Government at that time.

The balance sheet of economic political and constitutional advantage and disadvantage cannot be struck until then. Those who argue that we should try to strike that balance now—and either rule it in or rule it out for definite—are submitting to a fallacy because if we were to stand aside——

Mr. Robertson *rose*——

Mr. Maude: If the hon. Gentleman will forgive me, I shall not give way to him because I have only four minutes left.

If we were to stand aside from the negotiations, we should debar a future House of Commons from making that decision.

Mr. Robertson *rose*——

Mr. Maude: No, I am sorry: I shall not give way to the hon. Gentleman because I have only four minutes left and I want to come on to the hard ecu, which may well be the matter in which the hon. Gentleman is interested. If we were to stand aside from the negotiations and not take part in them, we should debar a future House of Commons from making that decision. Equally, if we committed ourselves now to a single currency, we would pre-empt that future decision. Both approaches are unacceptable.4

I believe that the House and the country support our approach. Indeed, that position is increasingly accepted and understood by our partners in the Community. We are really saying that, as this is not something that can be agreed at this stage, we should concentrate on those matters on which agreement can be reached.

One large and important area that was scarcely discussed until the last 12 months is stage 2 of economic and monetary union. It is now pretty clear that there will be a hardened ecu of some sort in stage 2, which will be much more widely used than today. However, many questions remain unanswered. No one has yet decided the route by which it should be hardened—whether it should be done by the British, Spanish or German approach or by that of the Commission. The matter of whether it should be issued in note and coin is also undecided, as is the issue of whether it should be managed by a monetary institution. Perhaps those are not matters of fundamental principle; they are essentially technical but crucial issues which have to be decided and on which there are almost as many views as there are Governments in the Community.

The debate continues, and it is a debate which has been initiated, led and profoundly influenced by Britain. The right hon. Member for Gorton said that he would seek to divide the House because—I paraphrase—he thought that he could exploit some grubby short-term party political gain. I believe that he misjudged the mood of the House——

Mr. Kaufman *rose*——

Mr. Maude: I know that he—[HON. MEMBERS: "Give way".] I am not going to give way to the right hon. Gentleman——

Mr. Kaufman *rose*——

Mr. Speaker: Order. One at a time.

Mr. Maude: I know from the expressions on the faces of his right hon. and hon. Friends when he made his speech that the right hon. Member for Gorton misjudged the mood of his party. His party wanted this matter to be taken seriously. It wanted a serious debate so that the House could express its view——

Mr. Kaufman *rose*——

Hon. Members: Give way.

Mr. Speaker: Order.

Mr. Maude: The right hon. Gentleman occupied 45 minutes earlier with absolutely nothing. I shall not allow him to take up my time when I have something to say.

The right hon. Gentleman promised to set out the party's proposals. He set out several things that his party would seek. Two of them are not up for grabs in this negotiation in any case. The country can be grateful that his party is not taking part in the negotiations. The Labour party's approach has been characterised by waffle, muddle, drift and deceit, and the House will be glad that this Government, this Prime Minister, this Foreign Secretary and this Chancellor of the Exchequer have conducted these important negotiations.

Mr. Derek Foster (Bishop Auckland) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That this House do now adjourn:—

The House divided: Ayes 158, Noes 312.

Division No. 198] **[10 pm**

AYES

Abbott, Ms Diane	Ashley, Rt Hon Jack
Adams, Mrs Irene *(Paisley, N.)*	Barron, Kevin
Allen, Graham	Beckett, Margaret
Anderson, Donald	Beggs, Roy
Archer, Rt Hon Peter	Bell, Stuart

Bermingham, Gerald
Blair, Tony
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Ron *(Edinburgh Leith)*
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, Sir A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, Ted *(Wallsend)*
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Henderson, Doug
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howell, Rt Hon D. *(S'heath)*
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, John *(Coventry NE)*
Janner, Greville
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kinnock, Rt Hon Neil
Leighton, Ron
Lestor, Joan *(Eccles)*
Livingstone, Ken
Lofthouse, Geoffrey
Loyden, Eddie
McAvoy, Thomas
Macdonald, Calum A.
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
Madden, Max
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Prescott, John
Primarolo, Dawn
Radice, Giles
Randall, Stuart
Rees, Rt Hon Merlyn
Richardson, Jo
Robertson, George
Rogers, Allan
Rooker, Jeff
Ross, William *(Londonderry E)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Soley, Clive
Spearing, Nigel
Stott, Roger
Strang, Gavin
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Ray Powell.

NOES

Adley, Robert
Aitken, Jonathan
Alison, Rt Hon Michael
Allason, Rupert
Alton, David
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clark, Rt Hon Alan *(Plymouth)*
Clark, Rt Hon Sir William
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Cran, James
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Farr, Sir John
Favell, Tony
Fearn, Ronald
Field, Barry *(Isle of Wight)*
Fishburn, John Dudley
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir Anthony *(CambsSW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heath, Rt Hon Edward
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howells, Geraint
Hughes, Simon *(Southwark)*
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman

Lang, Rt Hon Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Luce, Rt Hon Sir Richard
McCrindle, Sir Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Sir Charles
Moss, Malcolm
Moynihan, Hon Colin
Neale, Sir Gerrard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Owen, Rt Hon Dr David
Page, Richard
Paice, James
Paisley, Rev Ian
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Renton, Rt Hon Tim
Rhodes James, Sir Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Rt Hon Sir Wyn
Roe, Mrs Marion
Rumbold, Rt Hon Mrs Angela
Ryder, Rt Hon Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Sir Ian
Stokes, Sir John
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tebbit, Rt Hon Norman
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'caster)*
Waller, Gary
Walters, Sir Dennis
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. David Lightbown and Mr. John M. Taylor.

Question accordingly negatived.

European Standing Committees

10.15 pm

The Lord President of the Council and Leader of the House of Commons (Mr. John MacGregor): I beg to move,

That Standing Order No. 102 (European Standing Committees) be further amended as follows:

in paragraph (8), leave out lines 64 to 66 and insert—

"The chairman shall thereupon report to the House any resolution to which the committee has come, or that it has come to no resolution, without any further question being put."; and

in paragraph (9), line 69, leave out 'a resolution has been reported' and insert 'a report has been made.'.

Mr. Speaker: I have selected amendments (a) and (b) in the names of the hon. Member for Newham, South (Mr. Spearing) and others.

Mr. MacGregor: I shall not detain the House long with my opening remarks. This is a—*[Interruption.]*

Mr. Speaker: Order. I ask hon. Members who are leaving the Chamber to do so quietly, especially those who are below the Gangway.

Mr. MacGregor: I propose that a minor amendment be made to Standing Order No. 102. It does no more than correct a procedural anomaly. On 26 March, European Standing Committee B debated an EC document on the debt of African, Caribbean and Pacific countries. At the end of the debate there was a vote on the Opposition's amendment, followed by a debate on the Government's motion. Both votes were tied and as the Chairman cast his vote against in each Division, both the amendment and the motion were defeated. Therefore, the Committee came to no resolution and no report could be made to the House. The document was stuck in a procedural limbo and the scrutiny process could not be completed. The proposed amendment would solve the problem.

Dr. Norman A. Godman (Greenock and Port Glasgow): I thank the Leader of the House for displaying his characteristic courtesy and allowing me to intervene. I believe that he has been engaged in some correspondence with the Chairman of the Scrutiny Committee. I believe also that there was an informal discussion with some members of European Standing Committees A and B. Why did he choose not to enter into formal consultations with the permanent members of the two Committees, or with representatives of those Members? Speaking as a member of one of the Committees, I find that disappointing to say the least. Does it not reveal a flaw in the structure of the Committees, which is that they do not have permanent Chairmen?

Mr. MacGregor: I do not believe that such a conclusion could be drawn. It is correct that I have been in correspondence with the Chairman of the Scrutiny Committee. It is correct also that I have had informal discussions with both Standing Committees. I mentioned this matter and other more wide-ranging issues that perhaps are more important. I shall not take up any of the wider issues because I think that they will form part of the wider review in which I shall wish to engage at the end of the summer, when I shall wish to consult more broadly.

The proposed amendment is a simple matter and one that I explained to the members of the Committees. I do not think that it has any of the implications that the hon.

[Mr. MacGregor]

Member for Greenock and Port Glasgow (Dr. Godman) suggested. When I have explained how simple the matter is, I think that the House will understand the reasoning that lies behind the amendment. I shall explain the point before I go any further.

The amendment which we have tabled would solve the problem by allowing a report to be made that the Standing Committee had come to no resolution. Following that report, a motion could be moved on the Floor of the House in the usual way. In effect, the amendment restores the position to what it was under the previous version of Standing Order No. 102 before the start of the Session. Under the old system, a document was reported back together with

"any Resolution to which the Committee had come".

That meant that the document could be reported back in the absence of a resolution.

We are dealing with a technical and procedural anomaly. Rather than devise some new system, such as obliging the Standing Committee to rerun the debate—I doubt whether I would be thanked for that, given the pressures on Standing Committees, and what their members have said to me—it seems sensible to restore the previous position by means of a simple amendment.

When Standing Orders were changed last October, the Government had assumed—wrongly, as it turned out—that in the event of a tied vote in a European Standing Committee the Chairman would cast his vote for the motion. That is the normal position when such circumstances arise in Committees. When we later sought confirmation of that from the House authorities, we were told that the Chairman would in practice be advised to vote with the Noes. The possibility of a tied vote leading to no report being made had therefore not been catered for in the new Standing Order. As I said, a tied vote was what transpired in Standing Committee B.

All that we are doing is giving the opportunity, where there is a tied vote and therefore no resolution, for the matter to come back to the House rather than staying in a procedural limbo. We are introducing nothing different from what has been done in Standing Committee on previous occasions. It is as simple and technical as that.

Mr. Dafydd Wigley (Caernarfon): Will the right hon. Gentleman confirm that, when the Government have lost an amendment in Committee, the changes will have no effect? Will he clarify what the position is when a motion comes back to the Floor of the House in such circumstances?

Mr. MacGregor: Yes, I can confirm that, if the Government had lost, tonight's proposal would not bite. It would not be relevant then; it applies only when, as the result of a tied vote, nothing can come back to the Floor of the House.

With regard to what might be done when the Government have lost, I have received one or two suggestions. That is the sort of situation that we could consider in the context of the review at the end of the summer. There is nothing in Standing Orders at present to prevent the Government from putting down a motion and enabling amendments to be tabled to that motion when it comes back to the House. I do not propose any change in that position tonight.

Sir Teddy Taylor (Southend, East): Shame.

Mr. MacGregor: I am sure that my hon. Friend, who is saying, "Shame," will wish to raise that matter on another occasion, but it is not relevant tonight. I have already discussed the subject with members of the Standing Committee, and it will be relevant to the wider review that we shall carry out later. It has nothing to do with the amendment before us tonight.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The right hon. Gentleman's reply is rather dispiriting. Every change in our procedure is relevant to what we do in the Committees. The right hon. Gentleman will be aware that it was at an early stage that the whole Committee, irrespective of party allegiance, took a certain view and found itself unable to proceed because of the procedural change.

I am happy to debate narrow points of procedure, but the right hon. Gentleman has been in the House for a long time, and he knows that procedural points have a real political impact. We are sorry that the measure covers such a narrow point.

Sir Teddy Taylor: Disgraceful.

Mr. MacGregor: I think that my hon. Friend is going overboard when he says, "Disgraceful." I repeat what I have said several times during business questions—that I intend to carry out a review of the Standing Committees at the end of the summer. There are many points that we could consider. I have already had discussions with members of the Standing Committee and will take their views into account; but I have also said that where obvious anomalies and narrow points could be dealt with in advance of the review, I would be prepared to do that. Today I am simply taking action on one such anomaly, which was not intended when the original Standing Orders were made. The amendment restores the position to what it always had been. That is all that we are debating. I assure the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) that that does not mean that I am not prepared to consider the wider issues—of course I am—but this is a narrow issue.

Mr. Lewis Stevens (Nuneaton): Will my hon. Friend confirm that, when the resolution comes back to the House, it will not come back for debate, but merely for voting upon, in the normal way?

Mr. MacGregor: I am grateful to my hon. Friend the Member for Nuneaton (Mr. Stevens) and I can confirm that.

The hon. Member for Newham, South has tabled what would appear to be two alternative amendments. The first would effectively mean that, if the Committee came to no resolution, a further one-and-a-half hour debate on the Floor of the House would be required—precisely the point that my hon. Friend the Member for Nuneaton was making. In my view, that would be contrary to the whole point of shifting scrutiny of European business away from late-night debates on the Floor of the House to the new Standing Committees. We have already debated that matter, and the House has agreed to the European Standing Committees.

The hon. Gentleman's second amendment represents a novel procedural addition whereby the Minister and an opposing speaker would each make a brief explanatory

statement on the Floor of the House before the motion was moved. That would constitute a sort of mini-debate. I see no need to require even that extra stage as the relevant document will already have been fully considered in a Standing Committee. I do not, therefore, propose to accept either of the hon. Gentleman's amendments.

Let me come back to my simple point: what is proposed is a technical change to put matters right and to re-establish what was always intended to be the position.

10.26 pm

Mr. Peter L. Pike (Burnley): The proposal touches on matters of considerable concern to members of European Standing Committees A and B. The Leader of the House said that the motion is a narrow technical proposal to deal with circumstances in which a Committee does not reach a decision and the Chairman has to cast his vote against the motion, which was not the position that the Government intended when the new Standing Orders were agreed in October. Nevertheless, members of the two Committees feel strongly about the matter.

During his short speech, the Leader of the House took several interventions, in which it was said that perhaps even more controversial than circumstances in which no decision is reached are circumstances in which the Committee agrees something unanimously and then discovers that the motion tabled by the Government—after the Committee's decision has been reported—is worded differently from that which it has agreed. Strong feelings have been expressed by hon. Members on both sides of the Committees who regard that as entirely wrong.

On one occasion, for example, European Standing Committee A unanimously agreed an amendment—which was initially accepted by the Minister—but found that, ultimately, a different motion was put before the House. In fairness to the Minister for Roads and Traffic, I should point out that he notified members of the Committee that that was what he intended to do. If he had not done so, it would have been for members of the Committee to spot the discrepancy between the motion on the Order Paper and the motion that they had agreed. That is totally wrong.

The important point that has emerged tonight is that the Leader of the House has said that the workings of the Committees are to be reviewed. That undertaking must be honoured, and the review must take place within the time scale that the right hon. Gentleman suggests. Whatever decisions are taken tonight, they should not preclude an examination of the proposals in the two amendments. I hope that the Leader of the House will tell us that, whatever is decided tonight, the Government will not say that they are not prepared to consider those proposals. I do not intend to develop the case tonight.

I heard the Leader of the House say that the Government's proposal was intended to remove the necessity for late-night debates on the Floor of the House and that the European Standing Committees were considered to be a better way of proceeding. It could be argued, however, that if a Committee cannot reach a decision—or reaches a decision that the Government do not like—on such important issues, the House should have an opportunity to debate them. After all, we are deciding what Britain's viewpoint in the Community should be; that is what the Committees were established to do.

Mr. Robert Hayward (Kingswood): I was interested by what the hon. Gentleman said about the amendments. Has he discussed them with the hon. Member for Newham, South (Mr. Spearing), who tabled them? If so, did the hon. Member for Newham, South say anything to suggest that, if we were told tonight that further discussion might take place, he might withdraw them?

Mr. Pike: I have engaged in no such discussions. I would not wish to prevent my hon. Friend—who does an extremely good job in scrutinising European legislation—from presenting his case.

I am merely saying that, whatever is decided tonight, the review should take these questions into consideration. If our Ministers, who represent our country in Europe, are to express their views as strongly as possible in the interests of this country, they should know what the House feels, regardless of whether the Committee has reached a decision.

The second amendment gives us another option: a speech from a Minister lasting a couple of minutes, and another of the same length from the Opposition spokesman.

At present, motions such as this are decided forthwith. We can table amendments if we wish, but there is no time for a debate. No doubt the Leader of the House would argue that, once hon. Members have seen the Order Paper, it is up to them to read the *Official Report* and find out why such amendments have been tabled. None the less, given the importance of the issues, I feel that the review should deal with them; it should also consider other matters, such as the way in which Ministers may be questioned and the advice that they receive.

The European Standing Committees are an experiment, but I believe that their members are beginning to feel that they are serving a useful purpose and working for Britain's interests. Almost identical views have been expressed by members of opposing parties: it is generally felt that the British interests of, for example, the food and farming industries should be protected, and that the strongest possible case should be put in the negotiations.

If experience suggests that changes are needed to strengthen the Committees, I hope that they will be made. Above all—I have said this very forcefully to the Leader of the House on several occasions, and points of order have been raised here on the subject—we must prevent Committee members from becoming disenchanted. Having spent so much time considering the issues beforehand, and then in Committee, they do not want to find that they cannot discuss the reason for any difference of view when they come to the Chamber—or, indeed, the reason for a failure to reach a decision.

Obviously the Government do not want issues to be left in limbo, with no way of reporting back and the possibility of Committee's having to consider those issues again. If the right hon. Gentleman's proposal is approved, however, the Opposition would like an assurance that the review will take place within the time scale that he has described, and that the amendments that we propose will not automatically be precluded.

10.35 pm

Mrs. Edwina Currie (Derbyshire, South): I am a volunteer member of European Standing Committee A. I commend the Leader of the House for his persistent efforts to get these Committees set up and working well. That

[Mrs. Edwina Currie]

Committee has already covered an astonishing number of subjects, ranging from rabies to vehicle emissions and the transport of live horses and ponies. It is absolutely amazing. There is a great deal more to come. I only wish that these Committees had been set up some time ago. Then we could have properly scrutinised some of the 200 or so directives that have gone through Brussels on the creation of the single market, with another 80 or so still to come.

The hon. Member for Burnley (Mr. Pike) was right: very slowly, the Committees are beginning to function much better. That is partly due to the efforts of my right hon. Friend the Leader of the House. I hope that the hon. Gentleman will give my right hon. Friend credit for that.

My right hon. Friend knows my views, which I should like to be incorporated in the review. The Committees need more members, and a balance that is a much better reflection of the membership of the House. At the moment, the balance is 7:6. That is crazy. Nowhere else in the House is the balance 7:6. We also need much more notice of meetings and of the subjects. The Leader of the House has made considerable efforts in that direction. Now we get about 10 days' notice, which is very commendable, but it is difficult to read complex documents on the mesh sizes of fishing nets in northern Scotland, for example, when one has only a few days in which to do so.

The Committees are much more important than most hon. Members realise. They have attracted an enormous amount of interest throughout Europe. We are the only Parliament in Europe that is beginning properly to scrutinise with Ministers the details of legislation before those details are agreed in Brussels. It is essential that the Committees should work well and that they should not be wrecked either by the Opposition, out to embarrass Ministers and the Government, or by those on our own side who oppose virtually anything that comes here from Europe.

That is why I am a little hesitant about the proposal that has been dealt with briefly tonight: that, if the Committees do not agree with the Minister, the proposals should be debated on the Floor of the House. That would be an incentive for those hon. Members who do not like anything to do with Europe continually to wreck the Committees and make sure that nothing can be done there so that everything has to come back to the Floor of the House. It would be an incentive to wreck every single meeting of the Committees.

We heard a lot earlier today about the sovereignty of this House and Parliament. It is in those Committees that the only vestiges of the sovereignty of this House are being exercised. They will never discuss this country's exchange rate, or what our interest rates ought to be, or what our budget deficit ought to be. Those powers have long since gone from this House. I sometimes wonder whether colleagues who have recently returned to the Back Benches have any idea what it is like most of the time for most of us when we are trying to get points across to Ministers about matters that are really being decided in Europe. However, Back-Bench members of those Committees can flex a little muscle in offering up viewpoints to the Executive at a point in the timetable when it might just make a difference. To me that is marvellous. We should try to preserve those powers.

It is so rare for any Government, of any colour, to empower Back Benchers, and it is very welcome when it happens. *[Interruption.]* My right hon. and learned Friend the Minister of State, Home Office, has not been a Back Bencher for a very long time. When eventually he returns to these Benches, which I hope will not be for 20 years, he will find that it is very different from what it looks like on the Bench that he occupies. It is very welcome when it happens that Ministers, particularly Ministers with some control over procedure, such as the Leader of the House, make an effort to empower Back Benchers. Everything that he is doing and everything that he is suggesting is making Ministers' lives harder. We have to recognise that fact and be very grateful to him.

If our prating about the sovereignty of this House has any substance, these Committees must be strengthened and made to work. I commend the Leader of the House for his efforts.

10.39 pm

Mr. Nigel Spearing (Newham, South): Unlike the earlier debate, I now speak as Chairman of the Select Committee on European Legislation. I draw the House's attention to the amendments, which I may move later, standing in the name of my hon. Friends and myself and of the hon. Member for Harrow, East (Mr. Dykes).

I am speaking on behalf of the Committee, which, up to a point, has been consulted by the Leader of the House. Alas, we have been unable to agree; hence the two amendments.

For posterity and for any readers of *Hansard*, I should read part of Standing Order No. 102, which describes the setting up of Standing Committees A and E and how documents are sent to them from the Select Committee on European Legislation. Line 64 reads:

> "The committee shall thereupon report to the House any resolution to which it has come, without further question being put . . . If any motion is made in the House in relation to any European Community document in respect of which a resolution has been reported to the House in accordance with paragraph (8) of this Order, Mr. Speaker shall forthwith put successively—the question"

and the amendments to it.

That must be read with the amendments, because, as the Leader of the House said, sometimes there is no resolution before the Committee. The Chairman, in accordance with Standing Order No. 102, cannot report, because there is nothing to report. He is empowered only to report a resolution that is passed. Therefore, we are in a state of limbo.

I dissent slightly from what the Leader of the House said about that being overlooked if there is inequality of voting. Although it has not happened yet, regardless of whether the Chairman is involved, a Committee may negative the final resolution. I suspect that that may happen in the future, which is why we are holding this debate.

The Select Committee believed that that matter could be resolved in two ways. If a two-and-a-half hour debate had been held upstairs, the prospect of another hour and a half on the Floor, which would be the result of amendment (a), might not be appetising. As the hon. Member for Derbyshire, South (Mrs. Currie) said, if the Committee cannot not reach a decision on an important matter, there is at least a case for it to be debated on the Floor. That is the Select Committee's first preference; it would at least show democracy and freedom of speech in

action. However, we all want to avoid too many debates being held on the Floor, which is why all the documents are automatically being sent upstairs.

Amendment (b) would provide an opportunity for the Minister who is moving the motion, of for an hon. Member who is moving an amendment, to explain it before the vote. Without such an opportunity, the motion that the Government table, regardless of what happened upstairs, may be different from the one that was originally tabled. For example, they may have second thoughts because of the debate upstairs or because something had been brought to their attention by an outside body.

If there was to be a vote without voice in those circumstances, the basic procedures of the House of some form of debate before a decision was taken would have been broken. When looking for an alternative, it was suggested that the mover of the motion and perhaps another hon. Member selected by Mr. Speaker could make a brief statement explaining what was happening. Then, at least, when the Division was called, even those reading *Hansard* would have some idea of the relative merits of what had happened. In those circumstances there would also be a record of the Committee proceedings upstairs.

Mr. David Harris (St. Ives): How brief is a brief explanation? Is the speech that the hon. Member for Newham, South (Mr. Spearing) is making now a brief speech? Does he know of a precedent where a brief explanatory statement is referred to in the Standing Orders?

Mr. Spearing: There are two precedents for such a procedure. The first is when a motion is moved on the Floor of the House for committal to a Select Committee or Special Bill Committee, of which, alas, we have few these days. In those circumstances, a short statement can be made. That procedure is not used very often, but it exists. The other precedent is better known and is a slightly lengthier procedure: it is the ten-minute Bill. We all know that the so-called ten-minute rule does not exist. However, I think that the relevant Standing Order refers to a short speech or statement by the mover of the motion and by anyone who wishes to oppose it. By a sensible convention, speeches are made more or less within the 10-minute period. Mr. Speaker has the power to determine matters. As the ten-minute Bill procedure works reasonably well, a similar procedure might be applied in these circumstances.

Dr. Godman: There is another example of the short statement. Ministers in the European Standing Committees make brief speeches. The Chairman of European Standing Committee B, of which I am a member, have specified succinctly and distinctly that a brief speech is one that takes up less than 10 minutes of the Committee's time. As a result of those Committees, Ministers are getting into the habit of making brief statements that take less than 10 minutes.

Mr. Spearing: I am grateful to my hon. Friend for reminding me of that procedure which is built into the European Standing Committees. Being slightly venturesome, I suggest that that development and my proposal show how the House, by agreement—I hope that the Leader of the House will think again tonight—evolves to the needs of new situations. Whether or not we welcome those situations, the House builds into its procedures, according to need, precedent upon precedent.

Mr. Hayward: What about the presentation of petitions? I think that there is no specific timetable identified in the Standing Orders for the presentation of petitions, but convention requires a brief speech to one.

Mr. Spearing: This is what the House of Commons is all about. We are pooling our experience and ideas. I am grateful for all those points because they support amendment (b).

Mr. Dennis Skinner (Bolsover): What about applications under Standing Order No. 20? The time for those is regularised at about three minutes in which an hon. Member must make a statement about an extremely important matter and get his message across in that extremely short space of time.

Mr. Spearing: I am grateful to my hon. Friend. We should have thought of Standing Order No. 20 applications—goodness me. Of course, there is a distinction between making a case and making a statement. We are discussing statements. They may involve a little bit of argument, but the conventions of the House are quite clear. All those matters have worked so successfully that we must be reminded of them. Standing Order No. 20 applications might be an excellent precedent, although the procedure is limited to three minutes, which is a more recent rule. As we proceed, we find that there is a case for amendment (b).

I take up another point with the Leader of the House which is not entirely accurate. He said that the motion would restore the position to what it was before. It is quite correct that it restores the position in the old Standing Orders. There was an opportunity when the old Standing Committees—the ones that met only once—came to a decision and it came down to the Floor of the House, for a motion to be moved without report from the Chair. However, I remind the Leader of the House that we are dealing with a different procedure in the round, in particularly the vexed question of ultimaticity, about which the Select Committee on European Legislation was particularly concerned.

Everything now goes upstairs unless the Government or the Minister moves it on the Floor of the House. Under the old procedure, everything had to go upstairs on a motion at 3.30 pm unless any 20 hon. Members rose or the usual channels were involved. Therefore, there is now a slight difference, in that it is more likely that more controversial matters will go upstairs directly which might have been taken on the Floor of the House, with either 20 hon. Members standing or, as we know in these matters, an indication that 20 hon. Members would do so. We are not quite in parallel positions.

Indeed, the likelihood of a defeat may not be quite as rare as some people suppose. First, such matters are rather more controversial than before. Secondly, they are not at the initiative of the Government—in other words, the document under discussion and the arguments for or against it are not entirely originated by the Commission and the Council. The opinion of the Government is their opinion, but that complicates the matter. Thirdly, the motion or the decision of the Committee or of the House is only an opinion and not a final decision, and is not

[Mr. Spearing]

subject to post-Council report or catechism of the Minister. Fourthly, the Government may be in negotiation.

Fifthly, there is a good deal of cross-party view. Often, such matters are not a party matter at all, other than the view of the Government, which may or may not please all their supporters in the Committee. Sixthly, the timing is in the hands of the European Council. The material that is being discussed in those Committees is entirely different from that to which we were hitherto accustomed. Perhaps such events may be a little more frequent in future, although a tied vote may of course be rare.

I ask the Leader of the House again to consider the option of amendment (b). I can understand why he would be hesitant about amendment (a), because that could take an enormous chunk of time and would be a re-run. Certainly, short statements would have the advantage that those who read *Hansard*—it is an official document of this House; it contains the reason why decisions are taken—will be able to read the record. It would take a relatively short time and, above all, would connect voice and vote, which historically has been the procedure of the House.

10.53 pm

Sir Peter Emery (Honiton): I shall be very brief. The House will accept that the work of myself and of my Committee are the factors that brought about the appointment of the European Committees. The House should be grateful to my right hon. Friend the Leader of the House for his interest in those Committees, the way in which he brought them forward and his attempts to ensure that they will work, which perhaps was not the case with previous Leaders of the House.

My hon. Friend the Member for Derbyshire, South (Mrs. Currie) mentioned the volume of work. In the review that the Select Committee on Procedure stated that it would carry out, it was orginally envisaged that there should be five committees doing the volume of work which is having to be carried out by two.

While I would not cross swords with my colleague, the Chairman of the European Standing Committee, the hon. Member for Newham, South (Mr. Spearing), I assure the House that the amendment moved by the Leader of the House would restore the working of the committees to the way that it was originally intended that they should report. That may not be right, but he is returning to the recommendations of the Procedure Committee.

Amendment (b) tabled by the chairman of the European Standing Committee, may have some special value. I would like to consider it in depth. This is not the time to introduce it, but it should be considered in the review.

As far as the House is concerned, the recommendations of the Leader of the House today—I am grateful that he is making them—would restore the working of such committees to the method of reporting envisaged by the Procedure Committee when we made our report and when those recommendations were accepted by the House.

10.56 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): I assure the Leader of the House that the reason why I made what might have appeared to be a somewhat critical comment in an earlier intervention was because of my belief that permanent members of those Committees work extremely hard—that comment may seem to reflect a lack of modesty, as I serve on such a Committee. Therefore, it is right and proper that those members should be consulted, even when the matter before the House is of a technical nature, as the Leader of the House claims is the case tonight.

With respect, that is where the right hon. Gentleman and I part company. Apart from all else, his amendment highlights a certain weakness in the modus operandi of the two Committees. I put my name to these amendments and I think that they would improve matters. I favour the brief statement made by a Minister at the Dispatch Box. We have been given examples of precedents of such statements from both sides of the House.

Sadly, the Committees are getting used to brief ministerial statements, as I said in an intervention. If the Leader of the House rejects amendment (b) this evening, it is certainly worth returning to when the consultations on the review that he has promised for the late summer takes place. I am grateful for his promise on the consultations with, among others, the permanent members of the Committees.

The Committees have some structural weaknesses. I regret the absence of specialist advisers and I also think that they should have permanent Chairmen, although the Chairmen of Standing Committee B have left me with no complaints.

As regards amendment (a), I do not envisage any massive problems in bringing a subject to the House for a 90-minute debate late at night. Hon. Members can choose to stay or to go, but some of us are sufficiently interested in such matters to take part in debates, whatever the hour. I remind those present that when we debated the astonishing verdict of the President of the European Court of Justice vis-a-vis the Merchant Shipping Act 1988, there were fewer than 35 hon. Members here.

The hon. Member for Derbyshire, South (Mrs. Currie) referred several times—I have some sympathy with her remarks—to the sovereignty of the House. When the Minister for Shipping came to the Dispatch Box to announce the interim verdict, what he said was significant in terms of a diminution in the sovereignty of the House. Power now belongs to the supreme court that sits over the 12 legal systems, although the United Kingdom has a Scottish and an English system. The House's sovereignty is slipping away, as I have said many times.

The Committees deal with some matters which are less than important. However, I am given to understand—perhaps the Leader of the House will correct me if I am wrong—that Standing Committee B will soon debate a proposal from the European Commission to the effect that the European Community is to become a signatory to the European convention on human rights. If that matter comes before Standing Committee B, it will be a remarkable recommendation from the 17 unconstrained civil servants in Brussels.

I stress that amendment (b), which deals with the brief speech and the rejoinder from the hon. Member who disagrees in Committee, should be accepted. We must also examine the issue of permanent chairmen and, equally important, that of specialist advisers being appointed to the Committees to assist the permanent members to carry out their functions more competently.

11.1 pm

Sir Teddy Taylor (Southend, East): The Leader of the House said that we were dealing with a narrow, technical point and that anything other than than technical point is not relevant to the debate. However, I hope that he will appreciate that the issue is so fundamental that we cannot let it go at that.

My hon. Friend the Member for Derbyshire, South (Mrs. Currie) rightly told the Committees that people all over Europe are watching them. I confirm that they are the main talking point in the pubs of Southend, and for that reason we do not intend to let the matter go so easily. The Leader of the House is the guardian of democracy, so we must get it right. I sometimes think that, in relation to the Committees, he is like the public relations officer of a tobacco company.

I read in the newspapers this morning that to try to obtain our good will for the European Community, we shall all be offered two free trips to the continent. I know that my hon. Friend the Member for Derbyshire, South is delighted, but when I think of the poor pensioners in Southend who are doing so badly and who are so hard up these days, it seems outrageous for the Government to spend taxpayers' money by allowing every hon. Member two free trips to Europe, whether he needs them or not, and free hotel accommodation. I am sure that the Chief Whip would never have agreed if he had been involved.

Mrs. Currie: My hon. Friend has mentioned me twice, and I am grateful for his giving way so quickly. I recently had to go to the European Parliament in Strasbourg to plead the case of my constituents who work for Toyota. I was glad that I was able to do so, but I did it courtesy of the European Democratic Group. That is not right—such trips should be paid for by the House, especially as the European Member of Parliament for the constituency—Mr. George Stevenson—turned out to be absolutely useless and did not raise the issue at all.

Mr. Deputy Speaker (Sir Paul Dean): Order. In responding to that, the hon. Gentleman must remember that we are dealing with a comparatively narrow motion.

Sir Teddy Taylor: I will not pursue the point made by my hon. Friend the Member for Derbyshire, South. The point that I was making was, as you rightly said, Mr. Deputy Speaker, that we must think of our duties as Members of Parliament on this narrow issue. I am sure that if my hon. Friend, or anyone else, has to go to the continent, or anywhere else, provision should be made. That is rather different from offering a free trip, whether people need to go or not. I do not think that taxpayers' funds should be offered for people to go to Europe. Why just Europe? What about Africa and other places? If we are to offer free trips to everyone, that should not be done only on the restricted issue of Europe.

The Leader of the House has proposed the motion late at night; it is now 11.4 pm. What on earth did he need the motion for? What difference does it make whether the House is told that the Committee has not come to a resolution? What is the point? Whether the Committee passes a resolution or not, the same procedures go ahead. Ministers sit round the table in Brussels and arrive at a decision. It is nothing to do with us. Whether the Committee has reported or not, and whether the issue has been discussed does not make the slightest difference. Why do we need the motion?

The Leader of the House may say that the motion will make a difference and that we want to be tidy. He may say that we have had a wonderful report from the Select Committee saying that we had to have five Committees, and that as we have appointed only two, it is a big issue. If the issue is tidiness, why on earth can we not tell the House of Commons what the Committee has decided?

As other speakers have rightly said, Standing Committee A came to a unanimous decision. It was worried and perplexed about the Minister for Roads and Traffic, who goes rushing over to Europe to do all kinds of things and to pass all kinds of laws. He did it again only a couple of days ago. We have had the agreement on the mutual recognition of driving licences which means that anyone from Greece, Portugal, Portuguese Macao or from French Guiana will, in 1996, be able to come here and drive round our roads if he has a driving licence from any of those places. This person was out of control, and the Committee said that it must do something.

We passed a unanimous amendment—not only the Conservative Members, but all the Labour Members and an Ulster Unionist—saying to the House, "Please watch out for this guy. He is a danger to our democracy." Everyone agreed to that. What happened? The House of Commons was not told, because the Government say that they will report only the decisions of Committees with which they agree. If they do not agree, they will not tell the House of Commons the decision. If the Leader of the House has tabled the motion for tidiness and to be consistent, why not tell the House when the Committee comes to a decision and not just when it has a tied vote?

I have a feeling that there is something very strange here. If the Leader of the House is a guardian of democracy and he wants to tell us every time the Committee comes to a decision, including when it has a tied vote, why will not he tell us when the Committee passes an amendment? Why will he not give it the chance to decide?

It is rather sad. I have not been here for 900 years, but the House of Commons has. I do not know of any time in the history of Parliament at which a Committee has not been able to tell the House of Commons what it has done. The hon. Member for Greenock and Port Glasgow (Dr. Godman), one of the most hard-working people in the House, studies all the issues very carefully in Standing Committee B, but he has no guarantee that what his Committee decides will be reported to the House. That is terrible.

If the position is as I have described, why the hurry? A tied vote might not happen again for five years; it might never happen again in the history of these Committees, so what the heck is the hurry? If the Leader of the House wants the motion to go through, why will he not do something about the amendments that we agree to? Something very funny is going on. When we discuss the proposal at 11.8 pm, after a very busy day, and when there are all these free trips to Europe with taxpayers' money, whether we want them or not, the House should ask itself carefully what is going on. Is there something strange and mysterious?

Will the Leader of the House tell us: why, why, why did he introduce the motion tonight? Why only cover such a narrow point which arises rarely? Why is it important,

[Sir Teddy Taylor]

constitutionally, that we should report to the House the fact that the Committee has not made a resolution, when it does not make the slightest bit of difference?

There is a big constitutional issue here somewhere. I am not one of the clever people who can identify it, but I have often found that when an hon. Member raises such a point, the clever people—and some very clever people are here tonight—will say, "Gosh, I've got it." Something strange and unusual is going on—I wish that we could find out what it is.

11.9 pm

Mr. Dafydd Wigley (Caernarfon): I am a member of European Standing Committee B and am finding its work of considerable interest. The Committee is an interesting innovation.

Some important points have been made. It was suggested a moment ago that the eyes and ears of Europe are on our Committees—*[Interruption.]*—and those of the people of Southend. I was reminded of G. K. Chesterton's poem to F. E. Smith at the time of disestablishment at the turn of the century. F. E. Smith had said that the conscience of Christendom was concerned about the disestablishment of the Church. As will be recalled, the poem ended with the famous words, "Chuck it, Smith." I suspect that not as many people in the pubs of Southend or other parts of the country are as concerned about these matters as they should be.

Mrs. Currie: I share the hon. Gentleman's scepticism. However, when I arrived in Strasbourg a couple of weeks ago, everybody there knew about the European Standing Committees, what they do and that I am a member. They knew more about them than I did.

Mr. Wigley: We must all be moved that our work, which is not under a microscope, let alone a television camera, is reaching parts that we had not expected.

I accept that something must be done about matters that have not reached a conclusion and which are in limbo. However, as hon. Members of all parties have said, if there is a stalemate in Committee or if the Government are defeated in Committee, that is a good enough reason to warrant those subjects being given more attention on the Floor of the House. If we are to be told that, after spending an hour in Committee questioning and receiving answers from Ministers, and a further hour and a half debating them and reaching a conclusion, our conclusion can suddenly be overturned in the House by a Government motion and without any debate, we may be led to believe that we are wasting our time in Committee and that no note is being taken of our work.

I accept the point made by the hon. Member for Southend, East (Sir T. Taylor) that when Ministers go to Brussels and Strasbourg they are not bound in the same way as the Government are bound here by the outcome of a debate in Committee or by a resolution made on the Floor of the House. I accept that that is the way in which we are moving forward, but if a resolution is to be changed on the Floor of the House, I should be happier if hon. Members had an opportunity to speak to it.

It is all very well to say, "Read the *Hansard* of the Committee," but we know that very few hon. Members who come to such debates have done so. Indeed, a couple of weeks ago, the motion at the end of the *Hansard* report on our debate on the life of patents was incorrect, so those reading the report would have been misled. I understand that that is to be corrected and that the report will be reissued, but that is the sort of thing that can go wrong.

We are grateful for the consultations that the Leader of the House has had and doubtless will have again on this matter, but I urge him to take on board the need to ensure that, if a motion is to be reversed, those hon. Members who have an opinion on the matter should have an opportunity to voice it before a final conclusion is reached.

11.13 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): It seems a little hard when the Leader of the House is sitting there looking as reliable as Thomas the Tank Engine that he appears to be attacked from all sides. However, the point that we seek to make is important. The European Standing Committees are very Anglo-Saxon in the sense that they are developing all the time and change as we go along. Therefore, I hope that the Leader of the House will understand that if we raise points with him it is because if the Committees are to do a good job, some of their procedures will have to be altered in order to report their work to the rest of the House of Commons.

Over many years, the Community has deluged the Committees of its so-called European Parliament with paper and thrown out both directives and regulations at the speed of sound. Therefore, the House will have to look at ever more paper. Much of that paper is uneven. Some of the issues have already proved to be politically extremely sensitive and some have been of only minor or relative importance. It is clear that the work of the European Standing Committees is developing because there is a cross-party ability to examine carefully the content of what comes before them. So the Committees will be irate if they find that their opinions are disregarded in as much as they are not reported to the House.

Despite some Conservative Members, our Committee is more interested in the content of the EC regulations and directives than in fighting imaginary battles. The Leader of the House will know that, in one instance, the Committee came to a unanimous, cross-party conclusion. That conclusion was governed by the interests and needs of the British and not those of any party or group. Therefore, we were extremely discomforted to find that the conclusion had not been reported to the House. I do not accuse the Leader of the House of quite the degree of conspiracy of which some of his hon. Friends accuse him. The procedures meant that the Committee's conclusion was not reported to the House and the House was not made aware of the work which had been done in the Committee.

The Leader of the House has been very good; he has consulted the members of the Committees and is continuing that process. However, he should be aware of one of the reasons why we are so worried. If, as the recess approaches, the House does not debate in any more detail than has been possible in this short debate the changes that are needed in the procedures of the Committees, and if all the points that have been raised tonight and many others that we should like to emphasise are not taken into account in the review, we shall fear that the Committees have been set up more as decoys than as genuine scrutiny

Committees. I do not believe that that is the case. The Committees are doing a good job. They have a vital job to do.

Many of the hon. Members who have spoken about sovereignty seem to forget that power is stolen day by day. When one reads about the extension of the powers of the Commons one clearly sees that it was through the ability to take away from kings control of taxation that this House and another place took control of the political decisions of the United Kingdom. That is the way in which, if we are not careful, we shall see power leaking away from this Chamber to establishments elsewhere. The scrutiny Committees are important and they will become more important. They need to change and to operate in a way which means that at the end of the day the House of Commons is aware of the work that is going on in Committee.

If the Leader of the House feels that we have been rotten to him tonight, I assure him of one thing. We are aware of his good points and we are grateful for them. We shall continue to be rotten to him only to the degree that he does not respond to the points that we raise in the House.

11.17 pm

Mr. Lewis Stevens (Nuneaton): I have a question for my right hon. Friend the Leader of the House which follows from what the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) said. I seek clarification of what happens if one of the Standing Committees accepts an amendment with which the Government basically disagree. Is it not possible under the existing regulations that the decision of the Committee could be reported in the procedures of the House even if the Government wanted to add an amemdment or comment?

11.18 pm

Mr. MacGregor: I am glad that we have had the opportunity of this short debate. It has done a service in drawing the attention of the to the important work of the European Standing Committees. I am pleased that almost all the hon. Members who serve on a Committee and who spoke tonight said that they felt that the work was important and that the Committees were serving a useful purpose.

I can inform the hon. Member for Crew and Nantwich (Mrs. Dunwoody) that I, the House, and certainly the Procedure Committee have never seen the Committees as decoys—to use her word. Rather, they are a more effective way to scrutinise European draft directives than the methods available until now. However, it is important that the Committee's work is highlighted and that the House recognises it. That is one of the advantages of this very short debate, which has ranged more widely than the technical matter that I am putting before the House.

I am grateful for the comments of my hon. Friend the Member for Derbyshire, South (Mrs. Currie). I agree with her that we were already in advance of most other national Parliaments and, with this procedure, the way in which we scrutinise European legislation is now even more advanced. I should like to see other national Parliaments playing a similar role—that subject forms part of the discussions in the intergovernmental conferences—and we already have good experience in that respect.

I regard the Committees as important and pay tribute to all hon. Members who already play a constructive part in them. Other Members of the House who are not Committee Members can participate in discussions on individual directives in the European Standing Committees if they happen to be of interest to them. That is not yet happening on a wide scale, and I should like to see it happen more regularly. I recognise that the Committees involve much hard work by Committee Members, because there is a great deal of material to go through. After all, I spent four years of my life negotiating in the European Community, and I know how much material there is and how often it arrives at short notice.

I am also grateful to my hon. Friend the Member for Derbyshire, South for recognising that I am trying to help the Committees to deal with their work load by ensuring that Committee members receive the papers on time. It does not always happen, but we make every endeavour to ensure that Departments distribute the relevant papers on time. Moreover, I hope that the change that I have made, within the rules of the House, to try to give Committee Members more notice of meetings will be helpful.

I am anxious to help the Committees in their work and to co-operate with them. However, I must point out to the hon. Member for Crewe and Nantwich that that does not mean that I can respond positively to every point that is made. Clearly, that cannot be expected and, in any case, points sometimes conflict.

Tonight's debate concerns the narrow issue of occasions on which the Committee does not reach a conclusion. We are not discussing what happens when the Committee votes against a motion, although I shall consider that in the wider review. There are some complications in reaching an answer. For example, if we follow the approach that some hon. Members have suggested of putting on the Order Paper the motion that the Committee has reached and the Government then table the amendment that they believe is necessary to make it accurate or to reflect properly the Government's position, that excludes any other amendments being tabled and voted on in the House. Therefore, there are issues that we must all consider.

In the review at the end of the summer, I am prepared to look at any suggestions which I hope will come from the Committees. Some suggestions have already been made in the meetings that I have had so far. I am also prepared to look at the comments that have been made tonight.

Mr. Spearing: Will the Leader of the House extend that undertaking, since the motion does not mention the issue that he just mentioned, to the limbo question? In view of the remarks of the Chairman of the Procedure Committee and the strong feelings expressed by Members of Committees A and B, will the Leader of the House add the question of what happens to limbo? Will he look at amendment (b) as part of the review? I do not ask him to accept it but simply to reconsider it. Such an undertaking would constitute a happy outcome of our debate because I would then not need to move the amendment formally.

Mr. MacGregor: I shall certainly undertake that, in the review at the end of the summer, I am prepared to look at the points that have been made tonight. I am prepared to consider the point that the hon. Gentleman raises in amendment (b) about what happens when the Committee reaches a different conclusion at the end of its

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deliberations. However, as I am sure the hon. Member for Newham, South (Mr. Spearing), will appreciate, that must be without a commitment to accepting it, because there are other, wider considerations.

I am under pretty constant pressure from some of my colleagues to ensure that the House rises earlier than it does at present. The hon. Member for Greenock and Port Glasgow (Dr. Godman) said that he would be happy to go on debating some of the issues for some considerable time into the night, but a number of other hon. Members are applying pressure to me to do the opposite. That is just one of the considerations that I have to take into account, but I am certainly prepared to consider the point.

I sometimes feel that my hon. Friend the Member for Southend, East (Sir T. Taylor) sees a conspiracy under every European pebble. I assure him that there is no conspiracy on this matter; and the position is absolutely plain, and I will repeat it so that he understands it. He made it clear that he felt that, when a Committee reaches a decision, it should be reported to the House so that it was known to the House. I agree with that. At present, we have a problem that was not predicted because we thought that we had solved it. When a Committee does not reach a conclusion, nothing can be reported to the House, so the matter is in limbo and the scrutiny is not completed. That is simply not satisfactory, and I am anxious to avoid that happening again.

I repeat the simple fact that tonight we are discussing a way of completing the scrutiny process when a Committee does not reach a conclusion. I am grateful to my hon. Friend the Member for Honiton (Sir P. Emery), and we are doing what the Select Committee on Procedure recommended, and what he and I thought that we had originally achieved. Therefore, it is a simple and straightforward amendment.

I believe that the debate has been useful, but I have heard nothing to suggest that our amendment is wrong. On the contrary, I believe that the conclusion of the debate is that it is right to put right this technical anomaly, and that we should proceed on that basis. As we are simply dealing with the position when a Committee has not reached a conclusion, I wish to resist amendments (a) and (b) and to commend the motion to the House.

Mr. Deputy Speaker (Sir Paul Dean): Does the hon. Member for Newham, South (Mr. Spearing) wish to move either amendment (a) or amendment (b)?

Mr. Spearing: I do not wish to move amendment (a), and in view of the qualified undertaking given by the Leader of the House, not amendment (b) either.

Question put and agreed to.

Resolved,

That Standing Order No. 102 (European Standing Committees) be further amended as follows:

in paragraph (8), leave out lines 64 to 66 and insert—

'The chairman shall thereupon report to the House any resolution to which the committee has come, or that it has come to no resolution, without any further question being put.'; and

in paragraph (9), line 69, leave out 'a resolution has been reported' and insert 'a report has been made.'.

PETITION

Schools Reorganisation (Mansfield)

11.27 pm

Mr. Alan Meale (Mansfield): This petition of 5,863 signatures has been gathered by Mr. Robert Fennell of Pleasley in Mansfield, ably assisted by parents, children and governors of the middle schools of Mansfield including those of Bull Farm, St. John's, Cumberlands, High Oakham, Ethel Wainwright, Windmill Ridge, Ravensdale and Berry Hill. It is in protest at the intentions of Nottinghamshire county council's education authority to reorganise middle school education in the Mansfield district, which will result in the closure of all those schools.

The petition states:

To the honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The humble Petition of the undersigned being people concerned about the proposed re-organisaton measures concerning Mansfield schools by Nottinghamshire County Council.

That we are genuinely angry such measures have been proceeded with by the Education Authority, without due regard to the overwhelming views of opposition made to Nottingham County Council by the parents of children in the affected schools, teachers, school governors and other ancilliary staff employed in Mansfield Middle Schools.

Wherefore your Petitioners pray that your honourable House will urge the Secretary of State for Education and Science not to agree to such changes unless and until it can be shown that proper and due regard has been paid to such views.

And your petitioners as in duty bound will ever pray etc.

To lie upon the Table.

National Emergency Helpline

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Greg Knight.]*

11.29 pm

Mr. Rupert Allason (Torbay): I hope that it will be helpful to the House if, first, I define the type of national emergency that I have in mind, how the helpline system now works, what I believe to be wrong with it and then the details of my proposals.

Whether we like it or not, there is nothing so certain in this life as death and taxes, and a third qualifier, as it were, is national disasters. I shall outline briefly a few of the recent events that have prompted my interest in national emergencies. There have been the Lockerbie bomb, the Piper Alpha oil platform disaster, the fire in the tube station at King's Cross, the rail crash at Clapham, the stadium riot at Heysel, the Bradford football club fire, the Hillsborough disaster, the east midlands air crash, most recently the M4 road crash, the terrible fire at Manchester airport and the sinking of the Herald of Free Enterprise.

All these national disasters have one thing in common —the great anguish of those who were directly involved and the anguish that was caused to those who had a direct interest in the events. Apart from recent disasters, there was the Laconia disaster and Aberfan. We now have the continuing terrorist outrages that plague our country.

In the event of a national disaster, those who are involved in broadcasting a news bulletin read out a telephone number that will enable viewers to make immediate contact, theoretically at least, with an emergency control centre. They can register their interest and sometimes they can get news. There are several difficulties with the system. First, what is the number that is to be telephoned? The number is different whenever there is a disaster.

Secondly, there have been numerous occasions when individual control centres have had their switchboards jammed. Following the Zeebrugge disaster, it was especially distressing when it took parents up to two days before they could obtain news by means of the emergency telephone number. When two cruise ships collided outside Athens and a number of British school children were involved, I understand that some anguished parents could not get through to the emergency number for three days.

That is not the only sort of anguish that can be created. For example, following the Chernobyl disaster, a Minister went on the radio and accidentally provided the wrong telephone number when referring to a helpline. There were criticisms of P and O when it created a private helpline during the Zeebrugge disaster, as there were for Pan Am shortly after the Lockerbie air crash.

The role of the helpline is to register the interest of those involved and to enable information to be obtained. It is important that the House understands the anguish of parents when they are watching television and they see events take place, such as the riot at the Heysel stadium or the bursting into flames of the football stadium at Bradford, that result in people dying in front of their eyes.

We have had a recent example of the way in which a helpline can be operated by voluntary effort. I take this opportunity to pay tribute to my hon. Friend the Member for Kingswood (Mr. Hayward), who helped to set up the Gulf helpline. It was a remarkable example of people pulling together to meet one common need.

My proposal is the creation of one helpline number that would be permanent. At present, television viewers, radio listeners and parents generally hear a telephone number broadcast during a news bulletin and they rush to write it down. They are assured that the number will be repeated at the end of the bulletin. They may wait until the end of the bulletin to make sure that they have written down the correct number, only to discover on dialling it that the switchboard is in a state of meltdown—that it is being jammed by calls. Other difficulties may arise. Often, someone who fails to get the telephone number will ring his local police station to find out what it is. But the local police will not know it. Similarly, the telephone operator or directory inquiries will not know the number.

I propose that the single permanent number should be available to operators, to directory inquiries and to all police officers. It will also, I hope, be printed in the front of every telephone directory along with the numbers of the other emergency services. A number that immediately springs to mind is 0800 999 999.

If we have a single permanent number, difficulties may arise if two disasters occur on the same day. Let me explain to the House what I hope the technical procedure for the operation of the system will be. The 0800 numbers are operated by British Telecom's linkline service. Linkline has eight exchanges across the country and acts as a relay service. I have discussed my proposal with British Telecom, whose representatives tell me that it would be perfectly possible to put in place an 0800 number and to arrange for relays at very short notice. At present, linkline operates for commercial organisations with five days' warning. But I am told that, if asked to do so, it could operate within a matter of hours. I hope that the prospect of two disasters occurring on the same day will not deter the Government from taking an interest in my proposal. The principle remains the same, even if some of the technical details remain to be ironed out.

There is also the question, "Who will pay?" Today we heard the news that the sex lines and chat lines alone are responsible for taking about £200 million, and I suggest that they might have money available to contribute a small amount towards an 0800 number. An alternative that might be attractive to the Government is some method of commercial sponsorship. I know that this has not been the best day in the history of Lloyd's, but perhaps an insurance company might be a suitable sponsor for such a development.

The matter is the responsibility of the emergency planning department at the Home Office, and I am grateful to the Minister of State for being here to reply to the debate. My proposal is born of common sense. I started to try to find out over two years ago whether it would be possible to institute a single permanent number. During my research, I have discovered that, in embarking on operating a helpline system, it is important to have a large number of skilled counsellors at one's disposal. Many people in the civil service already have the necessary skills to operate helplines and can relieve the anguish and suffering of those on the other end of a telephone line. I hope that, if such a system is adopted, the civil service will keep a permanent record of those who have the necessary skills.

Having discussed the matter with my hon. Friend the Member for Kingswood, I understand that the Foreign Office initially found it quite difficult to cope with the flood of calls and with the great emotion expressed over the

[Mr. Rupert Allason]

telephone during the Gulf war, but that gradually, taking advantage of the skills of those who had worked with the Samaritans and on other telephone helplines, it got together a large group of enthusiastic people.

I believe that my proposal has the support of the Association of Chief Police Officers, which has undertaken some research. Last year, an exercise was conducted near Bristol in which an entirely notional aircraft crashed on an entirely notional railway train. I hope that such a thing will never happen; the intention was to create a scenario that would test the system that I propose.

I understand—I hope that the Minister will be able to tell me more—that my proposal is entirely practicable. My noble Friend Lord Ferrers has worked hard at researching the subject, and has greatly assisted the campaign that I have conducted over the past two years.

I am grateful to my right hon. Friend the Minister for his patience in staying to answer the debate. He has been very helpful to me in the past over other issues, and has also been helpful to my constituents. I hope that he will consider my proposal sympathetically.

11.40 pm

The Minister of State, Home Office (Mr. John Patten): I congratulate my hon. Friend the Member for Torbay (Mr. Allason) on raising such an important and interesting subject. Let me also associate myself with his comments about my hon. Friend the Member for Kingswood (Mr. Hayward), which were richly deserved: pulling together that Gulf war operation was a remarkable achievement.

I can, to an extent, reassure my hon. Friend the Member for Torbay that the Government are proceeding in the direction in which he wishes us to go. First, however, I should like to describe some of the work that the Home Office has been doing under the leadership of my noble Friend Lord Ferrers, whose representative on earth I am this evening: I think that that would be helpful.

My hon. Friend referred to the spate of disasters that struck the United Kingdom in those bad years, 1987 and 1988—for instance, the tragic events at King's Cross, Clapham and Zeebrugge. It was in 1988 that, as Home Secretary, my right hon. Friend the Member for Witney (Mr. Hurd), now Foreign Secretary, set in hand a review of the current arrangements for dealing with civil emergencies. He announced the outcome to the House on 15 June 1989.

My right hon. Friend concluded that the prime responsibility for handling particular disasters should remain at local level. I think that that is common ground between my hon. Friend the Member for Torbay and myself. It is at local level that expertise and knowledge reside; that is where co-ordination between the agencies responding to disaster is carried out most effectively. There was no support from practitioners—the people at the sharp end—for a national disaster squad, but there were a number of demands for much greater co-ordination. It was strongly felt that helpline communications should be put on a much firmer footing.

I congratulate my hon. Friend the Member for Torbay on the constructive campaign that he has conducted over the past two years to develop this idea, and the practical ideas that he has presented to Lord Ferrers.

My right hon. Friend's review also concluded that improved arrangements were needed to provide national supervision of the development of co-ordinated emergency planning, and also to address some specific practical issues that have been raised by disasters. Much more co-ordination was needed. For that reason, my right hon. Friend appointed Mr. David Brook as civil emergencies adviser to the Home Office in November 1989. I only wish that such a person had been appointed earlier.

Our starting point, when we consider arrangements for responding to peacetime emergencies, is the need for the response to be local. The Government accept the need for information about any emergency to be made available quickly to those who need it, and the lead Department will play a part in that by providing Ministers and Parliament with bulletins. However, the most up-to-date and reliable information about the nature and scale of the emergency will always be available first and foremost to local agencies on the spot. They will be in the best position to collect the information, and they will have it before it is available to central Government and to Ministers. It is the local agencies which, in the end, will be best able to convey the information to the general public—certainly in the first hours, and perhaps in the first day or so immediately after a serious civil emergency.

It would also be helpful to distinguish between the different types of information that the public will be looking for in the aftermath of a civil emergency in peacetime. First, and very importantly, as my hon. Friend the Member for Torbay said, people will want to find out whether their relatives and friends have been caught up in the emergency. That is everybody's natural instinct. Casualty bureaux, manned by the police, play a vital role in collating and recording information about people who were or who may have been involved and passing information to relatives and friends and, in some cases, to investigating officers.

Anybody who has any knowledge of civil emergencies, as my hon. Friend the Member for Torbay does, will know that running a casualty bureau is a tremendously complex job. There is a huge amount of information to process and calls come in at a phenomenal rate. I choose my words carefully, particularly the word "phenomenal." For example, within six hours of the Hillsborough casualty bureaux being opened, 1·75 million call attempts were made, but only about 1,000 of those got through. Many hon. Members will know that, after the Zeebrugge disaster, the number of calls to the Kent police casualty bureau was so great that it entirely jammed the Maidstone telephone exchange, in the way that my hon. Friend described could happen, under similar circumstances, to any telephone exchange.

Our adviser, Mr. Brook, has been examining the operation of casualty bureaux as one of his key remits from the Home Secretary and Lord Ferrers. I am pleased to be able to say—my hon. Friend's debate has helped us to crystallise and put into words our proposals—that proposals have been developed that should greatly enhance the capacity of any casualty bureau to handle calls from the public and to process the information that they provide, using the latest telecommunications technology advanced linkline. With that, incoming calls can be shared between police forces, using up to 500 incoming lines.

We are looking to introduce this new facility just as soon as developments on the new police national computer, PNC2, will allow. The new police national

computer will come into operation later this year. By the end of 1991, it will be fully operational. My right hon. Friend the Home Secretary will then need to decide, in the light of the available machine and manpower resources, which of a number of competing applications should be given priority for implementation on the system, but the case for the early introduction of a proper casualty bureau system will be given very careful consideration in terms of getting the order of priorities right.

Persuasive though my hon. Friend's comments are about the need for rapid access into casualty bureaux, there may not be a strong case for using the same number for all casualty bureaux. After a civil emergency, the casualty bureau usually goes live and its number is publicised a little while after the disaster strikes—perhaps within an hour or so. This delay is necessary to allow the police to gather reliable information about the emergency, to call in staff to man the bureau and—very important—to arrange with British Telecom for incoming lines and telephone exchanges to be protected to minimise the risk of the system crashing, which can happen under those circumstances.

Even when the system is protected against overloading by the advanced linkline system, this delay of an hour or so will still be needed. With one casualty bureau telephone number only, publicised in the telephone book and elsewhere, perhaps, as my hon. Friend suggested, calls would be made as soon as the public heard of the emergency—which, in these days of almost instant communication, would very probably be before the bureau was functioning in a particular disaster area. Alas, this would do nothing to ease the plight of people seeking news of their friends and relatives. I recognise that the problem could be circumvented if a national casualty bureau were manned 24 hours a day, 365 days a year, like the 999 system, but that would not be a good use of police resources, especially as, mercifully, the bureau would be inactive for much of the year.

Another reason why it would not be wise to have only one telephone number for casualty bureaux is that, if two disasters strike in quick succession, as, alas, they have done, we would need to set up two distinct bureaux. There could be serious consequences if casualty information went to the wrong bureau or were lost between the two. When the bureau becomes operational on PNC2, British Telecom will set aside at least six numbers for use solely for casualty bureaux, and the number to be used will be announced on the day.

I hope that my hon. Friend the Member for Torbay will join me in welcoming the new system, which is based on advanced linkline. Many more calls will be handled and it is hoped that the problems of callers being unable to get through to the bureau or of the system being swamped with calls and then failing or crashing will be overcome. The system has all the advantages of my hon. Friend's concept, but it avoids the possible disadvantages if two disasters occur close together.

The public will be looking not just for information about casualties and survivors, so I should like to say a little more about the methods by which information about the nature of a disaster and its effects on the community will be available on the new system, whatever numbers are used. It has not been decided whether it will be an 0800 or an 0345 number.

We must be cautious about basing plans for providing information to the public solely on the telephone. In many recent severe weather emergencies, telephone lines were brought down and people were left without the use of their phones for considerable periods. We must remember, too, that not everyone has ready access to a telephone, although I know that my right hon. Friend the Chancellor of the Exchequer sometimes thinks that too many people have too ready access to telephones. In the aftermath of an emergency, if a telephone system has been damaged, we would run the risk of overloading the system if unnecessary calls were made.

In addition, we must never forget that, even with a free phone system dedicated to emergencies, hoaxers will use the line. It is hard to appreciate, but it is true, that a substantial number of hoax calls were made during recent emergencies. Only yesterday, the House passed a Lords amendment to the Criminal Justice Bill that increased the maximum penalty for making hoax calls from five years to seven years.

The aim should be to convey information to the public without them having to telephone to obtain it. The media will always be an invaluable source of information. Nowadays, just about everyone has access to a battery-powered radio, and radio, particularly local radio, can relay up-to-date information, reflecting local circumstances, to the majority of the population. Most local authorities and emergency services include arrangements for briefing the media as part of their planning for responding to peace-time emergencies.

New systems will be introduced as soon as possible to handle the many thousands of calls that are made to casualty bureaux, and we are making good progress towards a bigger and much more flexible system. I hope that my hon. Friend the Member for Torbay will feel that we have gone some considerable way towards meeting the system that he wishes to see us introduce, and I congratulate him on crystallising the issue so clearly in his excellent speech.

Question put and agreed to.

Adjourned accordingly at six minutes to Twelve midnight.

House of Commons

Thursday 27 June 1991

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

AIRE AND CALDER NAVIGATION BILL
Read the Third time, and passed.

MIDLAND METRO BILL *(By Order)*
Order for Third reading read.
To be read the Third time on Thursday 4 July.

BRITISH RAILWAYS BILL *(By Order)*
Order for consideration, as amended, read.
To be considered on Tuesday 2 July.

KING'S CROSS RAILWAYS BILL *(By Order)*
Order for consideration, as amended, read.
To be considered on Thursday 4 July.

LONDON UNDERGROUND (KING'S CROSS) BILL *(By Order)*
Read a Second time, and referred to the Examiners of Petitions for Private Bills.

EAST COAST MAIN LINE (SAFETY) BILL *(By Order)*
Order read for resuming adjourned debate on Question [13 May]. That the Bill be now read a Second time.
Debate further adjourned till Thursday 4 July.

Mr. Speaker: As the next two Bills have blocking motions, with the leave of the House I shall put them together.

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *(By Order)*

BRITISH RAILWAYS (NO. 3) BILL *[Lords] (By Order)*
Orders for Second Reading read.
To be read a Second time on Thursday 4 July.

Oral Answers to Questions

NATIONAL FINANCE

Institute of Directors

1. **Sir Marcus Fox:** To ask the Chancellor of the Exchequer what representations about economic policy he has received from the Institute of Directors.

12. **Mr. Tim Smith:** To ask the Chancellor of the Exchequer what representations about economic policy he has received from the Institute of Directors.

The Chief Secretary to the Treasury (Mr. David Mellor): None, but I have seen the May Institute of Directors survey which reported a sharp rise in business confidence and in optimism about the economy in general.

Sir Marcus Fox: Without being derogatory to the Confederation of British Industry, which largely represents the bigger companies in the United Kingdom, is not it important to recieve from the Institute of Directors, which represents smaller and medium-sized businesses, this encouraging news? Just as important is the fact that it agrees with the step-by-step approach in lowering interest rates. Will my right hon. and learned Friend resist the siren voices of the Opposition who say that we should reduce interest rates every week?

Mr. Mellor: I entirely agree with my hon. Friend. The best way to build the steady and sustained recovery that we believe will occur is by the policies that my right hon. Friend the Chancellor of the Exchequer is now pursuing.

Mr. Tim Smith: When my right hon. and learned Friend meets the Institute of Directors, will he point out the hopeless inconsistency of those who, at every possible opportunity, call for a reduction in interest rates while claiming to support sterling's position within the exchange rate mechanism? Will he condemn the Labour party for that outrageous irresponsibility?

Mr. Mellor: Yes. What the Labour party has never been able to explain is why it says that this recession is made in Downing street and why it blames the Government for the fact that interest rates were too low in 1988 when it was then calling, as it usually does, for them to be 1 per cent. lower. It is also clear that it is entirely inconsistent with our obligations within the ERM to pursue the interest rate policy that Labour suggests. Labour Members need to explain that and why their substitute for the Government's interest rate policy is credit controls, which would do nothing but seriously damage the British economy.

Mr. Douglas: What overtures has the Minister made to the Institute of Directors and to other directors about the excessive salary increases that directors of certain establishments have given themselves? If the cure for inflation is a price worth paying, why is that price not being paid by those who are in charge of major British companies and corporations?

Mr. Mellor: I suspect that the reason why some of the increases have hit the headlines is that they are the exception rather than the rule. Some directors have taken reductions——

Mr. Canavan: Name them.

Mr. Mellor: A top executive of British Airways, for one. That is the position which prudent directors will want to adopt so as not to undermine the important message to the work force that pay increases should be affordable and should not damage their company's competitive position.

Mrs. Beckett: When the Chief Secretary meets representatives of the Institute of Directors, will he discuss with them their report "Continuing Tax Reform", in which they advocate the same tax policies as the Government—cuts in the rate of income and corporation tax and in capital taxes and increases in value added tax —and identify as the inevitable and logical consequence the disappearance of state pensions and benefits, the health service and the education service, apart from a fallback scheme for the destitute? Are they wrong, or just more honest than the Government?

Mr. Mellor: I shall be happy to discuss a number of matters with representatives of the Institute of Directors including, certainly, any views that they may have on taxation. The Institute of Directors and a number of other responsible bodies believe that entrepreneurial activity will be best advanced in a society that has competitive tax rates. That is something which the Institute of Directors could well discuss with the hon. Lady, as is the view recently expressed by the director, Mr. Morgan, that Labour party policy amounts to fudge and that fudge is no solution.

Mr. Oppenheim: Will my right hon. and learned Friend discuss with the IOD whether it is possible to square the continual pledges by the hon. Member for Derby, South (Mrs. Beckett) that a future Labour Government will be careful with public spending with the procession of pledges by Labour spokesmen that, under any future Labour Government, their Department will be a priority? Is not the truth of the matter that Labour Members are up to their old game of trying to be all things to all men and does not this illustrate that no amount of sharp suits or tacky red plastic roses can hide how little Labour has really changed?

Mr. Mellor: It is certainly true that even the best tailor cannot cover the figure of £35 billion. There is absolutely no doubt that the Labour party will at some point have to answer the charge carefully levelled against it. Precise words are used in Labour's policy document—words plainly honed by the Labour party and intended to be words of commitment. It will have to tell us whether these are real commitments—and, if they are, what the tax implications will be—or whether they are just empty words designed to cajole interest groups into supporting the Labour party.

Mr. Speaker: I understand that question 2 is not to be taken, so in the interests of balance, I shall call one more Opposition Member.

Several Hon. Members *rose*——

Mr. Speaker: Which is it to be? Mr Campbell-Savours.

Mr. Campbell-Savours: Will the Chief Secretary answer the question that my hon. Friend the Member for Derby, South (Mrs. Beckett) asked? If Tory policy is to cut taxes —we are told, by 5p in the pound—how will it be paid for? Does it mean that universities will close, schools will close [HON. MEMBERS: "No"], health centres will close [HON. MEMBERS: "No"], hospitals will close [HON. MEMBERS "No"], roads will not be built——

Hon. Members: No.

Mr. Speaker: Order.

Mr. Campbell-Savours: When Labour has control— *[Interruption.]*

Mr. Speaker: Order. I think the hon. Gentleman has gone a bit far.

Mr. Mellor: All the hon. Gentleman needs is a puff of green smoke. [HON. MEMBERS: "Answer".] I will answer the hon. Gentleman's question by telling him that it will happen in the future precisely as it happened in the past.

Mr. Campbell-Savours: Where will the money come from?

Mr. Mellor: Over the past 12 years, there has been a 17 per cent. increase in real terms in public expenditure—as against a fall under the last Labour Government—coupled with cuts in tax rates for both individuals and companies.

Mr. Campbell-Savours: Where will the money come from?

Mr. Mellor: If the hon. Gentleman will shut up and stop saying, "Where will the money come from?", I will tell him. *[Interruption.]* Have you done?

Mr. Campbell-Savours: Yes.

Mr. Mellor: The money comes from creating the kind of dynamic entrepreneurial economy that we had in the 1980s.

Earnings

3. **Mr. Pawsey:** To ask the Chancellor of the Exchequer what was the increase in real take-home pay for a married man with two children on average earnings between 1979 and 1990.

The Minister of State, Treasury (Mrs. Gillian Shephard): Real take-home pay for a married man with two children on average earnings has risen by more than a third under this Government.

Mr. Pawsey: I thank my hon. Friend for that extremely helpful reply. Clearly there is a lot of good news there for the average family on average wages. However, what impact would an extra £35 billion worth of spending have on an average family on average earnings?

Mrs. Shephard: Sadly for the average family, Labour's plans for an additional £35 billion of extra spending would increase the tax bill for the average taxpayer by £20 a week.

Dr. Marek: Will the hon. Lady nevertheless admit that taxation as a proportion of gross domestic product is still at a much higher percentage? Even though the take-home pay of the average person might have gone up, his or her tax rates have increased even more. The percentage of

taxation as a proportion of GDP was much higher in the 1980s than it was in the 1970s. The hon. Lady is no charlatan, so will she give an honest answer and admit that the Tory party is the party of high taxation?

Mrs. Shephard: I am being urged to be a charlatan. However, I will adhere to my normal practice and say that real take-home pay is what matters for the living standards of real people. The tax burdens are lower now at all multiples of average earnings than they would have been if they had been indexed at the tax regime left by the last Labour Government.

Pay Policy

4. **Mr. Foulkes:** To ask the Chancellor of the Exchequer when he last met the Governor of the Bank of England to discuss the Government's policy on pay.

Mrs. Gillian Shephard: My right hon. Friend the Chancellor meets the Governor of the Bank of England from time to time to discuss a variety of matters.

Mr. Foulkes: Is the Minister aware that the Governor's 17 per cent. wage increase on an already large salary has been overtaken by the rise for the boss of British Telecom, who received 43 per cent., for the boss of National Power, who received 58 per cent. and for the boss of British Gas, who received 66 per cent. in what has become a fat cat greed race? In yet another pathetic answer on Tuesday, the Prime Minister said that he deplored it, but he was not going to do anything about it. Why not?

Mrs. Shephard: The salary of the Governor of the Bank of England—that is the point of the question—is determined under the bank's 1946 charter by non-executive members of the court of directors. It is not for the Government to approve the pay of the Governor or the bank's staff.

Sir Anthony Grant: Although I recognise that it is important that company chairmen should set an example in the present economic climate, has my hon. Friend heard of any examples of a reduction in income for some of the very rich people who seem to be seeking jobs in a future Labour Government? I am thinking of people like Mr. John Mortimer and Mr. Melvyn Bragg. Have they set an example?

Mrs. Shephard: I do not think that I can answer that, given the names mentioned by my hon. Friend. However, the Government's pay policy is clear: pay awards should be negotiated on their merits according to the needs of recruitment, retention and affordability. People at the top of large industries and concerns have been appointed for their acumen. They should be sensitive to the needs of the times. I do not know whether the people who have been approached by the Labour party have such sensitivity, but I doubt it.

Ms. Abbott: Does the Minister agree that although the Chief Secretary to the Treasury said earlier that big pay rises were the exception rather than the rule, a recent survey commissioned by the CBI shows that pay rises for top directors are on average running above inflation? How will unit labour costs be reduced when bosses are setting that sort of example?

Mrs. Shephard: I repeat that the Government would expect pay awards to be negotiated on their merits. The Government have repeatedly emphasised the need for general moderation in pay settlement levels. That really should apply from top to bottom.

Sir John Stokes: Am I alone in getting rather tired of the politics of envy? If I were employed by a firm, I would want the firm to do well and make money and I would want my boss to be properly paid.

Mrs. Shephard: I am not sure whether that is a question, but I must say that it is an admirable expression of my hon. Friend's sentiments.

Inflation

5. **Mr. Carrington:** To ask the Chancellor of the Exchequer what are the latest estimates for the rate of inflation in the first quarter of 1992.

The Chancellor of the Exchequer (Mr. Norman Lamont): No forecast has been published for the first quarter of 1992; the Budget forecast was for RPI inflation to fall to 4 per cent. in the fourth quarter of 1991 and to 3¼ per cent. in the second quarter of 1992.

Mr. Carrington: I am grateful to my right hon. Friend for that answer. Are not those low inflation figures a great tribute to and justification for my right hon. Friend's low inflation policy? Will my right hon. Friend confirm that it is his intention and that of the Government to continue that policy to make Britain a low-inflation country? Will he comment also on the effect on inflation of an increase in public expenditure of £35 billion a year?

Mr. Lamont: It is absolutely clear that, whatever measure one looks at, inflation is reducing. The headline rate is now down 5 per cent. from the peak, the headline rate minus mortgage interest payments is now 2·9 per cent. down from its peak, and producer prices have also declined by 1 per cent. in the past four months. Encouragingly, too, the rate of increase in earnings in manufacturing industry has fallen by 1 per cent. in the past four months. That is very good news for British industry and very good news for the economy. My hon. Friend is absolutely right. Opposition Members are not remotely interested in the fight against inflation.

Mr. Winnick: As the Chancellor is concerned about earnings and so on, does not he have some responsibility to restrain the exorbitant increases that have been given to people who were on very high incomes in the first place? Is not it absolutely sickening and hypocritical that the very people who are receiving such exorbitant increases—66 per cent. and even more in some instances—are preaching to their work forces about moderating wage claims? Is not it time that we ended such hypocrisy?

Mr. Lamont: My right hon. Friend the Prime Minister has made his views absolutely clear. Although Conservative Members have frequently argued that there is an international market for management, we take the view that some of the recent increases in industry are excessive and are unjustified. I do not believe that it is the purpose or function of government to interfere by rule of law in those matters.

Mr. Wells: Does my right hon. Friend agree that those who price themselves out of the market, whether they be the chairman of a company or the lowest-paid employee, will lose their jobs?

Mr. Lamont: My hon. Friend is absolutely right. That is why I referred to the decline in the rate of increase in manufacturing earnings, which is good news for jobs and for output.

Bank of England Governor

6. **Mr. Lofthouse:** To ask the Chancellor of the Exchequer when he last met the Governor of the Bank of England to discuss economic matters.

Mr. Mellor: As the House has already been advised. My right hon. Friend the Chancellor meets the Governor of the Bank of England from time to time to discuss a variety of matters.

Mr. Lofthouse: In view of the Chancellor's claim today to the Tory ladies that Britain is on its way to a low-inflation economy, what level of inflation does the Chief Secretary to the Treasury think will be safe before we can reduce interest rates to a level that will restore the confidence of manufacturing industry, the CBI and others?

Mr. Mellor: That question is entirely inconsistent with the commitment of the Labour party to be in the ERM.

Mr. Campbell-Savours: Just answer it.

Mr. Mellor: I am answering the question. The level of interest rates is reduced as is consistent with bearing down on inflation and retaining our position in the ERM. Once again, that question exposes the Labour party's desire to be all things to all men—on the one hand, ever so European and ever so committed to the ERM, but, on the other, every Opposition Back Bencher and some Opposition Front Benchers making claims that are entirely inconsistent with that commitment.

Sir Ian Stewart: Have my right hon. and learned Friend and the Governor of the Bank of England done any calculations to see what would happen if the Government spent £35 billion extra in public expenditure and could not finance it out of taxation? What would be the effect on interest rates and funding if such a programme were followed?

Mr. Mellor: My right hon. Friend is absolutely right. If extra expenditure on that scale was incurred—we await the Labour party's statement about which of its pledges it wishes to disown—and was put not on to taxation, but on to borrowing, not only would that inevitably drive up interest rates, but it would add to public expenditure because of the amount of debt interest that would be incurred. We took no account of debt interest in our £35 billion calculation. At least one City analyst has said that that would add £5 billion to public expenditure in the last year of Parliament.

Mr. Sheldon: Yesterday the right hon. Member for Finchley (Mrs. Thatcher) said that she still agreed with the decision to enter the exchange rate mechanism but thought that the width of the band should not be reduced from 6 per cent. Does the right hon. and learned Gentleman agree?

Mr. Mellor: I can only reiterate that it is the Government's policy to narrow the band when the time is right.

Mr. Wilkinson: When my right hon. and learned Friend last met the Governor of the Bank of England, did he express any anxiety about the level of pay settlements in the public sector and the effects that they could have on public expenditure at a time of negative economic growth, or was his insouciance over his own salary matched by his public attitude to the matter? Does he have any feelings about the exorbitant and grotesque level of settlements in the public monopolistic utilities?

Mr. Mellor: There is no doubt that sensible levels of pay settlements in the public sector are crucial, especially at a time of recession and rising unemployment, when job security in the public sector should count for a great deal and when people should have regard to job security issues when deciding what would be a fair increase in their remuneration.

Mr. John Smith: No doubt the Chief Secretary is aware of the research, funded by the Bank of England and carried out by Shelter, which has revealed that a staggering number of home purchase mortgages—790,000 or one in 12 of the total—are now in arrears and that repossessions have jumped from 20,000 to nearly 48,000. He will also be aware that many people fear that rising unemployment will make the problem even worse. Does he think that that is a price well worth paying for Tory economic policies?

Mr. Mellor: Those figures deal with short-term mortgage debts—with arrears over two months. High interest rates are, of course, uncomfortable for those who pay mortgages. That is one reason why we wish to return to conditions of sustained low inflation, which bring with them lower interest rates and lower mortgage rates. The right hon. and learned Gentleman still has to explain how he would manage to achieve that. He keeps advocating the fact that there is a pain-free solution to the problems of high unemployment, but when he was last a member of the Cabinet, he presided over rates of inflation and mortgage interest rates that were certainly nothing to be proud of.

Interest Rates

7. **Mr. Austin Mitchell:** To ask the Chancellor of the Exchequer what is his estimate of current interest rates in Britain and other EC countries and the margins charged by banks to small businesses.

The Economic Secretary to the Treasury (Mr. John Maples): Three-month sterling inter-bank rates today are 11¼ per cent. Broadly comparable rates in other EC countries vary from 9 to 19 per cent. The margins charged by banks to small businesses vary widely.

Mr. Mitchell: It is clear that British interest rates are insanely high for a country that is in the depths of a recession, but it is also clear that, despite the Chancellor's friendly chats with the bank directors, nothing much will happen about margins until interest rates fall substantially. Why does not the Chancellor admit the truth and say that he cannot do anything about interest rates because the Prime Minister took us into the exchange rate mechanism at an overvalued rate last October? When he is accused of

GBH on the British economy, he can plead either "guilty but insane", or "not guilty because the Governor of the Bank of England is running the country".

Mr. Maples: I hope that the hon. Gentleman's colleagues on the Opposition Front Bench were listening to that because sitting behind them is the authentic voice of the Labour party, which always has been and probably always will be in favour of devaluation.

Mr. John Townend: Is my hon. Friend aware of the extent of the pain suffered by small businesses due to lack of demand and high interest rates? Is he aware that many industries are still as flat as a pancake? Does he agree that the Treasury forecast that there will be economic recovery in the second half of this year is beginning to look over-optimistic and that any recovery will be slow and weak and will not help much before the beginning of next year? In view of the Government's success in reducing inflation, which perversely increases real interest rates, is there not a window of opportunity for reducing interest rates quickly and giving some benefit to small businesses?

Mr. Maples: My hon. Friend the Member for Bridlington (Mr. Townend) has always been an advocate of sound money, and I am sure that he agrees with and understands the Government's priority for getting on top of inflation. That is why we have had to keep interest rates high. However, interest rates have been reduced substantially in the past few months. There are signs that the recession is coming to an end and I see no reason to alter our forecast that there will be a recovery in the second half of the year.

Mr. Beith: What precisely was the outcome of the Chancellor's chats with the chairmen of banks? Has he, for example, persuaded them to show the rates of interest charged to small businesses on their bank statements? Does the Minister recognise that the root of the problem is that the banks do not face sufficient competition in their dealings with small businesses in the way that they do in the personal sector?

Mr. Maples: There may well be a lot in what the hon. Gentleman says. As he knows, we all regard the way in which small businesses are treated by the banks as a matter of great concern. My right hon. Friend has asked Treasury officials and the Bank of England to look into the matter and investigate the facts. We are still waiting for the results of that inquiry.

Inward Investment

8. **Mr. Ian Taylor:** To ask the Chancellor of the Exchequer what proportion of inward investment in the EC during 1990 was in the United Kingdom.

Mr. Mellor: Latest available estimates, based on a study by the European Community, show that between 1984 and 1988 the United Kingdom received about one third of all inward direct investment to the EC, which was higher than any other member state. The United Kingdom received 34 per cent., France received 18 per cent., and Germany received 2 per cent.

Mr. Taylor: Those figures are extremely encouraging. Could I add to them the announcement made yesterday by the Invest in Britain Bureau that in the 12 months to March this year it recorded 350 new projects set up by foreign companies in Britain? That is because under the Conservative Government we have had enterprise, sensible taxation policies and the ability to train people in new skills. Does my right hon. and learned Friend agree that that means that we need continuity of Conservative government in Britain and demonstrates the importance of not closing off any options in the discussions on economic and monetary union and of ensuring that Britain is not isolated?

Mr. Mellor: Plainly, the current level of investment reflects international confidence in the government of the United Kingdom. Inward investment in 1988 was £10 billion. In 1990 it was £19 billion. It will be of significance to those who are anxious to see regional development that between 1987 and 1990 50 per cent. of the jobs created through foreign inward investment were in Scotland, Wales and the north-east. Although those regions are responsible for only 20 per cent. of our gross domestic product, they received 50 per cent. of the extra jobs. That is a sign of the benefit to the regions of international confidence in the Government.

Mr. Wigley: On that very point, the Chief Secretary is clearly aware that some 15 to 20 per cent. of inward investment has come to Wales in the past two to three years. Does he accept that that illustrates not only the advantageous position of Wales as a location for new investment, but the importance of regional policy and especially of institutions such as the Welsh Office and the Welsh Development Agency? Will he give a commitment that the Government appreciate the importance of those institutions and will allow them to develop and flourish?

Mr. Mellor: I am grateful for what the hon. Gentleman says. It is a tribute to the people of Wales that once investment has arrived it is so successful. Demanding companies such as the Japanese companies have found the Welsh work force extremely attractive and are investing more and more on the basis of their experience. Wales has attracted that investment by virtue of the skills and application of the people of Wales and the assistance that the Welsh Office and other agencies have given, but the key point is that now that Wales has achieved the most diversified economy that the Principality has ever had, it would be foolish to put that at risk by electing a Government who would fail to retain that international confidence.

Mr. Soames: What words of comfort can my right hon. Friend offer to major corporations that are willing and anxious to make substantial investments in this country but dare not do so at present because of their horror at the possibility, however, unlikely, of the election of a Labour Government? Will he confirm that if and when the Conservatives are re-elected we shall continue with the policies of enterprise and endeavour that have restored the prosperity of this nation?

Mr. Mellor: I am glad to hear a regional voice from the Conservative Benches, too, and I agree with my hon. Friend. The key questions that people ask concern the impact of a minimum wage on British labour costs and the impact of Labour's tax increases on the effectiveness of British management and the ability to work in Britain rather than overseas. Those issues are the key to the maintenance of our position as a receptacle of major international investment.

European Currency Unit

9. **Mr. Bill Michie:** To ask the Chancellor of the Exchequer if he will outline the latest developments of his hard ecu proposal.

Mr. Lamont: The United Kingdom proposals for a hard ecu have stimulated debate in the intergovernmental conference on economic and monetary union. A number of other countries have put forward proposals based on similar ideas to harden the ecu. Negotiations in the conference are continuing.

Mr. Michie: As no one now takes the hard ecu proposal seriously—some think it a joke and others a mere diversion—would it not be wise to drop it and negotiate instead on the more substantive issues?

Mr. Lamont: The hon. Gentleman is talking complete nonsense. On Monday I discussed the hard ecu with the French Finance Minister, who was certainly interested in the idea. Not just France but other countries want to see some form of hardened ecu or a common currency before stage 3, and this whole area of debate was stimulated by our original proposal. I do not know whether the hon. Gentleman claims to be an expert, but he is talking complete nonsense.

Mr. Janman: While I agree with my right hon. Friend's proposals for a hard ecu plan, does he agree that moving to a 2½ per cent. band in the ERM would make it more likely that we would have a single currency imposed on us?

Mr. Lamont: It is true that when one has narrow bands within a fixed rate system, it is a smaller step from there to a single currency. That is obvious.

Mr. Chris Smith: The Chancellor will be aware that in yesterday's debate on Europe the Financial Secretary and the Foreign Secretary—the same has been true of the Chancellor today—were conspicuously careful to talk about a "hardened" ecu rather than a hard ecu. There is, of course, a world of difference between a tightening of the existing basket calculation for the ecu and the institution of a parallel currency for use throughout the Community. Has there been a shift in Government policy on the issue and, if so, is it true that the hard ecu proposal as it stood before is now where it should have been before—dead in the water?

Mr. Lamont: The hon. Gentleman is also talking nonsense. These are not different ideas that are a world apart—there are various degrees of hardening the ecu along a spectrum. These ideas all have a lot in common and we are not the only country to have expressed an interest in a parallel currency. I assure the hon. Gentleman that the discussions on some variant of the existing basket ecu are continuing and that other countries are interested in them.

Consumer Debt

10. **Mr. Alton:** To ask the Chancellor of the Exchequer what is the current level of consumer debt in Britain; and what was the comparable figure for 1979.

Mr. Maples: The level of outstanding consumer debt at 31 March this year was £51½ billion. Because of changes in coverage, comparable figures are not available for 1979.

Mr. Alton: Does the Minister agree that there has been a massive increase, producing that £51 billion figure, in the last decade and that the Policy Studies Institute is correct to say that about 6 million people in Britain are having great difficulty meeting payments on mortgages or other loans? What steps do the Government propose to take to encourage more responsible borrowing and in particular the establishment of credit unions? Does he accept that our nation of savers has increasingly become a nation of debtors and that many families are now in grave difficulties?

Mr. Maples: There certainly were some substantial increases in consumer borrowing in the mid-1980s, but I am happy to say that in the past 12 months the rate of growth of consumer credit has been under 10 per cent. I think that the hon. Gentleman will take encouragement, as I do, from the fact that the savings ratio has almost doubled from levels of around 5·5 per cent. to nearly 11 per cent. in the last quarter of last year. The problem is largely correcting itself, but we have to leave borrowers and lenders free to make those decisions for themselves and not tell them that they cannot do what they want to do; they must take into account the risks of incurring certain levels of debt and whether they can afford to service them.

Mr. David Shaw: Can my hon. Friend say whether current levels of consumer debt reflect an increased and improved standard of living in this country since 1979? Can he say what would happen to consumer expenditure if a Govenrment were returned who promised to increase income tax and to spend an extra £35 billion per year in public expenditure?

Mr. Maples: It is certainly clear that as living standards have risen and disposable income has risen—as we heard earlier, it has risen by about £75 per week for a person on average earnings—in the past 10 years, people have felt free to take on more debt. That has undoubtedly enabled them to spread spending over a longer period rather than simply relying on their earnings. My hon. Friend is absolutely right. If they had to pay an extra £20 a week in taxation—to finance that £35 billion worth of extra spending—their living standards and borrowing ability would be severely restricted.

Balance of Payments

11. **Mr. Strang:** To ask the Chancellor of the Exchequer if he will revise his estimate of the likely deficit in the current year to take account of the Central Statistical Office's recently published figures of the balance of payments current account for the first quarter of 1991.

Mr. Maples: First estimates of invisibles are liable to substantial revision, but the next forecast of the current account is due with the autumn statement.

Mr. Strang: I put it to the Minister that in the medium to long term we cannot depend on an invisible surplus to offset a visible deficit of £12 billion, which is the Chancellor's estimate for the current year. Among other things, is not the huge gap between our imports and exports a reflection of the extent to which huge swathes of our productive industry have been wiped out by Government policies?

Mr. Maples: I do not think that that is true. For most of this century this country has run a visible deficit, which has been counterbalanced by a surplus on invisibles, and we think that that surplus will continue. I do not agree with the hon. Gentleman. If he studies the performance of manufacturing exports, and exports in general, he will find that what he is saying is not true. Exports have been rising faster than imports for three years. He may find it interesting to know that during the last Labour Government manufacturing exports grew at an average of 2 per cent. per year while under the present Government they have grown at an average of 4 per cent. per year.

Sir Peter Tapsell: Is it not a fact that there have been a number of examples in the past when the original figures for the balance of payments and for invisible earnings subsequently proved less good than the reality? Is anything being done to avoid those unnecessarily pessimistic statements in the first instance?

Mr. Maples: My hon. Friend makes an extremely good point. First estimates of invisibles are liable to substantial revision and in the past few years have nearly always been revised upwards. The initial monthly projection is based on very little information and it is unwise to pay any attention to it. We are taking considerable steps to try to improve early estimates of invisibles, which are published quarterly. When my right hon. Friend the Prime Minister was Chancellor, he introduced a programme of reforms which are being put into place by the Central Statistical Office and we believe that they will soon start to show some improvement. Nevertheless, it is extremely difficult to measure.

Inflation

13. **Mr. John P. Smith:** To ask the Chancellor of the Exchequer for how many months since June 1987 United Kingdom inflation has been below the average inflation rate in the European Community.

Mr. Norman Lamont: None.

Mr. Smith: Given that the Government's first, second and third priorities are supposed to be tackling inflation but our inflation is above the European average and, what is more important, almost twice the average of other exchange rate mechanism countries, what hope do the Government have of tackling unemployment and restoring manufacturing industry?

Mr. Lamont: The hon. Gentleman might have acknowledged that in the lifetime of this Government the average inflation differential between this country and the EEC has been under half of 1 per cent. whereas during the lifetime of the last Labour Government it was about 4 per cent. We have got inflation down to levels far below those ever achieved by the last Labour Government, or which would ever be achieved by Labour in office.

Mr. John Browne: Does my right hon. Friend agree that most people praise the Government for reducing inflation, but that it means that real interest rates are rising in the face of a deep recession? What prospects can my right hon. Friend offer us of reducing real interest rates in those circumstances while Britain remains a member of the exchange rate mechanism?

Mr. Lamont: Real interest rates in this country are lower than in Germany, France or Italy. As inflation comes down, we have greater flexibility on interest rates.

VAT (Education Establishments)

14. **Mr. Madel:** To ask the Chancellor of the Exchequer whether he has any plans to change the rules that relate to value added tax on education establishments; and if he will make a statement.

Mrs. Gillian Shephard: My right hon. Friend keeps all taxation under review.

Mr. Madel: Will my hon. Friend consider an anomaly in the White Paper on further education which states that, once its provisions are made law, colleges of further education will no longer be able to recover value added tax on the education that they provide? At present, local education authorities and colleges of further education can recover VAT under section 20 of the Value Added Tax Act 1983. Should not that continue, as both types of institution are providing similar courses of study to people of similar ages?

Mrs. Shephard: That question is probably one for my right hon. Friend the Secretary of State for Education and Science. However, in the recent White Paper, "Education and Training for the 21st Century", the Government acknowledge that removing further education in sixth-form colleges from the control of local authorities would have implications for the colleges' ability to recover VAT. The White Paper also suggested that that factor would be taken into account when setting the total funding for the new sector.

PRIME MINISTER

Engagements

Q1. **Sir Michael Neubert:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Prime Minister (Mr. John Major): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further meetings later today. This evening I shall depart for Luxembourg for the European Council meeting tomorrow.

Sir Michael Neubert: Does my right hon. Friend agree that a vast expansion of the Common Market regional fund would do little or nothing to bring about a convergence of the European economies, but would merely make the poorer parts of the Community dependent on hand-outs from Brussels? Is he able to say how much such a proposal, which is supported by the Labour party, would cost the average British family?

The Prime Minister: I am not able to give my hon. Friend a costing on that, because it would depend on the scale of the funds transferred from north to south, but I can confirm that expanding regional funds would certainly involve increased taxation in this country and in a number of other northern countries. The only credible way to bring about economic convergence is control of inflation and the right economic policies.

Mr. Kinnock: In view of the fact that the Bundesbank decided today not to raise German interest rates, does the Prime Minister agree that now is the time to cut British interest rates?

The Prime Minister: That is an odd question from the right hon. Gentleman, when the right hon. and learned Member for Monklands, East (Mr. Smith) said only last Thursday:

"we will not be using interest rates for . . . controlling demand."

Mr. Kinnock: The Prime Minister should try to answer a very basic question—especially since every responsible organisation and person concerned with the fate of British industry and British home buyers is calling for a reduction in interest rates. Did the Prime Minister read the reports published earlier this week from Shelter and the Council of Mortgage Lenders, stating that repossessions are at a record high, that hundreds of thousands of families are in deep mortgage arrears and that, in the words of the council's director,

"Worse is yet to come"?

The Prime Minister's policies are hitting every class of people and every corner of the country—[HON. MEMBERS: "Speech."] Yes—on behalf of every mortgage payer in Britain. How can the Prime Minister justify continuing with policies that punish the British people for the failure of his own policy?

The Prime Minister: The right hon. Gentleman neglected to mention that, because we have succeeded in reducing inflation and have moved prudently, we have been able to cut interest rates five times, by a total of 3·5 per cent., without risking an inflationary devaluation in the exchange rate mechanism. That has meant about £50 a month off the average mortgage for mortgage holders.

Mr. Kinnock: Unemployment is rising, firms are closing and the recovery about which we have heard so much is now going to take longer and be much slower than anything the Prime Minister has promised. How many more homes and how many more enterprises must be lost before the right hon. Gentleman stops pushing the country further into a slump?

The Prime Minister: The right hon. Gentleman should return to the real world and recognise the commitments that he made when he committed himself to the fact that the exchange rate mechanism was the right policy. On the one hand, the right hon. Gentleman wants to say that it is right to have exchange rate stability, but on the other he makes the inconsistent claim that he wishes to reduce interest rates whenever he finds it convenient to do so.

Q2. **Mrs. Gorman:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mrs. Gorman: When my right hon. Friend goes to speak to the women's Conservative conference later this afternoon will he bear it in mind that its delegates are delighted with the measures that the Government have been taking to improve the lot of women? The steps that we have taken include flexible working hours, more flexible nursery arrangements and better tax arrangements. Will my right hon. Friend the Prime Minister and the Government continue to acknowledge the great contribution that women make to this country, not least by increasing women's representation in the honours list —*[Interruption.]*

Mr. Speaker: Order. We do not refer to the honours list in the Chamber.

Mrs. Gorman: Does my right hon. Friend the Prime Minister realise that, in recommending women in this country for honours he assures the women of Britain that the Tory party is a girl's best friend?

The Prime Minister: As my hon. Friend knows, the vast range of policies that we have followed in the past few years clearly shows the importance that we give to the contribution made by women to this country. We shall continue to promote such policies.

Q3. **Mr. Austin Mitchell:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Mitchell: As the Prime Minister struggles to get his deck-chair up in a busy day of deck-chair wrestling, will he think about this week's trade figures, which show a large and increasing deficit? Can he cite any country which, when in the depths of a recession, showed an increasing balance of payments deficit?

The Prime Minister: As the hon. Gentleman should know, first, the trade deficit is on an improving trend and secondly, the underlying export volumes in the quarter to May were at an all-time high—3 per cent. up on the previous quarter and double the rise in import volumes.

Q4. **Mr. Mans:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Mans: Does my right hon. Friend agree that it is Conservative policies of competitive tendering, housing action trusts and the abolition of the national dock labour scheme that are coming to the aid of the city of Liverpool and clearing up the mess that successive Labour and Liberal administrations have inflicted on that city?

The Prime Minister: Conservative legislation certainly offers Liverpool a much better deal. What has happened to Liverpool has been because it followed Labour policies for so long—often, I fear, with the assistance of the Liberal party. The effects of that can be seen by everyone in Liverpool and beyond.

Q5. **Mr. Morley:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Morley: What hope can the Prime Minister give to constituents who work for as little as £1·70 per hour? Why is it that under the Government boardroom fat cats like the chairman of Wessex Water have had their salaries increased from £47,000 to £100,000 per year while the charges for consumers have increased by 28 per cent? Is Majorism simply extortion by the few and exploitation of the many?

The Prime Minister: A few days ago I made perfectly clear my opinions of people who provide themselves with undesirably large increases. As for people on very low incomes, a minimum wage would leave them with no income but unemployment.

Mr. Peter Griffiths: Has my right hon. Friend had time today to note the report in the press of a Nottinghamshire miner who earned £35,000 last year, being among the one in three in that area who earned more than £20,000 last year, much to the credit of the miners, their union and their work rate? What would be the effect on that miner's take-home pay if the Labour party's spending plans were put into practice?

The Prime Minister: I am certainly aware of the very high earnings of many Nottinghamshire miners, which I welcome. Much of that is the result of increased productivity, and it is well earned. It is unfortunate that those miners would face extra taxation as a result of their hard work and success if the Opposition's tax policies were ever put into operation.

Q6. **Mr. Fatchett:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Fatchett: Further to the Prime Minister's reply to my hon. Friend the Member for Glanford and Scunthorpe (Mr. Morley), may I ask the right hon. Gentleman whether he has seen the report in today's issue of *The Daily Telegraph* that John Baker, the chief executive of National Power, has enjoyed an increase of £115,000 since 1 April, which is an 85 per cent. increase in his salary? The Prime Minister has condemned such increases. Will he use the powers in the Government's prospectus for the sale of National Power and PowerGen, or is the right hon. Gentleman yet again all talk and no action?

The Prime Minister: The hon. Gentleman should read the prospectus more carefully. It makes it perfectly clear that we have given an undertaking not to interfere in the commercial decisions of a company. It is interesting to note that the hon. Gentleman thinks it a light matter to break the contract into which we have entered.

Q7. **Mr. Anthony Coombs:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Coombs: Will my right hon. Friend confirm that it is widely accepted that minimum wage legislation would destroy upwards of 1 million jobs? Will he also confirm that such minimum wage legislation would have an impact upon the weakest in society—the disabled, the unskilled and the young, precisely those sectors of society which Labour professes to champion but which it is now so cynically betraying?

The Prime Minister: I entirely agree with my hon. Friend, and I think that the vast majority of people also agree with him. The latest staging post for the Opposition's stance on this matter was set out rather hilariously in a letter this morning from the hon. Member for Sedgefield (Mr. Blair), who said:

"I have not accepted that the minimum wage will cost jobs . . . I have simply accepted that econometric models indicate a potential jobs impact".

Those words would make a weasel blush.

Mr. Wigley: Is the Prime Minister aware of the dismay in Wales last week when the Government published their Green Paper on the future structures of government? That dismay arose because there was nothing in the Green Paper about the all-Wales level of democracy, despite the fact that the Assembly of Welsh Counties, the Association of Welsh Districts and every political party in Wales except the Conservatives support that, and that three of the six Welsh Conservative Members also support such a policy. Will the Prime Minister look at this again to try to get some all-Wales democracy?

The Prime Minister: I am interested in what the hon. Gentleman says. As he knows, our policy has not been to go in the direction that he proposes. I shall examine and discuss the matter with my right hon. Friend the Secretary of State for Wales, but it is unlikely that we shall change our present posture.

Q8. **Mr. Peter Bottomley:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Bottomley: Will my right hon. Friend turn his mind to the fate of 12-year-old Maria and 10-year-old Anna Gordievsky? Will he continue to take every opportunity to make plain to the President of the USSR, to visiting Russian Members of Parliament and to the world's press that one of the ways in which we shall judge the new USSR is whether the KGB will let those two young children come to Britain to join their father?

The Prime Minister: I assure my hon. Friend that I have personally taken this matter up with President Gorbachev in the past. I shall do so again when next we meet, and the matter is frequently raised by my right hon. Friend the Foreign Secretary with his counterpart and at official level with the Soviet authorities.

Mr. McMaster: Is the Prime Minister aware that in a recent answer to a parliamentary question, the Under-Secretary of State for Scotland with responsibilities for industry, the hon. Member for Eastwood (Mr. Stewart), revealed that 76 per cent. of manufacturing jobs in the Paisley postcode area had been lost between 1979 and 1989? He will be aware that things have become far worse since. Does he agree that that is an unacceptable level of economic and social disaster, or does he agree with the Chancellor of the Exchequer that it is a price well worth paying?

The Prime Minister: All levels of unemployment are a matter for distress and regret. The only way to ensure that we create jobs that are permanent and are sustained is to have the right economic policies to get inflation down, and to keep it down. There is no other way of ensuring job security for the future. It may sometimes be difficult and uncomfortable, but it is the right policy, and it is the policy to which we shall stick.

Q9. **Mr. Cash:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Cash: Does my right hon. Friend accept that he will go to the summit tomorrow with the good wishes and goodwill of all Conservative Members? Given the clearly expressed views of the House yesterday and his own views against the federal super-state, does he agree that the Opposition abdicated their national duty by dividing the House on the matter yesterday?

The Prime Minister: I am always grateful to have my hon. Friend's support on these matters. I agree about the irrelevance and irresponsibility of the position that Opposition Front-Bench spokesmen took yesterday. It was adequately described in many national newspapers this morning.

Yugoslavia

3.31 pm

Mr. Peter Fry (Wellingborough) *(by private notice)*: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current situation in Yugoslavia and Her Majesty's Government's policy towards it.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Mark Lennox-Boyd): As hon. Members will know, the Yugoslav republics of Croatia and Slovenia issued declarations of independence on the evening of 25 June. The Yugoslav federal authorities responded by declaring those declarations illegal and by mobilising military units in both republics. The extent of those deployments is unclear, but their primary purpose seems to be to maintain federal control of Slovenia's borders. The three airports in Slovenia are closed. A small number of deaths have been reported in Croatia from clashes between the police and the Serbian community. The level of tension is now dangerously high.

The Slovene and Croat leaders deny that they intend to secede and say that they are willing to continue negotiations with the other republics. We welcome their willingness to persevere in the search for new constitutional arrangements.

My right hon. Friends the Prime Minister and the Foreign and Commonwealth Secretary expect to discuss the crisis with our European Community colleagues in Luxembourg tomorrow. Our primary purpose will be to use every means at our disposal to urge the Yugoslav republics to avoid bloodshed and to resolve their differences through negotiation. We stand by the declaration that was issued by the 35 countries of the conference on security and co-operation in Europe in Berlin on 19 June, which stressed that the way out of the present difficult impasse should be found through democratic development, without recourse to the use of force and in conformity with Yugoslavia's legal and constitutional procedures.

I believe that the Slovene and Croat leaderships should seek their future in the framework of a single reformed Yugoslav state, based on consent, within the country's existing borders. The form of that state can be decided only by the Yugoslav peoples. With our European Community partners, we stand ready to give any practical assistance that the Yugoslavs may need to achieve that aim.

Mr. Fry: I thank my hon. Friend for his statement. Will he join me in expressing concern and sympathy for all the peoples of Yugoslavia? Will he confirm that it is the Government's view that, if widespread civil disturbance is to be avoided and international confidence restored in that country, there must be many more concessions and compromises by all the parties and all the republics in Yugoslavia? That is necessary if legitimate individual liberties and reasonable freedom of choice are to be ensured.

What advice is my hon. Friend giving the many British subjects who are on holiday in Yugoslavia or are contemplating going there over the next few weeks?

Mr. Lennox-Boyd: I am certainly happy to join my hon. Friend in expressing concern and sympathy about the developments in Yugoslavia. As I said, the future of Yugoslavia is a matter for the Yugoslav peoples. Of course, we will do everything we can to help in any way if requested by the Yugoslav peoples.

At present, we do not think that it is necessary to advise those who are on holiday to leave. However, our advice is that all non-essential visits to Yugoslavia should be postponed. We are, of course, reviewing the situation on a day-to-day basis.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): Does the Minister recognise that some of us believe that Yugoslavia is a prime example of a failure to apply federal principles and that the imposition of a centralised, autocratic state may give way to better arrangements as the British Government wish?

Will the Minister make it clear at the Council of Ministers meeting that, if the military uses force against or slaughters the people of Yugoslavia, that will lead not only to the cessation of western help but to the country's immediate expulsion from observer status at the Council of Europe?

Mr. Lennox-Boyd: With great respect to the right hon. Gentleman, I do not think that it would be particularly helpful if this afternoon we discussed the future of Yugoslavia along the lines which he suggested. However, I can confirm that over the past six months we have repeatedly made it clear to the Yugoslav authorities that we would deplore the use, or the threat, of force to intimidate or coerce the democratically elected Governments of Slovenia and Croatia. I must add, however, that the Yugoslav federal army might have, under the constitution, a role in restoring order if there were widespread civil unrest.

Mr. David Howell (Guildford): Does my hon. Friend accept that, although the fragmentation of Yugoslavia may have its dangers, we should be careful about the kind of unity we back? The unity that is sought has a brutal and reactionary side to it. Does my hon. Friend agree that we should perhaps analyse that carefully and realise that Slovenia and Croatia deserve some sympathy in their desire to escape from that domination? My hon. Friend speaks of a reformed Yugoslavia. That is the right emphasis, rather than just blandly supporting the present attempts at imposing unity on the Croatian and Slovenian people.

Mr. Lennox-Boyd: We and our western partners have a clear preference for the continuation of a single Yugoslav political entity—those words are carefully chosen and are capable of being developed and further interpreted. I can confirm that we are concerned at persistent human rights abuses in some parts of Yugoslavia, notably in the Albanian province of Kosovo.

Mr. Merlyn Rees (Morley and Leeds, South): What is being done about our citizens who are on holiday in Yugoslavia? In my experienced, there is much brutality hidden in the various republics. If any of my people were there, I would want to be sure that there were contingency plans to get them out.

Mr. Lennox-Boyd: I have already answered a question about that, but I can reassure the right hon. Gentleman

[Mr. Lennox-Boyd]

that, although our advice is that those people on holiday in Yugoslavia need not leave as of this moment, that position is reviewed on a daily basis.

Mr. John Wilkinson (Ruislip-Northwood): Will my hon. Friend bear it in mind that the principle of self-determination of freely and democratically elected Governments is one which the Foreign Office should not treat lightly, and that if there is to be condemnation of any course of action it should be a condemnation of sabre rattling and the coercive use of force by the central power, in this case the central power of Yugoslavia? If the wishes of the freely elected Governments of Croatia and Slovenia are ignored, that precedent will re-echo around eastern Europe, and it will not do that cause of democracy any good at all.

Mr. Lennox-Boyd: As I said earlier, it was very much in the minds of the 35 countries of the CSCE meeting in Berlin that the way out of the difficult impasse should be found through democratic development, and we are very mindful of the need to respect that aspiration.

Mr. David Trimble (Upper Bann): Does the Minister see a parallel between the position of the northern republics of Yugoslavia and that of the Baltic states? In both cases, democratic Governments are trying to break free from former communist states, and the former communist states are using force to prevent that. Is it not sad that in both cases this Government are, in effect, lining up behind the former communist regime to obstruct democracy?

Mr. Lennox-Boyd: We can all develop our ideas in discussions with our Yugoslav friends and contacts. I said —and I reiterate—that I do not think that it would be wise to debate these matters on the Floor of the House in the way that the hon. Gentleman suggests.

Mr. John Browne (Winchester): Does my hon. Friend accept that the tragic events in Yugoslavia highlight the general threat of mass immigration from the Balkans and the Soviet Union into the European Economic Community? Will he assure the House that the Government will continue to resist the policy of a free flow of immigrants across national borders within the EEC and that they are also taking contingency measures to plan for mass immigration into the EEC, especially as regards the United Kingdom?

Mr. Lennox-Boyd: I hope that you will accept, Mr. Speaker, that although my hon. Friend's point is very important, I do not think that it would be right to pursue it this afternoon.

Several Hon. Members *rose*——

Mr. Speaker: Order. This is a private notice question. I shall accept four more questions, and then we must move on.

Mr. Ken Livingstone (Brent, East): Does the Minister believe that there is a Yugoslavian people, or does he accept that there are several quite distinct peoples locked together in an artificial nation created by the great power politics of this century, and that it does not work and has not worked? Why do we not accept that the Slovene and Croat peoples have the same right to their own political and cultural identity and freedom as we have demanded for ourselves? Why are the Government propping up a bankrupt concept created by great power politics at the end of the first world war?

Mr. Lennox-Boyd: It is important to recognise that the future of Yugoslavia must be for the Yugoslav people to decide, and everything that we say in the House must respect that fact. We should be happy to assist the Yugoslav people to develop their country in whatever way the constituent parts see fit.

Mr. Phillip Oppenheim (Amber Valley): Does my hon. Friend accept that some people believe that if countries such as Yugoslavia, Ethiopia or the Soviet Union want to break up we should let them get on with it, and that it is none of our business?

Mr. Lennox-Boyd: The important point made by my hon. Friend is that it is a matter for the people of the countries involved. I accept that, but if we can play a part through whatever institutions are available in helping them peacefully to that end if they so wish, it would be sensible to do so.

Dr. Kim Howells (Pontypridd): Does the Minister agree that any crass analysis of what Yugoslavia is or is not must be balanced by the reality that even this century, great brutality has often occurred between the peoples who make up the state of Yugoslavia, and that the Stalinist regime and the regimes that have followed it have also served to mix up ethnic groups within Yugoslavia? There is no easy answer within each of the states that make up Yugoslavia. We must look very carefully before we come up with any facile recognition of the emerging states to ensure that human rights inside them are far better than they were within the state of Yugoslavia as a whole.

Mr. Lennox-Boyd: The hon. Gentleman has reminded us that the situation in that part of the world has been a cause of many troubles in Europe this century. I heartily agree with that and I have no intention of trying to solve the problem on my feet this afternoon.

Mr. Gerald Kaufman (Manchester, Gorton): May I endorse completely the Government's approach on the matter, which is also, as the Minister has pointed out, the approach of the European Community and of the United States Administration? It is that there is nothing to be gained for Europe, for European security or for the different peoples of Yugoslavia from the break-up of that country or from the instability that would flow from the Balkans to the rest of Europe. It is facile to create an analogy between the Baltic states, which were annexed against their will by the Soviet Union, and the constituent republics of Yugoslavia, which came together voluntarily. If there is to be any change in the structure of Yugoslavia, it must be done by the free agreement of the constituent parts of Yugoslavia under its federal framework.

Mr. Lennox-Boyd: I am grateful to the right hon. Gentleman for his words of support and I confirm what he says. Clearly, we shall all have to await developments to see how we can assist all the Yugoslav people in their future.

Business of the House

3.46 pm

Dr. John Cunningham (Copeland): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. John MacGregor): The business for next week will be as follows:

MONDAY 1 JULY—Debate on the Army on a motion for the Adjournment of the House.

Motions on the Church of England (General Synod) Measures.

TUESDAY 2 JULY—Opposition day (16th allotted day). Until about seven o'clock there will be a debate described as "The Housing Crisis". Afterwards there will be a debate entitled "The Conduct of Affairs in the Privatised Electricity and Gas Industries". Both debates arise on Opposition motions.

Remaining stages of the Severn Bridges Bill.

WEDNESDAY 3 JULY—Estimates day (2nd allotted day). Until seven o'clock there will be a debate on aid to Iraqi refugees, followed by a debate on future levels of employment and unemployment.

Details of the estimates concerned and the relevant Select Committee reports will be given in the *Official Report*.

THURSDAY 4 JULY—Estimates day (3rd allotted day). Until seven o'clock there will be a debate on the steel industry, assistance to redundant steel workers, and Scottish Enterprise, followed by a debate on the waiting list initiative.

Details of the estimates concerned and the relevant Select Committee reports will be given in the *Official Report*.

At ten o'clock the Question will be put on all outstanding estimates.

FRIDAY 5 JULY—Private Members' Bills.

MONDAY 8 JULY—Consideration of Lords amendments to the Road Traffic Bill.

The House will also wish to know that European Standing Committee B will meet at 10.30 am on Wednesday 3 July to consider European Community Document No. 4466/91 relating to informing and consulting employees.

Wednesday 3 July
Estimates
Estimates class II, vote 5, Foreign and Commonwealth Office—Overseas Development and Administration: Overseas Aid so far as it relates to aid to Iraqi refugees.
Relevant document: Second Report from the Foreign Affairs Committee: Aid to Iraqi Refugees, Session 1990-91 (HC 528) (to be published Monday 1 July).
Class VI, vote 1, Department of Employment: Programmes and central services and class VI, vote 2, Department of Employment: Employment Service so far as they relate to future prospects for levels of employment and unemployment.
Relevant document: Third Report from the Employment Committee: Future Prospects for levels of employment and unemployment, Session 1990-91 (HC 228).

Thursday 4 July
Estimates
Class IV, vote 1, Department of Trade and Industry: regional and selective assistance, suppport for aerospace, shipbuilding and steel and class XV, vote 3, training programmes and industrial support, Scotland, so far as they relate to the steel industry, assistance to redundant steel workers, and Scottish Enterprise.
Relevant document: Second Report from the Trade and Industry Committee: British Steel—Ravenscraig and Clydesdale, Session 1990-91 (HC 63) and Second Special Report: British Steel—Ravenscraig and Clydesdale Government Observations on the Second Report, Session 1990-91 (HC 473).
Class XIII, vote 1, hospital, community health, family health services (part) and related services, England and class XVI, vote 8, hospital, community health, family health services (part) and related services, Wales, so far as they relate to the Waiting List Initiative.
Relevant document: First Report from the Health Committee. Public Expenditure and Health Services: Waiting Lists Session 1990-91 (HC 429—i); Minutes of Evidence from the Welsh Affairs Committee Session 1990-91 (HC 390—i to iii).

[Wednesday 3 July
European Standing Committee B
Relevant European Community Document
4466/91 Informing and Consulting Employees (European Works Councils)
Relevant report from European Legislation Committee HC 29—xv (1990-91)]

Dr. Cunningham: Will the Leader of the House assure us that, when the Prime Minister returns from Luxembourg next week, we shall have an oral statement in the Chamber so that hon. Members of all parties not only can hear the report from the Prime Minister on the important meeting but have an opportunity to put questions to him?

May we be assured that, when we have the Opposition Supply day debate on nationalised industries which have been privatised and which have resulted in the creation of private monopoly powers, the Minister speaking for the Government will have something more to say than the Prime Minister has yet been able to manage about the grotesque abuse of those private monopoly powers and about the abuse of consumers, shown most flagrantly in the past few weeks by the enormous salary increases that people in charge of those industries have awarded themselves? Many more private monopoly industries are to report in the next few weeks. May we have an end to the abuse of their private monopoly powers and a little more defence of consumers who, after all, have no choice in the matter—and, apparently, no protection from the Government either?

On a lighter note, will the Leader of the House arrange for a debate on the weather? The whole country is talking about it, and some people are even blaming the Government for it. Perhaps we should have a debate and, if we do, I have no doubt that it would be appropriate for one of the right hon. Gentleman's drier colleagues to report to the House.

Mr. MacGregor: On the hon. Gentleman's first point, I am confident that my right hon. Friend the Prime Minister will follow the normal convention in these matters and make a full report to the House next week.

On the second point, my right hon. Friend has already made clear his view, which I share, that excessive salary increases are not right. We believe that management should take the lead in setting an example of pay restraint. My right hon. Friend has also said, however, that these are commercial matters for the companies concerned. I am sure that whichever of my right hon. Friends deals with the debate on Tuesday will make clear to the House the considerable and wide-ranging benefits to consumers—from price increases below the level of inflation to considerable improvements in the range and standard of services—that have resulted in respect of many privatised industries.

On the third point, it is typical of the Opposition to call for Government intervention on matters right across the board. I can assure the hon. Gentleman that we have no intention of following the last Labour Government's example and appointing a Minister for rain, or whatever.

Mr. John Butcher (Coventry, South-West): Does my right hon. Friend agree that the term "market socialism" is an oxymoron, and that it is one of a growing number of terms emanating from the Opposition whose purpose is to conceal rather than to illuminate Labour's economic policies? May we have a debate on economic policy to examine the term, and others coming from the Opposition?

Mr. MacGregor: Yesterday's debate should have given us the opportunity to examine the Opposition's position on Europe and to clarify the 228-word sentence—not just two words but 228—that emanated from the Leader of the Opposition, which served to conceal the divisions rather than to enlighten anyone on the Opposition's policies. There will be a number of opportunities to consider various aspects of the Opposition's economic policy, not least when the Finance Bill returns to the House, at which point we shall be able to explore the very big increases in the basic rate of income tax to which the Opposition are committing themselves.

Mr. David Bellotti (Eastbourne): Will the Leader of the House find time, next week or the week after, for a debate on the future of football in England and the blueprint that the Football Association has produced and circulated, so that the House may intervene in the disagreements between the Football Association and the Football League and so protect the smaller clubs, which would go to the wall if a super league were set up?

Mr. MacGregor: I have to say to the hon. Gentleman—as I shall probably have to say on a number of occasions this afternoon—that, if we are to rise for the summer recess at what anyone in the House would regard as a reasonable date, I shall have to refuse requests for Government time to be given to a number of subjects. We already have a great many commitments to cover, both during the remainder of this month and throughout next month. The hon. Gentleman will have to find another way of pursuing the matter in the House before the recess.

Sir Jim Spicer (Dorset, West): Has my right hon. Friend been made aware of the fact that, in the Republic of Ireland this morning, there was a leak of an authoritative document about the MacSharry proposals on agricultural pricing? Is he aware that, if that leak is correct, and those proposals go ahead, it will be a disaster for British farmers? Can he assure me that, if there is any truth in the leak, the Minister of Agriculture, Fisheries and Food will take an early opportunity to speak to the House about it as the matter is of supreme importance to our hard-pressed farming community?

Mr. MacGregor: I have seen only this morning's press reports. I understand that there are no papers or proposals from the Commission and nothing has yet been put to the Agriculture Council. I understand that we do not expect proposals or papers to emerge until about mid-July. If the press reports prove to be correct, it would appear that the package under consideration has similar features to those to which we objected earlier this year. I can assure my hon. Friend that I have no doubt that my right hon. Friend will be extremely assiduous, as he has been throughout, in opposing and rejecting proposals that discriminate against the United Kingdom's interests. I have noted my hon. Friend's request for a statement. We need to see what happens when we receive some official information about what Mr. MacSharry is likely to propose.

Mr. Chris Mullin (Sunderland, South): Will the Leader of the House persuade a Minister in the Ministry of Defence or a Minister of State at the Foreign Office to make a statement in the House next week about the news that British service men in the Special Air Services trained Khmer terrorists for six years between 1983 and 1989, something about which they misled the House and which in an answer to a planted question on 25 June, buried deep in *Hansard*, they now admit to? I should have thought that that should have been the subject of today's private notice question. I was surprised that the Minister could find time to come and talk about the internal affairs of Yugoslavia but have nothing to say about the grave state of affairs in which British taxpayers' money has been used to fund terrorism in Cambodia.

Mr. MacGregor: The private notice question was about Yugoslavia, and it was therefore appropriate to concentrate on Yugoslavia. With regard to the issue that the hon. Gentleman has raised, he will have seen in the written answer to which he referred that my hon. Friend made it clear that the United Kingdom has never, and will never, provide training to the Khmer Rouge.

Mr. Richard Tracey (Surbiton): I am sure that my right hon. Friend will agree that there is confusion in some parts of the House about the implications of a minimum wages policy. Does he agree that a debate on that subject would flush out a few people? Conservative Members are totally opposed to such a policy because we believe that it would cause chaos. However, some Opposition Members seem to believe that a minimum wages policy would be a good thing, although they are receiving advice from eminent authorities in the socialist party that such a policy could lead to the loss of up to 2 million jobs.

Mr. MacGregor: The estimates vary, but clearly there would be a substantial number of job losses. I agree with my hon. Friend that most of the objective comments and the comments from most economists, including some who normally support the Labour party, have made it clear that there would be significant job losses. My hon. Friend

and others will have an opportunity to develop those points further if they so wish in the second estimates debate next Wednesday.

Mr. Doug Hoyle (Warrington, North): Has the Leader of the House seen early-day motion 882?

[That this House views with great concern the possibility that Hanson plc will soon be making a takeover bid for ICI; notes ICI is Britain's largest manufacturing company and a major export earner; believes a Hanson plc takeover would result in ICI being broken-up and sold off in parts to the highest bidder, which would be a devastating blow to Britain's chemical industry which does not need another forced rationalisation; notes ICI is one of Britain's few industrial success stories with about 70 per cent. of ICI's research being carried out in Britain with about half its manufacturing capacity based here, at over 50 production sites and with a further 200,000 jobs depending on its business in Britain; notes the chemical industry is a net contributor to Britain's balance of trade and that if ICI is sold off it may fall into the hands of an overseas company resulting in productive capacity and research and development moving abroad, and markets won by ICI being taken over; believes Hanson plc's record on long-term investment should give this House cause for concern as it has a very poor record on research and development expenditure in an industry where this type of expenditure is essential; calls on the Government to indicate that it would oppose a Hanson plc takeover of ICI, and refer the bid to the Monopolies and Mergers Commission as being against the public and national interest; and further calls for legislation to be introduced to tighten up regulations governing takeovers and prevent companies that invest in Britain from being taken over by unwelcome predators.]

That motion and early-day motions 997 and 1001, which have been signed by more than 100 hon. Members from both sides of the House, relate either to ICI's record or to the possibility of a takeover bid by Hanson plc. Does he agree that our largest manufacturing company—ICI—which employs directly more than 56,000 people, which spends 4·5 per cent. of its total sales on research and development and which exports more than 50 per cent. of its output is threatened by an asset stripper? Does he not agree that the uncertainty for that company should be removed? Will he ask the Secretary of State for Trade and Industry to make a statement in the House to the effect that such a bid by Hanson would be unwelcome instead of his remaining silent, something that would not happen in any other European country, least of all in France and Germany?

Mr. MacGregor: I have said before, and I repeat, that no takeover bid has been announced. Therefore, it would be inappropriate to comment on a hypothetical matter.

Mr. Andrew Mitchell (Gedling): My right hon. Friend has always made it absolutely clear that the principal aim of the House of Commons is to ensure that we can properly question and examine the Executive. Is he aware that, following the advent of the televising of the proceedings of the House, there is widespread concern and interest among our constituents in the Opposition's policies? Will he therefore, without prejudice to his next statement, consider whether we should debate procedure in the House with the aim of instituting a question time so that Opposition policies can be properly scrutinised by Conservative Members?

Mr. MacGregor: I shall shortly make a statement about procedure. It will be open to my hon. Friend to put that suggestion to the Committee that I am about to announce,. We are managing to find a considerable number of opportunities to expose some of the very substantial defects in the Opposition's policies.

Mr. Harry Barnes (Derbyshire, North-East): The Leader of the House will be aware that the Office of Population Censuses and Surveys has found that 1 million people are missing from the electoral register. Should we not discuss that serious matter to discover why so many people are missing and begin to take action to put the matter right?

Mr. MacGregor: The hon. Gentleman has raised this matter with me before. I think that I am right in recalling that I suggested to him that there are other ways in which he can discuss this matter in the House other than in a debate in Government time, for which, quite frankly, I do not have time in the coming weeks.

Mr. Kenneth Hind (Lancashire, West): My right hon. Friend will be aware of my ten-minute Bill, which will be on next Tuesday's Order Paper. It is a matter of great concern because it relates to the loss of 420 jobs in Wigan, Skelmersdale and Warrington. The matter requires changes in company law. Will my right hon. Friend consider giving time for a debate next week?

Mr. MacGregor: I cannot promise my hon. Friend time for a debate on that matter next week, but there will be opportunities, if he catches your eye, Mr. Speaker. to raise such issues in debates before the recess.

Mr. Bob Cryer (Bradford, South): May we have a statement next week about the Leeds-Bradford electrification proposals? As the Leader of the House will know, loan approval has been given for the overhead equipment, but no approval has been given for the rolling stock to run underneath. One is absolutely useless without the other. Unless loan approval is given in the very near future, the price of rolling stock will increase, and the rolling stock manufacturer, Hunslet of Leeds, will face the possibility of having to reduce a skilled and dedicated work force.

When will the Government stop dithering, approve the programme, which has been before them for more than 12 months, and make a decision? The project is supported by all parties in the area. They want that investment, and they want the Government to stop dithering.

Mr. MacGregor: I cannot promise a debate next week. However, credit approvals have been reserved for the infrastructure work for the project, but resources are still needed for the rolling stock. We have promised urgently to consider providing credit approvals for the rolling stock in the financial year 1992-93, but we cannot make a decision until the end of the public expenditure round this autumn.

I advise those who say that it is too late and that there should be instant responses to such matters that one of the features of the Government, which has added greatly to the strength of our economy in the 1980s, is that we have had financial disciplines and proper financial approaches to such matters. The Labour party, which already would increase public expenditure by £35 billion, would freely go on adding to it. We shall be watching very carefully between now and the general election for all the additional

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spending commitments to which the Labour party is committing itself. It is quite clear that it has no financial discipline and no regard for the taxpayer.

Mr. Stephen Day (Cheadle): My right hon. Friend will be aware that my constituency borders Manchester airport and that there was a terrible disaster there some years ago. Following an inquiry, a recommendation was made that smoke hoods should be introduced. Is my right hon. Friend aware that the Civil Aviation Authority has refused to recommend the use of smoke hoods, despite all the research-based evidence, despite the recommendation, and despite the support of the Select Committee on Transport?

Is my right hon. Friend further aware that there have been reports that members of the Civil Aviation Authority take smoke hoods on to aircraft with them? Does it not seem that double standards are applying? Because of the great concern about the fact that the Civil Aviation Authority does not seem to be accountable to anyone—although it is technically accountable to the Secretary of State for Transport, it is not accountable to the House—will my right hon. Friend arrange for an early debate on its role and accountability?

Mr. MacGregor: For the reasons that I have already given, I cannot promise my hon. Friend a debate on this matter before the House rises for the recess, but he can use the opportunities that are open to him to raise the matter in the House. Although I am not aware of these matters, I shall draw what my hon. Friend has said to the attention of my right hon. Friend the Secretary of State for Transport.

Mr. Dennis Skinner (Bolsover): Will the Leader of the House ensure that the Minister of Agriculture, Fisheries and Food makes an early statement on the levels of dioxin that were discovered and monitored the other day at two farms in Bolsover, as was reported in *Hansard* yesterday in an answer to a planted question? Will he also ensure that there is a thorough and public investigation into the way in which the dioxin reached that area, thus depriving farmers of their livelihoods? Will he bear it in mind that, at the end of 1990, the safety levels were raised by a factor of 10 and that many other farms in Britain might have been caught in the net if that change had not taken place? Will he ensure that compensation is paid to all those who are affected, and arrange for a statement to be made as early as possible?

Mr. MacGregor: My right hon. Friend the Minister of Agriculture, Fisheries and Food has already said that his Department will be carrying out further food surveillance in the Bolsover area and undertaking detailed studies to learn more about the mechanism for the transmission of dioxins. As the hon. Gentleman knows, the Milk Marketing Board has concluded that the milk does not meet the conditions of its standard terms of sale for producers and will not accept it into the food supply. We welcome that prompt action, which shows that the board is determined to uphold the highest quality standards.

As I served at the Ministry of Agriculture, Fisheries and Food myself, I know that the Government are determined, through our surveillance of the food supply, to ensure the fullest possible protection of the public. Although I have noted the hon. Gentleman's request for another statement, such a statement would be premature before the studies are complete. I shall, however, convey to my right hon. Friend his concerns and his requests for a further statement at the appropriate time.

Mr. Andrew MacKay (Berkshire, East): Notwithstanding the fact that we are in the middle of the public expenditure negotiations, can I tempt my right hon. Friend to break recent precedent and to arrange an early debate on public expenditure? I am sure that he will agree that there is widespread confusion in the country and, to a degree, in this House about how the Labour party will fund the £35 billion-worth of pledges that it has made. We should like to know whether that will be done through increased taxation or whether some of the pledges will be scrapped.

Mr. MacGregor: I do not think that there is any confusion because it is clear from the costings that have been carried out by my right hon. and learned Friend the Chief Secretary to the Treasury that the Labour party appears to have committed itself to the figure of £35 billion, or an extra 15p on income tax. It is now up to the Labour party to show how it will meet that bill or what it will cut from its spending pledges. We shall have an opportunity to consider such matters when the Finance Bill returns to the Floor of the House. I am sure that my hon. Friend will wish to pursue his points then.

Mr. Keith Vaz (Leicester, East): Will the Leader of the House initiate an urgent debate or arrange for a full statement to be made on the appalling crime figures that were announced yesterday? Is he aware that those figures show a 30 per cent. increase in crime in Leicestershire? He must recall that at business questions throughout the lifetime of this Parliament hon. Members of all parties have raised with him the need for extra police officers in Leicestershire and that I have presented successive Home Secretaries with petitions for more police officers. Despite the excellent work of Michael Hirst, the chief constable, and his police force, the crime rate continues to rise. Will the right hon. Gentleman please arrange for the Home Secretary to initiate a debate on this important matter?

Mr. MacGregor: I am not familiar with the precise position in Leicestershire, but in Britain as a whole the numbers of police have been rising, and rising considerably. I do not think that it will be possible to find time for a debate in Government time on the matter taking the United Kingdom as a whole, or indeed England, before the House rises for the simple reason that we have an enormous amount of business to do. However, I shall draw the hon. Gentleman's anxiety to the attention of my right hon. Friend the Home Secretary.

Mr. Keith Mans (Wyre): As Supply days are allocated on the basis of the number of hon. Members in each political party, and as we have a party within a party on the Opposition Benches, would my right hon. Friend care to give consideration to allocating a Supply day to the hon. Members for Liverpool, Broad Green (Mr. Fields), for Liverpool, Garston (Mr. Loyden) and for Bradford, West (Mr. Madden) so that the House may have the benefit of the views of the Militant Tendency from within the Labour party?

Mr. MacGregor: I think that my hon. Friend knows that I am not responsible for choosing the subjects for

discussion on Supply days, as those days are given to the Opposition. However, my hon. Friend makes a fair point. It is noticeable that in the current by-election in Liverpool certain Members of Parliament are conspicuous by their absence and their silence because they do not want to frighten the voters.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker. The hon. Member for Wyre (Mr. Mans) has just mentioned me in connection with Militant. Clearly he wishes to leave the impression that I am a supporter of or sympathiser with Militant Tendency. As such an allegation is entirely unfounded, I hope that the hon. Member for Wyre will see fit to withdraw it immediately.

Mr. Speaker: That was exactly why I called the hon. Member for Bradford, West (Mr. Madden). The term "Militant", although not unparliamentary, is highly offensive to some people here. In view of what the hon. Member for Bradford, West (Mr. Madden) says, the hon. Member for Wyre (Mr. Mans) should withdraw his comment about him.

Mr. Mans: I am more than happy to withdraw the term "Militant" if, indeed, the views of the hon. Member for Bradford, West have changed.

Mr. Speaker: Order. That really is not good enough. Come on.

Mr. Mans: I withdraw the term, Mr. Speaker.

Mr. Madden: I am most grateful to you for your protection and assistance, Mr. Speaker. I now turn to the Leader of the House. Will he arrange in next Tuesday's debate on housing for the Minister who will speak in that debate to tell us what he intends to do to ensure that speculation in private homes built with taxpayers' money is not allowed? Is the right hon. Gentleman aware that private homes are being built in Bradford, Halifax and Bolton with taxpayers' money? They are wide open for speculation because there are no rules to prevent people from buying such properties and renting them out or selling them immediately for a profit.

Therefore, I hope that the Leader of the House will warn the Minister that I and other hon. Members will be chasing him on the matter. We hope very much that the Minister will announce some new rules to prevent speculation in private homes built with the help of taxpayers' money.

Mr. MacGregor: I am not familiar with the examples to which the hon. Gentleman refers, so I do not know the background or the justification for the charges that he makes. I am grateful to him for drawing attention to a point that he might wish to make in Tuesday's debate. I will alert whichever Minister is to reply to the debate to the hon. Gentleman's point.

Mr. Christopher Gill (Ludlow): You will be aware, Mr. Speaker, that a large number of hon. Members were unable to speak in yesterday's debate on developments in the European Community, which was curtailed by the business statement before its commencement. Is my right hon. Friend the Leader of the House aware that I am probably not alone in believing that the issue is so important in British politics at present that the arguments and the consequences of the decisions which will be made in Europe in the forthcoming six months need to be ventilated in this place so that the British public can understand the issues? I hope that it will be possible for us to have a further debate on the subject in the near future.

Mr. MacGregor: I have followed the obligation that has been undertaken by the Government to allow a one-day debate on European matters every six months, normally in advance of the meeting that is taking place this weekend, as will be the case in the future, and I certainly intend to stick to that obligation. I am sure that there will be opportunities other than that one-day debate for issues affecting the European Community to be debated. Indeed, such opportunities will be quite frequent, and my hon. Friend will know that one such opportunity will occur when the Prime Minister makes a statement next week, following the weekend's meeting.

Mr. Paul Flynn (Newport, West): Will the Leader of the House arrange for a debate to take place urgently on the plight of students this summer? Is he aware that Newport borough council has expressed alarm at the fact that there will be a sharp rise in homelessness in the borough because of the cuts in the hardship scheme for students and the fact that unemployment in the area has increased by 50 per cent. in the last year, meaning that there are no part-time jobs? Is the right hon. Gentleman aware of the extreme likelihood that city cardboard-type encampments will spread from London throughout the land? Does he appreciate that students face a bleak summer because they will have no hardship allowance scheme, no income support, no housing benefit and no jobs?

Mr. MacGregor: Those issues have been debated on a number of occasions, not least when the Student Loans Bill, as it then was, was taken through the House. Because of the pressure of business, I see no opportunity for a separate debate in Government time. If the hon. Gentleman wishes to raise the subject, he will have to find other opportunities for doing so.

Mr. Bowen Wells (Hertford and Stortford): I, too, urge my right hon. Friend to find further time to debate the issues surrounding the Common Market and the two intergovernmental conferences. It would seem appropriate for us to have a debate immediately following the Prime Minister's return from Luxembourg. Yesterday, because of the organisation of business and the fact that we finished at 10 o'clock when we could have gone on til 11 o'clock, we heard only the most senior right hon. and hon. Members express their views. That shows that the debate was seriously imbalanced—indeed, that it embarrassed you, Mr. Speaker—when that would not have been the case had the business been better arranged.

Mr. MacGregor: Sometimes I make arrangements for business and find that we almost run out of speakers. It is always difficult to get the balance right. I was following the normal practice yesterday in allocating one day. There will be other opportunities to debate European matters and to question my right hon. Friends on the issues involved, and I repeat that there will be an opportunity next week.

Mr. Jeremy Corbyn (Islington, North): Has the Leader of the House noticed that there is considerable traffic chaos in London, that the underground system does not work properly, that the roads are overcrowded and that there are high levels of pollution throughout central

[Mr. Jeremy Corbyn]

London because of the increased car traffic? In those circumstances, will he arrange for a statement to be made to the House about the Government's policies for traffic in London, including ending the nonsensical red route experiment and instead trying to prevent cars from coming into and out of central London and putting an end to any proposal to deregulate London's bus service, which would lead to even greater chaos?

Mr. MacGregor: I have noted the hon. Gentleman's request for a statement or even a debate. I think it unlikely that I shall find time for that to happen before the recess.

Mr. Harry Greenway (Ealing, North): May we have an early debate on the policies and actions of the London Civil and Fire Defence Authority, which is Labour-controlled, bearing in mind its proposal to take away a fire engine—one of two—from Northolt fire station? Is he aware that such action would be to the enormous detriment of the people of Northolt, Greenford and the surrounding areas? My constituents want the fire engine to be retained, and I ask for an opportunity to express in debate the good reasons for their wish in this matter.

Mr. MacGregor: My hon. Friend has already made his point. If he wishes to elaborate on it, I am sure that he will do so. If I understood him aright, the issues should be addressed to others than my right hon. Friends, and I am sure that he will lose no opportunity of doing that as well.

Mr. David Winnick (Walsall, North): Although there will be a debate on the Army next Monday, may I press the Leader of the House for a statement on the position of the three injured Grenadier guards, one of whom is my constituent, Sean Povey, who, with his two colleagues, lost both legs? In that statement, would the Government explain why there is strong feeling in the country that the soldiers should receive compensation, on both sides of the House and among senior officers of the Grenadier guards, one of whose names I am not allowed to mention, while only the Government are determined to make those three soldiers continue to suffer, not knowing what the outcome will be in the courts? Has he seen what my constituent, who is now in a wheelchair, has said in the paper, about how he is feeling sad and depressed? He is only 21 years of age and has been crippled for life, but the Government insist that in no circumstances will they pay compensation. What sort of justice is that?

Mr. MacGregor: My right hon. Friend the Prime Minister has recently referred to this matter, and I have discussed it with my right hon. Friend the Secretary of State for Defence, following questions raised by the hon. Gentleman and other hon. Members during previous business questions. The matter can be raised in the debate on Monday.

Mr. Phillip Oppenheim (Amber Valley): Is my right hon. Friend aware that many Conservative Members would welcome a debate on top people's pay, and especially on the pay of top trade union leaders such as Mr. Scargill, who is better known for destroying rather than for creating jobs, who pays himself nearly £1,000 a week, and whose salary has increased, relative to the number of members in his union, by 900 per cent. in the past decade?

Mr. MacGregor: My hon. Friend has made his point and, if he wishes, he could perhaps elaborate it in the debate on two industries on Tuesday, as I have no doubt that general remarks will be made in that debate.

Mr. Tam Dalyell (Linlithgow): Has the Leader of the House really understood why about 120 of his colleagues were kept late out of their beds on Monday night? Will he reflect, as I have asked his office to give him notice, on early-day motion 1031 in light of the fact that it was opposed in the House of Lords by those who knew most about it, the Government's own appointee, the Earl of Cranbrook and my colleague Lady Nicol?

[That this House, concerned that Lords Amendments, inserted at a late stage, changed the very nature of a Bill from that which was proposed at Second Reading and in Committee, calls on Her Majesty's Government to delay implementation of the Scottish Heritage Bill, until such time as further consideration has been given to second-guessing of scientific decisions.]

Also, they could not get the vote of the hon. Member for Dumfries (Sir H. Monro)—faithful Sir Hector—in the House of Commons, who had piloted the Bill through in 1981 and cared deeply about it. Does the Leader of the House understand that the issue is the double-crossing of a Commons Committee——

Mr. Speaker: Order. This is a continuation of the rather long speech by the hon. Gentleman on that subject, which indeed did keep us up rather late. Will he please come to the question?

Mr. Dalyell: This is the only way that Opposition Members of Parliament can challenge that exercise——

Mr. Speaker: Order. I am not criticising the hon. Member. He is absolutely within his rights, but he must ask a question.

Mr. Dalyell: Will the Leader of the House discuss next week the deceit of Parliament on Second Reading because the Bill that we put through was totally different from the Bill which was fundamentally altered in the Lords? Will he send for the most obscure member of the Administration, Mr. Tom Strathclyde, to ask why he gave in to some maverick peers——

Mr. Speaker: Order. The hon. Gentleman has been here long enough to know that we do not refer to members of another place by Christian names. They are noble Lords.

Mr. Dalyell: The noble Lord Strathclyde—aged 30 or whatever—who has never been elected by anyone to anything and who through a something muddle—I will not say it—has fundamentally altered the Bill on which his colleagues and mine sweated our guts out upstairs in Committee, has enraged the heritage organisations in Scotland and it is all the result of a mistake. Cannot the Leader of the House get hold of that inexperienced man and get the thing put right?

Mr. MacGregor: The debate went on at some length on Monday evening and it would not be right for me to go over it all again. As regards business, I understand, and I am sure, that the Lords amendments in no way changed the nature of the Bill as proposed on Second Reading, and the Government will proceed with the establishment of Scottish Natural Heritage as planned.

Mr. John Wilkinson (Ruislip-Northwood): This afternoon, my right hon. Friend the Leader of the House confirmed that there is to be a debate on the Army on Monday, and we know that there is to be a debate on the Royal Navy later today. Will my right hon. Friend bear in mind the fact that, although individual service debates may be of minority interest, they provide a unique opportunity for a well-structured examination of the individual services and the problems that they face? Will he resist any temptation—although I hope that he has none—to change to a system whereby just two days would be allowed for defence debates, other than those in connection with the White Papers on procurement and the armed forces? If that happened, the individual services would certainly suffer.

Mr. MacGregor: I note my hon. Friend's comments. I am aware that there are differing views on that subject in the House. This year, I followed previous practice, but we will certainly want to review it because, as there are differing views, it would be right to do so. There will be discussions on that matter through the usual channels, and my hon. Friend's views will also be taken into account.

Mr. John Browne (Winchester): I refer my right hon. Friend to early-day motion 1017.

[That this House congratulates Paul Woolwich, Clive Edwards, Ian Pollard and all members of the Thames Television's This Week team on their production of Casualties of Peace; notes that it highlights the quite disgraceful lack of compensation awarded to British servicemen grievously injured in the line of duty; believes that Her Majesty's Government should bow its head in shame; and calls upon the Prime Minister in the national interest to instil forthwith an attitude of genuine concern, common sense and compassion.]

Does my right hon. Friend accept that if the Government continue to resist the payment of ex gratia compensation to the three injured Grenadiers they will be effectively challenging those mutilated men to take on, in a legal battle, the mighty Ministry of Defence? Their suit would, of necessity, have to be based on the findings of the board of inquiry, whose report is still classified—though why I cannot imagine—and therefore unavailable even to the guardsmen's legal representatives.

My right hon. Friend the Leader of the House will recollect that Ministers, including my right hon. Friend the Prime Minister, assured the House that no one was to blame for the accident. Is my right hon. Friend aware that the board of inquiry took no evidence whatsoever as to why the 76 mm HESH blind round was lying on the range in the first place?

Mr. Winnick: That is absolutely right.

Mr. Browne: Is it clear, as was asked by the hon. Member for Walsall, North (Mr. Winnick), that——

Mr. Speaker: Order. In fairness to both sides of the House, let me point out that those are detailed matters. The hon. Member may ask for a debate or for a statement, but he must not rehearse the arguments.

Mr. Browne: Is it clear to my right hon. Friend the Leader of the House that, if equity is to be achieved, the board of inquiry must be reopened? If the Government do not order that to be done immediately, may we have a debate on the subject?

Mr. MacGregor: As I intimated to my hon. Friend, and as you, Mr. Speaker, made clear, it would not be right for me, as Leader of the House, to comment on those detailed matters. We are now talking about the business of the House. I said that the issue can be raised in next Monday's debate.

Procedures of the House

4.27 pm

The Lord President of the Council and Leader of the House of Commons (Mr. John MacGregor): A number of important reforms to our procedures and working practices this year are already in place or under way.

First, the changes to the management of the House, following the report by Sir Robin Ibbs—which my right hon. and learned Friend the Member for Surrey, East (Sir G. Howe) played such an important part in initiating, and which we debated earlier this year—are far-reaching.

They will make it possible for the House to determine its priorities, and to reflect those priorities in decisions about the budget for works, as well as other expenditure, and they will introduce a new Committee and management structure that will reflect, to the extent appropriate, best practice outside.

Secondly, the new procedures for private Bills following the report of the Joint Committee of both Houses in 1988 require primary legislation. As the House knows, the timetable following the consultation period on the Government's response to the Joint Committee, which was published last summer, meant that it has not been possible to prepare the necessary legislation for introduction this Session. The Government have now made their response. That matter clearly affects the sittings and hours of the House, and I have already told the House that we shall introduce the legislation as soon as we can.

Thirdly, on the scrutiny of European Community legislation, we have been able to establish the two European Standing Committees this Session, and have gained valuable experience of how they work in practice. They have also had implications for the hours of this Chamber. As the House is aware, I shall review the operation of those two Standing Committees at the end of this Session.

Many other procedural reforms are being implemented following recommendations from the Procedure Committee, including the new arrangements for oral questions. However, right hon. and hon. Members in all parts of the House share the feeling that we need to take a wider and deeper look at our procedures and at the hours that we sit. Over recent months, I have consulted widely about the procedures and practices that determine the variety and amount of business dealt with on the Floor of the House and in Committee, and how long we spend on it. I have found that there is widespread agreement that the way we operate in this place needs review, and widespread disagreement on the solutions. I therefore propose to set up a Select Committee to look into those matters and I am pleased to say that I have reached agreement through the usual channels on how that will be done.

The suggested terms of reference and the membership will be set out in a motion which I will table very shortly. The Select Committee will be able to range widely, looking at the whole way we handle public and private business, the order and timing of business—including the use of timetable motions—the length of Sessions and the organisation of the parliamentary year, as well as the hours of sitting. The Committee's work will obviously extend into the next Session of Parliament, and I hope that it will be able to make recommendations that can be considered for implementation in the next Parliament. If a dissolution intervenes, it would obviously be desirable that the work of the Committee is continued in the new Parliament. We for our part would certainly wish that to be the case, and I hope that the same would go for those in other parts of the House.

I am particularly pleased to announce that my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) has agreed to chair the Select Committee. The breadth and depth of his parliamentary experience make him particularly suited to take on that important task and I am sure the whole House will be grateful to him for agreeing to do so.

I appreciate that Members on all sides will wish to consider the review I am announcing today, and I intend to provide time for a debate before the House rises for the summer recess so that the Committee can be established immediately thereafter.

It may, nonetheless, be for the convenience of the House if I outline now a range of specific matters that I expect that the Select Committee will wish to take particularly into account in its work.

I must pay a particular tribute here to the work of the Select Committee on Procedure, chaired by my hon. Friend the Member for Honiton (Sir P. Emery). The whole House owes him, and all the members of his Committee, a considerable debt of gratitude, but I think that my hon. Friend would be the first to agree that to deal adequately with the remit I have in mind, it is necessary to range more widely than the Procedure Committee's remit allows. The amount of time we have in this place is determined by private business as well as public business, and the Procedure Committee can deal only with public business.

My hon. Friend the Member for Honiton has, I am delighted to say, agreed to serve as a member of the new Select Committee. That will ensure that the wealth of experience of the Procedure Committee as a whole can be brought to bear during the Select Committee's deliberations. In particular, I am sure that the Committee members will have regard to the Procedure Committee's second report, Session 1986-87, on the use of time on the Floor of the House, which most usefully summarised and analysed previous experience of morning sittings. The Committee will obviously also wish to obtain the views of all hon. Members with an interest in the subject.

Among the points that I hope the Select Committee will bear in mind are changes over the past 20 or 30 years in the quantity and complexity of Government business and European Community legislation and their effect on the balance between business taken on the Floor of the House and that taken in Committee; the growth in the complexity and importance of the work of Select Committees; the nature and extent of the demands made on the individual Member of Parliament, including, particularly, the volume and complexity of constituency business; experience of overseas legislatures, especially those which follow closely the Westminster model.

I should say finally that the review is not in any sense a party matter, or one where the Government and the Opposition should adopt entrenched positions. Our working practices and the hours we sit are essentially matters for the House as a whole, and I am glad that, in my capacity as Leader of the House, I have been able to reach agreement on establishing this Select Committee. When we come to our subsequent debate, I hope very much that the House as a whole will agree to the motion establishing this Select Committee without reservation.

Dr. John Cunningham (Copeland): This is a rare, perhaps unique, occasion, on which I can say that I wholeheartedly welcome the totality of the statement of the Leader of the House. I thank him for responding to the request to make an oral statement on the matter so that, at the outset, Members could have the opportunity to ask questions and make points, although I recognise the importance of a full debate later on the terms of reference and membership of the Committee.

I congratulate the Leader of the House on taking this important, perhaps historic, opportunity to have a wide-ranging review of the practices and procedures of the House, which I hope—I believe that it is his intention—will go well beyond a simple consideration of the hours of sitting of the House. Our intention to review some of our more arcane and idiosyncratic procedures and the conduct of business in the mother of Parliaments will be welcomed inside and outside the House.

I join the Leader of the House in welcoming the appointment of the right hon. Member for Westmorland and Lonsdale (Mr. Jopling) to the Chair of this important Committee. He and I would not agree on many matters, except on what is best for Cumbria because we are constituency neighbours, but he has our full support in chairing the Committee. The Leader of the House said that after the next general election the Government will continue the work of this Committee. I assure him that that will be the case, although there may be some changes in personnel.

The hon. Member for Gedling (Mr. Mitchell) asked for an opportunity to question Labour Front-Bench spokesmen. The hon. Gentleman may get that opportunity sooner than he wishes.

Mr. Bob Cryer (Bradford, South): It is a carve-up.

Dr. Cunningham: My hon. Friend the Member for Bradford, South (Mr. Cryer) says that this is some sort of carve-up. I thank the Leader of the House for his wide consultation and for giving all hon. Members an opportunity to speak before he makes final decisions about the terms and nature of the motion. That is the great value of today's statement. My hon. Friend the Member for Bradford, South has an opportunity now to question the Leader of the House.

Will the Leader of the House assure us that the Committee will have unrestricted terms of reference and that it will be able not only to examine matters on the basis of the status quo but to deal with the parliamentary year as a year? Will the right hon. Gentleman take account of the important work carried out by the parliamentary Labour party review committee which was chaired by my right hon. Friend the Member for Salford, East (Mr. Orme), who is also chairman of the parliamentary Labour party? May we be assured that that and other evidence from minority parties or individual hon. Members will be considered by the Committee? Will he assure us again that the Committee will have the power to look at the workings of other legislatures? I join the Leader of the House in thanking the hon. Member for Honiton (Sir P. Emery) for the work of the Procedure Committee on these issues.

Mr. MacGregor: I am grateful to the hon. Gentleman for his welcome for the statement. I thank him for his co-operation on the matter and for the support that he expressed for my right hon. Friend the Member for Westmorland and Lonsdale.

It will be for the Select Committee to decide exactly how to proceed and what matters to cover. It is certainly within the Committee's terms of reference to look at the parliamentary year as a year and not to be bound by what happens now. As I said, it is open to all hon. Members to submit views to the Committee. I agree that the Committee will wish to examine the work carried out so far by the parliamentary Labour party review committee under the chairmanship of the right hon. Member for Salford, East (Mr. Orme). I confirm that it will be possible for the Committee to look at other legislatures if it feels that that is appropriate and relevant to its work.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the hon. Members that the Leader of the House said that he intends to provide time for a debate on this matter before the House rises for the summer recess. In view of the pressure from hon. Members to speak in the debate on the Royal Navy, I propose to allow questions on the statement to continue until 5 o'clock. I ask hon. Members to confine themselves to questions and not to voice their ideas and thoughts about what might happen.

Sir Peter Emery (Honiton): I congratulate my right hon. Friend the Leader of the House on the appointment of the Committee, whose powers to cover public and private business will be wider than those of the Procedure Select Committee. That is essential for a fuller review of our procedure. Will the Committee be able to consider constitutional factors, such as the size of the membership of the House, which is one of the largest democratic Parliaments? Will he assure me that the recommendations of the Procedure Select Committee will be carried out, as he has promised, and not further delayed by the establishment of the new Committee?

Mr. MacGregor: I am grateful to my hon. Friend and repeat my gratitude for his work on these matters. The number of hon. Members who are rising shows that there is great interest in the subject. I shall therefore endeavour to be as short as possible.

My hon. Friend asked about the size of the membership of the House. I did not have it in mind that the Committee would consider that. I assure him that I intend to carry through the recommendations of the Procedure Select Committee, which I have already said we wish to proceed with, before the House rises for the summer recess.

Mr. Simon Hughes (Southwark and Bermondsey): We welcome the announcement that the Leader of the House has made, but will the Committee be wide-ranging? For example, when considering timetables, will it be able to consider fixed-term Parliaments, which offer the best arrangements to ensure certainty of business? Will it be able to ensure a balance between the Executive, which represents a party elected by a minority, and the legislature, which represents the whole community? Will it have the power to ensure that we stop the nonsense of our procedure, whereby we seek to legislate for the most minute detail in Northern Ireland, Scotland, England and Wales, and devolve power so that we have less to do here and so that people have far more power near to where decisions should be taken?

Mr. MacGregor: When I table the motion, I hope that it will be clear to the House that I intend the review to be

[Mr. MacGregor]

wide-ranging and deep. The House will have to decide that when we debate the motion. I am simply giving notice of how I intend to proceed. Most of the points that the hon. Gentleman made will be within the Committee's terms of reference. The constitutional question of the devolution of power is not a matter for the Committee, which will have much to do and will have to consider many conflicting views from hon. Members. As it must tackle so much, I do not wish to add other matters.

Mr. Cranley Onslow (Woking): As the problems are here and the expertise to deal with them presumably is also here, does my right hon. Friend agree that there should be no great need for the Committee to spend much time travelling abroad?

Mr. MacGregor: That will clearly be a matter for the Committee to decide. I hope that my right hon. Friend agrees that it is right for me to give it powers to do so. From the representations that have been made to me and the discussions that I have had, I have found that experience of other relevant legislatures is raised. It is right not to exclude that, but it will be for the Committee to decide what it does.

Mr. Bob Cryer (Bradford, South): Does the Leader of the House accept that this has the appearance of a carve-up between the two Front Benches? How can a Select Committee have a Chairman when it has not been announced or appointed by the House and when the Select Committee itself should elect its Chairman? Does he accept that when the report of the parliamentary Labour party review committee was discussed by the parliamentary Labour party, the overwhelming expression of opinion was against the proposals?

Mr. Stanley Orme (Salford, East): There was one voice against it.

Mr. Cryer: That is not true.

Would not it have been better to hold a debate first to ensure that the decision was completely open and the views of hon. Members were taken, rather than for something that appears to have been fixed beforehand to be rushed through the usual channels so that, I suspect, the critics of some of the changes, which will suit London Members more than provincial Members, are faced with a fait accompli?

Mr. MacGregor: The hon. Gentleman ran into the problem that I have run into in the past six months. The reaction to his remarks showed that there are divided views in the House on a number of the procedural matters. He is right that there are often conflicts between hon. Members who represent London constituencies and those who represent more distant constituencies. That will be a relevant matter for the Select Committee to consider, and I hope that it will reflect those differences. That is why it will be no easy matter for the Select Committee. I hope that the hon. Gentleman will find that the arrangements that I am proposing will cover all these points.

The House wants us to get on with establishing the Committee on a non-party basis. That is what I am endeavouring to achieve, but it will be for the House to make its view known in the debate on the proposal that is recommended.

Mr. Chris Butler (Warrington, South): Will my right hon. Friend assure the House that the Select Committee will include a Member of the 1987 intake, because, with respect, it appears that the longer we are here the more institutionalised we are?

Mr. MacGregor: I hope that we shall be able to achieve a broad mix. It is becoming apparent that the longer we go on, the more the point that I made about the wide differences of view applies.

Ms. Harriet Harman (Peckham): I welcome the Leader of the House's statement and the establishment of the Select Committee. Will he ask the Select Committee to bear in mind that the hours of the House are one of the reasons why there are so few women Members of Parliament, and that unless we change our hours Parliament will continue to be deeply unrepresentative of the country? I hope that the initiative succeeds. The right hon. Gentleman has taken a bold move, and I wish it success.

Mr. MacGregor: I am grateful to the hon. Lady. Her views on women in Parliament are well known and have been well rehearsed. If she is not a member of the Select Committee, I am sure that her views will be put to it. The Committee will cover that point, but its remit is much wider. Although I share her desire—this will be no surprise to her, because I have said it to her before—to see many more women Members of Parliament, I believe that it is often what happens outside this place rather than inside it that prevents more women from becoming Members of Parliament.

Mr. Robert Adley (Christchurch): In answer to my hon. Friend the Member for Honiton (Sir P. Emery), my right hon. Friend said that he did not think that it would be appropriate for the Committee to consider the number of Members in this place. Will he give further thought to the question and say at some future date that it might consider that subject? He spoke of the increased work-load from Europe and constituency correspondence, but did not mention the huge amount of bumf that we receive from lobbying companies. In the meantime, will he provide a few shredders around the House so that we can deal with the problem immediately?

Mr. MacGregor: That separate matter perhaps should be considered by the Services Committee. I shall reflect on the question, but we must be careful not to give the Select Committee too wide a range of tasks by including the consideration of constitutional matters. It is clear from the views that are being expressed on the subjects that the Select Committee will cover that it has a big task. It would be a pity to divert it on to other things when we want it to report within a reasonable time.

Mr. Dick Douglas (Dunfermline, West): Without transgressing on other parts of the United Kingdom such as Northern Ireland and Wales, may I ask whether the Leader of the House is aware that his statement would have had more efficacy if he had showed more interest in setting up a Select Committee on Scottish Affairs and had not been so laggardly? It was interesting to hear the Secretary of State for Scotland on the radio the other day blaming the House of Commons rather than the Government for the failure to set up that Committee.

Will the right hon. Gentleman assure us that there will be a wide-ranging discussion and representation on the Committee? I know that there is a palsy-walsy feeling between the usual channels, but is the hon. Member for Copeland (Dr. Cunningham) happy that the right hon. Member for Westmorland and Lonsdale (Mr. Jopling) should maintain chairmanship of the Committee after the next election?

Mr. MacGregor: There are obviously a number of imponderables in that respect. It was one of the issues that I was taking into account. Having canvassed widely in the House, it seemed to me that there was a feeling that the work should be started and, if possible, finished within the lifetime of this Parliament. I believe that if that is not possible, the work which I hope that the House will agree to the Select Committee doing will enable it to be completed in the next Parliament.

As the hon. Gentleman knows, the suggestion to set up a Select Committee on Scottish Affairs is not a matter for this Select Committee. He knows the difficulties involved in setting up a Select Committee on Scottish Affairs, and I have nothing further to add. The hon. Gentleman knows also that, after difficult negotiations, the Scottish Grand Committee is now meeting again, pretty regularly.

Mr. Cyril D. Townsend (Bexleyheath): I commend my right hon. Friend on at last having the courage to grasp this nettle. Does he realise that many of his colleages and, I suspect, a far larger number of people outside believe that many of our procedures are ramshackle, archaic and absurd and that they bring us no credit? I draw my right hon. Friend's attention to the work that the Hansard Society has done in this direction.

Mr. MacGregor: No doubt the Hansard Society will wish to give evidence to the Select Committee and its work will be taken into account.

I note my hon. Friend's first comments, but I should like to make one point to him and the House as a whole. It is important to take practical steps that will have an effect. I concentrated on that earlier this year, in particular on getting the European Standing Committees off the ground.

I am aware that, with such a wide variety of views on all these initiatives, it is easy for some not to succeed. It is important to think the matter through thoroughly and, as far as possible, to have support from the House so that the procedures can work. I am glad that that is happening with the European Standing Committees. I was afraid that it would be too tempting to set them up and then to give way to demands to consider a number of matters again on the Floor of the House, as we did before. That would have defeated one of the purposes of the European Standing Committees.

Another of the purposes of the European Standing Committees was to allow for proper scrutiny of European legislation, and in that they are succeeding well. They have also enabled the House to rise earlier, on average, during the past few months. That shows the importance of taking account of practical aspects and, we hope, steps that command a consensus in the House.

Mr. David Trimble (Upper Bann): We, too, welcome the setting up of the Select Committee. The right hon. Gentleman said that its work would be wide-ranging. Will the Select Committee be able to consider the way in which Northern Ireland business is handled, which, I assure him, is a cause of general public outrage in Northern Ireland?

Will the Committee be properly balanced and comprise a wide range of Members, including regionally based Members? While the procedures of the House discriminate against Nothern Ireland, there is a distinct view which should be represented.

Mr. MacGregor: I very much hope that the Select Committee will be representative. It will be open to all Members from Northern Ireland, as it will be to those from anywhere else, to make representations on points that are within the Select Committee's terms of reference. It will be for the House to decide on the Select Committee's recommendations.

Mr. Ian Taylor (Esher): My right hon. Friend is right to take credit for his initiative and to give credit to my right hon. and learned Friend the Member for Surrey, East (Sir G. Howe). Will the Select Committee consider ways in which Back Benchers can have more say, particularly in debates on Adjournment motions on wider political issues, by not having such debates preceded by a statement?

Yesterday, because a statement preceded an important debate, many Back Benchers could not speak in that debate. An advantage of having general debates is that they would give us more time to inspect the Opposition's plans. In an abject performance yesterday by the right hon. Member for Manchester, Gorton (Mr. Kaufman), the Labour party gave away an opportunity. General debates would give Back Benchers a much better opportunity to question inconsistencies in the Labour party's policies.

Mr. MacGregor: All those matters can be put to the Select Committee. There will always be practical problems in trying to fit into any parliamentary day the many demands to debate issues, for statements to be made by Ministers and so on. I fear that those practical problems will remain, whatever the Select Committee recommends, but it will certainly be possible to put suggestions to it.

Ms. Joan Walley (Stoke-on-Trent, North): I, too, welcome the setting up of the Select Committee, which is long overdue. I stress the importance of the Select Committee being able to balance our differing needs. We have to attend to parliamentary business, spend time in our constituencies and spend time with our families.

Will Crown immunity be part of the Select Committee's remit? To take part in proceedings, we need to have the resources to do our job and to have office space here. The conditions in which we all work are unsafe. It is high time that the issue of Crown immunity was taken up, too.

Mr. MacGregor: The hon. Lady may want to make her points to the Select Committee. Crown immunity would be outside the Select Committee's terms of reference. The Services Committee, on which the hon. Lady plays an important part, deals with such matters, and it would not be right to ask the Select Committee to go into them.

Several hon. Members *rose*——

Mr. Speaker: Order. I shall have to stop the debate at 5 o'clock. The hon. Member for Cambridgeshire, South-East (Mr. Paice) rose——

Mr. Dennis Skinner (Bolsover): The hon. Gentleman just walked in.

Mr. Speaker: Order. I think that the hon. Member for Cambridgeshire, South-East has been here, although he has not risen recently.

Mr. James Paice (Cambridgeshire, South-East): As my hon. Friend the Member for Warrington, South (Mr. Butler) said, those of us who became Members at the last election welcome the proposed changes. In response to the point made by the hon. Member for Stoke-on-Trent, North (Ms. Walley), may I remind my right hon. Friend that fathers have families too, and that we are just as concerned about finding time to spend with them. The changes should relate to all Members, whether London based or not, so that we can all find time to fit in the many duties placed upon us.

Mr. MacGregor: In some cases, the Select Committee will have to try to square the circle. Conflicting views will be expressed on many matters by London Members as well as by Members from other constituencies. It will be for the Select Committee to sift those views and to make recommendations to the House and then for the House to decide.

Mr. Graham Allen (Nottingham, North): Will the Leader of the House accept my congratulations, too, on this great initiative? I warn him that conservatives on both sides of the House will jealously protect their little niches under the current procedures and the jobs that they have accumulated while they have been here. Will he take care to ensure that people outside who currently regard our proceedings as a farce and as irrelevant to our democracy reclaim this place by having full-time representatives here, working with proper facilities and the proper number of people to assist them here and in their constituencies? Will the right hon. Gentleman ensure that those matters are included in the Select Committee's terms of reference?

Mr. MacGregor: The Select Committee will not consider offices or similar support. There are other ways in which such issues are addressed, and we are making considerable progress in that respect. The biggest issue is how to acquire accommodation. That programme is taking some time, but, as the hon. Gentleman knows, it is moving ahead fast.

It will be for the hon. Gentleman to express his view to the Select Committee, and I know what it is. It is legitimate for other hon. Members to take a different view and to make known their views. I reject the idea that those who bring to the House a wealth of experience from other employment should be ignored. I have always believed that that has a ligitimate role to play, but that is my personal view.

I do not accept that everything that happens in the House is bizarre. Over many years, we have built up procedures to enable the proper democratic process to take place. We are investigating whether we can introduce reforms to make that more effective.

Mr. Andrew F. Bennett (Denton and Reddish): Does the right hon. Gentleman agree that there is a danger that the inquiry may get wider and wider and take longer and longer? Will he recommend that the Select Committee come up with an interim report, recommending a simple change of hours involving moving all our procedures forward three hours? We could try those hours for a month or two to see the full implications, rather than the inquiry taking a long time to look into all the implications.

Mr. MacGregor: The hon. Gentleman is right, but there is a danger in asking the Committee to go too wide so that nothing happens. That is why I have rejected some of the suggestions made in the past few minutes. It will be open to the Select Committee to make interim recommendations if it wishes to do so. My experience is that sometimes the greatest progress is made by undertaking reforms bit by bit, but it is certainly not outside the Select Committee's terms of reference to adopt such an approach if it so wishes.

Mr. Ron Brown (Edinburgh, Leith): I speak as a member of the Amalgamated Engineering Union. Surely the so-called Select Committee is merely a delaying tactic, because we could agree almost overnight to change the hours of the House. Back home, factory workers start at 8 am, or perhaps 7 am or even earlier, so we could follow their example and perhaps finish at 7 pm so that hon. Members could attend public meetings and face their constituents to explain their political views and organise how to fight back against the Government. The real challenge will come from outside—from the working class—so the hours of the House will have to change for the benefit of hon. Members who represent the socialist point of view.

Mr. MacGregor: The hon. Gentleman cannot resist rambling off the point whenever he speaks. He has a very simple view of life if he thinks that one step could be taken straight away and that it would have the support of all hon. Members. It is clear that he has not listened to the exchanges that have taken place, which show that there is a wide variety of views.

Several Hon. Members *rose*——

Mr. Speaker: Order. May I say to the hon. Members whom I have not called that I shall bear them in mind during the debate on the motion that the Leader of the House is to table, even though they be Front Benchers, to give them the opportunity to make known their points of view.

Mr. Dennis Skinner (Bolsover): There are only four of us.

Mr. Speaker: Order. It is always easy to go beyond the allotted time on these occasions, but other hon. Gentlemen who wish to participate in the debate will be disadvantaged if I call the four extra hon. Members. I shall in any event have to ask those hon. Members who wish to participate to shorten their speeches so that they may all be called.

Mr. Skinner: On a point of order, Mr. Speaker.

Mr. Speaker: A point of frustration, I expect.

Mr. Skinner: You cannot kid me with that, Mr. Speaker. As the inquiry will be wide-ranging, I want to know whether you, as Speaker of the House, have been consulted, because some of us were not. I wonder whether you will give evidence to the Committee, because it would not be a bad idea. If so, perhaps you might tell the Leader of the House that if we are to shorten the hours of the House, let us also introduce clocking on, let us stop the pairing system and organised truancy and let us also stop the moonlighting.

Mr. Speaker: That will be an admirable contribution when we get to the debate. As for consultation, I am always ready to be consulted, should the Committee so wish.

STATUTORY INSTRUMENTS, &c.

Ordered,

That the draft Criminal Justice (Northern Ireland) Order 1991 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Boswell.]*

Royal Assent

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

The Motor Vehicles (Safety Equipment for Children) Act 1991.
The Local Government Finance (Publicity for Auditors' Reports) Act 1991.
The Overseas Superannuation Act 1991.
The Maintenance Enforcement Act 1991.
The Crofters Forestry (Scotland) Act 1991.
The Football (Offences) Act 1991.
The Registered Homes (Amendment) Act 1991.
The Disability Living Allowance and Disability Working Allowance Act 1991.
The New Roads and Streetworks Act 1991.
The Children and Young Persons (Protection from Tobacco) Act 1991.
The Northern Ireland (Emergency Provisions) Act 1991.
The Criminal Procedures (Insanity and Unfitness to Plead) Act 1991.
The Road Traffic (Temporary Restrictions) Act 1991.
The Radioactive Material (Road Transport) Act 1991.
The Natural Heritage (Scotland) Act 1991.
The Property Misdescriptions Act 1991.
The Welfare of Animals at Slaughter Act 1991.
The Killingholme Generating Stations (Ancillary Powers) Act 1991.
The Heathrow Express Railway (No. 2) Act 1991.
The London Underground (Victoria) Act 1991.
The Llanelli Borough Council (Dafen Estuary) Act 1991.

The Royal Navy

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Boswell.]*

[Relevant documents: The First Report from the Defence Committee on Royal Navy Short-term Savings: HMS "Challenger" and Decommissioning of Nuclear Fleet Submarines, HC 69, the Third Special Report containing the Government's Reply thereto, HC 431, the Third Report on Options for Change: Royal Navy, HC 266 and the Sixth Report on Royal Navy Submarines, HC 369.]

Mr. Speaker: I repeat that there are a large number of hon. Members who wish to participate. I hope that we shall not have the situation that we had yesterday, when a number were frustrated as a result of having an additional statement, as we have had today. Could hon. Members please keep their speeches short?

5.4 pm

The Parliamentary Under-Secretary of State for Defence Procurement (Mr. Kenneth Carlisle): It is my privilege to open our annual debate on the Royal Navy after a year of momentous events. Later, I shall discuss the consequences for the service of the greatly changed circumstances in eastern and central Europe, but I am proud to begin by recalling the Royal Navy's part in allied operations to secure Iraq's withdrawal from Kuwait. As last year's London declaration of the North Atlantic council confirmed, we maintain our armed forces solely for defensive purposes. Events in the Gulf were a salutary reminder of how dangerous and uncertain the world remains; and proved splendidly that our armed forces could act with vigour and skill against aggression.

The Royal Navy was well placed to respond at once after Iraq's unprovoked invasion of Kuwait. It has been continuously present in the Gulf since 1980, providing assurance to British shipping during the Iran-Iraq war, and had an unrivalled knowledge of the area, enabling it to play a major role in the different phases of the maritime operations which followed. In all, 21 Royal Navy surface ships and two submarines in support, as well as 11 ships of the Royal Fleet Auxiliary were deployed to the region.

After the United Nations introduced sanctions against Iraq, royal naval ships played a key part in sealing the embargo. In all, Royal Navy ships challenged merchant vessels on 3,171 occasions in the period up to the formal ceasefire on 11 April, and were involved in 36 boardings. Once hostilities had begun, the Royal Navy's type 42 destroyers, HMS Gloucester and HMS Cardiff, were at the very fore of the allied navies in the forward air defence line, while Her Majesty's ships London, Exeter and Brave provided air defence for the mine hunter group.

The effectiveness of this air cover was shown when, on 25 February, HMS Gloucester detected on radar an Iraqi Silkworm missile, which had been targeted at a line of allied warships, including the US battleship Missouri. With only seconds to react, Gloucester fired two Sea Dart missiles and destroyed the Iraqi missile. Helicopters which flew from our frigates and destroyers greatly extended our fighting range. Lynx helicopters from HMS Gloucester, HMS Cardiff, HMS Brazen and HMS Manchester all played their part and their Sea Skua missiles destroyed many Iraqi vessels.

Throughout the operations, Iraqi mines posed a significant threat to coalition navies. This threat was

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brought home on 18 February when two US ships, the Tripoli and the Princeton, struck mines and were severely damaged. The Royal Navy's skill in counter mine operations is unrivalled, and five of its minehunters, Her Majesty's ships Atherstone, Cattistock, Hurworth, Ledbury and Dulverton, together with their command ship HMS Herald, bore the brunt of the work to hunt and destroy mines during the final two weeks of hostilities.

Mr. Gareth Wardell (Gower): What support did we have from the navies of other allied forces by way of anti-mine warfare ships in the Gulf? How many countries had anti-mine warfare ships in the Gulf when hostilities started, and did any run for cover when the war began?

Mr. Carlisle: We played the most significant role and we were undoubtedly the best in hunting mines. That was a tremendous achievement, and I shall say more about that.

As the climax of the conflict approached, the minehunters led the way for allied ships through extensive minefields to allow amphibious forces to threaten Kuwaiti coasts and to allow United States battleships to bombard the shore. Even with the conflict over, Her Majesty's ships Brecon, Brocklesby and Bicester, with their command ship Hecla, are still actively clearing mines in the Gulf.

Royal Navy Sea King helicopters were deployed ashore in support of the 1st British Division, particularly in casualty evacuation and logistic roles. Detachments from the Royal Marines were involved in boarding operations during sanctions enforcement, and provided extra air defence cover for our ships. None of that could have been done without the logistic support at sea provided by the Royal Fleet Auxiliary.

At the height of operations, 10 RFAs were deployed within the Gulf, while between them, RFAs Olna, Orangeleaf and Bayleaf supplied over 40,000 tonnes of diesel and 2,000 tonnes of aviation fuel by the end of the campaign. RFA Argus was deployed as a primary casualty reception ship, while RFA Diligence acted as a forward repair ship. Four landing ships logistic provided support both to the 1st British Division and to Royal Navy ships in the area. That was all a formidable effort.

Mr. Tam Dalyell (Linlithgow): While the Minister is talking about the post-war situation, will he reflect on the possibility of the Navy's helping to do something about the oil slick in the coral atolls of Al Maradem, Kubbar and Qaru? His Department and the Department of the Environment have frequently been asked to ascertain exactly what is happening there. I hope that Dr. Nigel Downing and other experts will be taken there. Does the Minister regard it as part of the job that the Navy could now do to look at the ecology of the Gulf and to help those who are experts in it?

Mr. Carlisle: The hon. Gentleman knows that we have given much help against oil slicks during the recent events. We will always consider points of that seriousness which the hon. Gentleman makes.

When the conflict erupted, the task ahead of our armed forces was daunting and the outcome uncertain. Before we could achieve anything, we had to ensure supremacy at sea. There was a threat from mines and missiles, and our helicopter crews came under fire from Iraqi positions several times. Crews spent long hours closed down for action stations, scanning the horizon for any sign of mines or missiles and always living with the threat of chemical or biological attack.

I had the honour in April to go to Portsmouth with the First Sea Lord to welcome home the three minehunters Atherstone, Cattistock and Hurworth. I found it a moving occasion. Generations of British sailors have sailed from the choppy Portsmouth waters to secure our sea lanes and to fight for freedom. The young men—mostly of an age to be our sons—on those three small ships had spent over 60 days on continuous duty at the head of the Gulf—six hours on duty and six hours off duty without rest. The great shells of the Missouri passed over their heads, as did the Silkworm missile aimed against us. They carried out this dangerous work with skill and tenacity.

On their return to Portsmouth, I sensed no boasting: all I could detect was a modest pride in a duty fulfilled. That conduct exemplified the unmatched quality of the men and women in the Royal Navy. The House will wish to join me in paying tribute to the skill, courage and determination of the men and women of the Royal Navy and of the Royal Fleet Auxiliary during the conflict. Those men and women would recognise that the highest praise is to say that they upheld the finest traditions of the Royal Navy. We say that with a great respect.

Mr. Paddy Ashdown (Yeovil): I note that the Minister seemed to miss out the Royal Marines, and I am sure that that was an oversight. However, I want to draw his attention to another matter. Would he say a special word about the commando helicopter pilots? I ask that, because on the very day that the Prime Minister announced in the House that no person involved in Operation Granby would be involved in Operation Haven, the wives and families of those helicopter pilots were bidding their husbands goodbye. They had taken part in Granby and were being sent out again for Haven. There is a little, understandable misgiving among those wives and families that the pilots' special contribution to Granby and Haven has not been formally recognised.

Mr. Carlisle: The right hon. Gentleman has anticipated me. We know that those helicopter pilots undertook a further term of duty with great honour and we pay tribute to them. I have mentioned the marines and I will do so again, which I hope will please the right hon. Gentleman.

Mr. Cyril D. Townsend (Bexleyheath): My hon. Friend paid a well-deserved tribute to the women in the Royal Navy who served so gallantly in the Gulf. Is his Department having any second thoughts about the desirability of having women members of the armed forces serving on our smaller ships and submarines? I suggest that the subject should be carefully considered within his Department.

Mr. Carlisle: Most certainly. I will return to that point in my winding-up speech.

In recalling the achievements of our forces, we do not forget the suffering of the Iraqi people. We have taken a leading role in the international efforts to relieve the plight of the Kurdish refugees in northern Iraq. In this, too, the Royal Navy, and especially the Royal Marines have played an important part. Since its deployment to northern Iraq, 3 Commando Brigade has been carrying out a range of tasks, such as assisting refugees in their

journey back down from the border camps, providing security and reassurance at mountain transit stations and helping the Kurds to re-establish themselves in their towns and villages. They have accomplished these tasks with fortitude and humanity, and—dare I say—humour, ably helped by air support from Sea King and Lynx helicopters of the Royal Navy. They, and all those deployed on Operation Haven, deserve our support.

Nor should we overlook the contribution made by RFA Fort Grange to disaster relief after April's devastating cyclone in Bangladesh. Fort Grange delivered almost 400 tonnes of relief supplies and carried hundreds of relief workers to remote communities during the two-week operation. Those operations illustrate the flexibility of naval forces in undertaking a wide range of tasks outside the NATO area. I could, given time, quote other examples. The conclusion is clear; we intend to retain that flexibility, and I am pleased in that connection to announce that we are planning a major task group deployment to the Pacific and the far east in 1992.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): The Minister is right to say that the Navy and the other services from the United Kingdom played an important role in Bangladesh. There is a clear role for the services in disaster relief, which is greatly appreciated and which provides useful training for the personnel concerned. The Minister knows that there is some concern that in the United Kingdom, the total cost of the operation is charged to the budget of the Overseas Development Administration, whereas in other countries, account is taken of the training value and a reduction is made accordingly. As a result of the accounting method adopted in the United Kingdom, a huge amount is taken out of the ODA budget unnecessarily. Will the Minister reconsider that? Such work is of great value to personnel of all services in training.

Mr. Carlisle: There are many charges to the defence budget. However, the hon. Gentleman raises an issue for discussion within government.

It is, however, the security of our NATO area which is central to our national defence and which must determine the structure of our armed forces. I now turn, therefore, to the effects of "Options for Change" on the Royal Navy, on which the Select Committee on Defence has recently reported.

Mr. Dalyell: Will the Minister give way?

Mr. Carlisle: No, because I want to get on and I have given way already to the hon. Gentleman. I am sure that he will make his own speech in his own time, and we look forward to his contribution.

We are grateful for the thought and effort that the Defence Committee has devoted to this important subject of "Options for Change", but I shall not seek today to respond in detail to the Committee's conclusions. The Government will respond to the Committee's views in due course.

"Options for Change" is a major restructuring of our armed forces which reflects and responds to the political changes in eastern Europe and the Soviet Union and the conclusion of the treaty on conventional forces in Europe. Those developments mean that the Soviet Union cannot mount a full-scale strategic assault on NATO. It would take some years to recover that capability. None the less, the Soviet Union still has substantial and sophisticated forces that could pose a serious threat against more limited objectives at short notice. The Soviet navy, for example, is still a formidable force. Although it is decreasing in size, new and highly capable ships and submarines are entering service.

The force levels envisaged in "Options for Change" were arrived at after careful analysis of the threat that we now face—both in political terms and in terms of a smaller Soviet navy—and the forces that we would need to oppose it. Although resources are finite, it has been the threat against us that has shaped our work.

The focus of our defence will continue to be NATO and its proven role in ensuring collective security. Britain will continue to be a leading member of NATO. That was an essential element of "Options for Change". The Navy will continue to play its full part in NATO's maritime activities —in the provision of nuclear forces, the defence of the European mainland and the defence of the eastern Atlantic and the Channel.

Mr. Andrew F. Bennett (Denton and Reddish): Will the Minister give way?

Mr. Carlisle: No. I should like to get on, and I have given way several times.

Against that background, we have been considering how to maintain the Royal Navy's capability in key areas. I recognise that hon. Members, industry, and, indeed, the Navy itself, are keen to know our plans. But working through all the implications of the new force structure has been a very complex job and we have taken great care to get it right. I am glad that we can now make announcements on a number of these issues, and we should be able to say even more by the time of the publication of the annual defence White Paper. Inevitably, within the reduced force structure that has been announced, not every piece of news that I can give today is good, but most of it is. I also know that it is better all round to end uncertainty where we can.

First and foremost, we intend to provide a four-boat Trident force as the cornerstone of our defences and of our nuclear deterrent. As with Polaris, a four-boat force will allow at least one boat to be at sea at all times. We ordered the third boat of the class, Vigilant, on 13 November 1990, and construction of that and the first two boats, Vanguard and Victorious, continues on schedule and within budget.

Our commitment to the nuclear deterrent is in marked contrast to the flimsy edifice that the Labour party try to call a defence policy.

Mr. Andrew F. Bennett: Will the Minister give way?

Mr. Carlisle: No. I intend to develop my argument. I shall give way later.

The nuclear deterrent question is of such importance to the security of the country that we must seek, if possible, to illuminate the shadows that the Opposition have cynically allowed to cloak their defence policies.

First, we can be certain that a Labour Government will not proceed with the fourth Trident submarine, which will mean, if they keep our deterrent at all, that we shall not always be able to guarantee having one of the submarines at sea. I hope, too, that the skilled work force at Barrow-in-Furness is listening, for a Labour Government will deprive their town of work vital to their local economy. I should remind the House that up to 8,000 jobs

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at Vickers Shipbuilding and Engineering Ltd. depend on the Trident programme, as well as many thousands elsewhere on sub-contracts.

Mr. Andrew F. Bennett: Will the Minister give way?

Mr. Carlisle: No. Let me finish this section of my speech first.

Of course, the reality is that not one of us can be sure that Labour will retain the deterrent. Opposition Members avoid the issue. They dodge and weave and where, above all, we should have clarity, they produce fog.

In 1983 and 1987 elections, we all knew where Labour stood on nuclear weapons. They fought and lost on one-sided disarmament. Now, with their new designer idealism, they are fudging the words in order to keep the basic policy intact while trying to drop the unilateralist label.

In their 1989 policy document "Meet the Challenge: Make the Change", which the right hon. Member for Manchester, Gorton (Mr. Kaufman) has explained is the fullest expression of Labour party policy, Labour commits itself to putting all our nuclear weapons into disarmament negotiations with the aim of eliminating the capacity entirely. As the Soviet Union, for one, will certainly not give up all her nuclear weapons, that means that Labour is prepared to negotiate away our entire deterrent in return for a tiny fraction of the Soviet nuclear arsenal.

Mr. Andrew F. Bennett: Will the Minister give way?

Mr. Carlisle: Not yet.

At the same time, as we know, some third-world countries already have, or have been seeking, a nuclear capability. The drift of Labour policy means, starkly, that a dictator such as Saddam Hussein would have a nuclear bomb and we would have none. What sort of deterrent is that?

In four recent letters, the chairman of our party, my right hon. Friend the Chancellor of the Duchy of Lancaster, has sought clarification from the shadow Foreign Secretary. On each occasion, the shadow Foreign Secretary has refused to confirm that a Labour Government would continue to possess a nuclear deterrent as long as the Soviet Union and other countries had nuclear weapons. I invite the Opposition once more to state that, as long as the Soviet Union possesses nuclear weapons, a Labour Government would also keep at least some of ours. That is what the hon. Member for Clackmannan (Mr. O'Neill), the Opposition spokesman on defence, has signally failed to do.

The conclusion is clear. The Labour party is still wedded to unilateral disarmament. I now give way to the hon. Member for Denton and Reddish (Mr. Bennett).

Mr. Andrew F. Bennett: Does the Minister accept that it is pretty rich to make that statement today, given that it looks as though the Government are giving away their deterrent by simple incompetence? Will the hon. Gentleman confirm that he has read *The Guardian* today and the Greenpeace report, both of which point to the fact that the Government cannot now guarantee that, for the next three years, there will be a Polaris submarine at sea?

Mr. Carlisle: We continue to deploy our nuclear deterrent. Any ship goes to sea only after clear independent advice from the Nuclear Powered Warships Safety Committee. The nuclear deterrent is secure in our hands. We know that the Opposition would give it away without securing any security in return. As I said, the Conservative party is the one party wedded to the nuclear deterrent.

What is more, the Opposition's policy on conventional defence would devastate our armed forces. Both in 1989 and 1990, Labour party conferences voted to cut British defence spending to the level of the European average—which *The Times* reported as meaning a cut of some £9 billion, or more than one third of the present budget. With that approach, we would not even have a navy, and hundreds of thousands of people would be thrown out of work the length and breadth of the land.

This muddle shows that Labour has no programme that could remotely be called a defence policy. It hopes that if it just hides in the fog, nobody will notice. In reality, however, the British people care greatly about defence, and we will ensure that they continue to have it.

Under "Options for Change" the fleet will still make the largest European contribution to maritime operations in the eastern Atlantic. In particular, we will retain a major capability for anti-submarine warfare and will provide modern equipment to keep these capabilities up to date.

Mr. Julian Brazier (Canterbury): My hon. Friend makes a welcome statement, as we are talking about the most important part of the Navy's conventional duties. Does he accept, however, that the single most important part of that anti-submarine capability is the helicopter? I realise that my hon. Friend may not be able to say anything on the subject now, but does he agree that the order for the Merlin helicopter is absolutely central to the Navy's future anti-submarine capability?

Mr. Carlisle: There are many parts of our anti-submarine warfare capability, but I agree that helicopter capacity is important, and I shall be coming to that shortly.

We will retain the three carriers, of which two will be operational at any one time. The ships have extensive command and control facilities which allow them to co-ordinate the work of other ships and aircraft in the area. They have of course their own powerful air defences through Sea Harrier aircraft and the Sea Dart missile system. They also have a valuable anti-submarine capability in their Sea King helicopters which we are upgrading from mark 5 to mark 6 standard. In the longer term, we plan to replace those helicopters with the EH101 Merlin anti-submarine warfare helicopter. We have been evaluating the tenders for completing the development of Merlin and the construction of a first batch of aircraft. No decisions on those tenders have yet been taken. In the meantime, the first successful landing has been carried out by an EH101 prototype on to the flight deck of HMS Norfolk.

I can, however, say more about our escort fleet. As announced, the number of surface escorts is to fall from its present level of around 50 to around 40. This will be done by paying off older, less capable and more manpower-intensive ships while continuing to bring new ships into service. For example, we have already paid off several Leander class frigates, which are all over 20 years old. Two more of the new type 23, or Duke class, anti-submarine

warfare frigates have come into service in the past year. HMS Argyll and HMS Marlborough join the first of class, HMS Norfolk, which is undergoing trials.

Seven more of those ships are on order, and I am pleased to announce that we are today issuing invitations to tender to Yarrow, Swan Hunter, Vosper Thornycroft and VSEL for up to three more. On receipt of the tenders, we shall consider the precise timing and number of ships to be included in the order. I am confident of keen competition for those tenders.

Mr. Peter Griffiths (Portsmouth, North): Can my hon. Friend the Minister give an assurance that the competition for the tendering for those ships will be fair and equal between yards and that the opportunities offered to Vosper Thornycroft in the south will be equal to those offered to yards in the north, with no added political or economic considerations?

Mr. Carlisle: I am pleased to give my absolute guarantee about that point.

We are now studying the design of a future anti-air warfare frigate.

Mr. Martin O'Neill (Clackmannan): Will the Minister be a little more forthcoming about the time scale? We have noticed recently that there has been some slippage between the announcement of a process such as this and the final placing of orders. Can he be specific and tell us when he anticipates the process being completed and the orders being placed? Frankly, statements of that kind are meaningless unless we have a time scale in which to operate.

Mr. Carlisle: Such a statement is certainly not meaningless. The invitations to tender have gone out to the shipyards today and we expect the tenders to be back by October. Obviously we shall have to consider them carefully before making a decision about ordering. However, we intend to order three new type 23 frigates.

As I said, we are now studying the design of the future anti-air warfare frigate to replace the type 42 destroyers around the turn of the century. That is a very important development. The design will incorporate the local area missile system or LAMS. We have recently entered project definition for LAMS in collaboration with France, Spain and Italy.

Turning to the security of our ports and sea lanes, we shall have a substantial flotilla of minor war vessels. The bulk of those will be mine counter-measures vessels. We shall continue to modernise our mine warfare forces. HMS Inverness, the second of the new Sandown class of single role minehunters, entered service last year. Three more of those ships are on order. We have, however, decided not to place any more orders for the time being. The tenders we received last year for up to seven ships will therefore lapse.

Further ships will be ordered in due course, but the size and timing of orders has yet to be decided. I know that this will come as a disappointment to the shipyards in question, and our decision does not in any way reflect on their efforts or, indeed, on the qualities of these excellent ships. None the less, I hope that they will be heartened by our decision to proceed with the potentially much greater investment in a further batch of type 23s.

The Royal Navy also contributes to the defence of the European mainland through amphibious forces. Along with Dutch marines in the United Kingdom-Netherlands amphibious force, our own Royal Marines are earmarked to reinforce NATO's northern flank in Norway. Third Commando Brigade is a light, capable, force, which can also be deployed elsewhere in the world if necessary, as operation Haven demonstrates. They could also support the rapid reaction corps if the need should arise. The amphibious force is supported by specialist amphibious shipping. We have the two assault ships, HMS Fearless and HMS Intrepid, and the five landing ships logistic, and the amphibious force has a dedicated fleet of Sea King helicopters.

Mr. John Browne (Winchester): I am sure that all Conservative Members, like me, welcome my hon. Friend the Minister's commitment to continued nuclear defence and his very timely warning of the lingering danger of the Soviet navy. However, I am still waiting to hear what strategic change is proposed in the role of the Royal Navy which allows for a 20 per cent. cut in the surface fleet.

Mr. Carlisle: My hon. Friend will know that I set out the four roles of the Royal Navy. As I said, in deciding on the shape of the Navy for "Options for Change" we analysed the threat very carefully, and I described how the Russian navy has been reduced. In those circumstances, we felt that it was right and proper to shape the Navy as I have described to best meet the perceived threat.

Mr. Churchill (Davyhulme): Will my hon. Friend give way?

Mr. Carlisle: If my hon. Friend will allow me to complete this part of my speech, I will give way.

"Options for Change" has confirmed the importance of the amphibious force, and we intend to maintain this capability. We plan to improve our specialist shipping over the coming years. We have been studying the best way to maintain the capability provided by the two assault ships, and expect to make an announcement very shortly. I can announce that we intend to refurbish the three older landing ships logistic very extensively. That will enable those ships to run on into the next century. We are now considering the way forward for an aviation support ship—ASS—to provide dedicated helicopter lift for the landing force. We still plan to order an ASS, but the tenders we previously received have expired and we are unlikely to place an order this year.

Mr. Churchill: Will we acquire new amphibious capability or merely refurbish existing capability?

Mr. Carlisle: We certainly intend to keep up our amphibious capability to a high and effective level. I hope very much that an announcement will be made shortly that will satisfy my hon. Friend the Member for Davyhulme (Mr. Churchill) in that respect.

Mr. Allen McKay (Barnsley, West and Penistone): Will the Minister give way?

Mr. Carlisle: No, I must make progress, as I have given way a great deal.

In addition to the Tridents, the submarine fleet will consist of about 16 boats.

Mr. Foulkes: Will the Minister give way now?

Mr. Carlisle: No, I have already given way to the hon. Gentleman.

[Mr. Carlisle]

The submarine fleet will consist of about 16 boats of which three quarters will be nuclear-powered. This reduction from the previous level of 27, of which 17 were nuclear-powered, will be achieved by paying off older boats while bringing new ones into service. We have already announced the decommissioning of the nuclear-powered hunter-killer submarines HMS Warspite, HMS Churchill and HMS Conqueror. We have also decommissioned a number of the older diesel-electric powered Oberon class submarines—the SSKs.

Meanwhile, the last of the Trafalgar class SSNs, HMS Triumph, is due to enter service later this year, and we have been considering how to sustain the new force level in the longer term. I am pleased to announce that we shall shortly begin studies into the design of a new strategic submarine nuclear to replace the Swiftsure class around the turn of the century. Based on the design of the Trafalgar class, such a submarine would incorporate significant improvements to sonars and command systems which are already being developed for current submarines.

If those studies can be successfully completed, the new submarine will also make a significant contribution to securing the future of both VSEL and Rolls-Royce and associates in Derby. That is by far the most sensible way foward for the development of our nuclear submarines.

Mrs. Ray Michie (Argyll and Bute): The Minister will know that I have welcomed the co-operation of his Department and the Navy in coming to an agreement with the Clyde Fishermen's Association on the notification scheme, and that I further welcome the extension of the scheme which the Minister announced on Monday. Will the measure be extended? There is worry about the need for notification on the north-west of Scotland, particularly in the Minches area.

Mr. Carlisle: I am grateful to the hon. Lady for her co-operation in working out a practical way forward with the Ministry of Defence. I should be grateful if she would allow me to answer her point when I reply to the debate.

In order to replace the Oberon class of submarines, we are introducing the first new British-designed SSK for 30 years, the Upholder class. The first of those boats, HMS Upholder herself, is already in service. The second, Unseen, is due to be accepted next month. Two more are being built. We are confident that those boats will be valuable assets for the Royal Navy of the future.

What I have said today amounts to a substantial package of measures in equipment——

Mr. Foulkes: Will the hon. Gentleman give way?

Mr. Carlisle: No. As I have said, the hon. Gentleman must make his own speech. I have already given way once, and I shall respond to him.

Mr. Foulkes: It is just a question.

Madam Deputy Speaker (Miss Betty Boothroyd): Order.

Mr. Foulkes: It would be much quicker. The Minister is very foolish. I could have asked it by now.

Madam Deputy Speaker: Order. The Minister has made it quite clear that he is not giving way to the hon. Member. He should not persist.

Mr. Carlisle: The hon. Gentleman is making it impossible for me to give way to him.

Clearly, the support area will have to be adjusted to reflect the new reduced front line. The balance between the "teeth" of the Navy and its "tail" should be maintained to get the most efficient support for our front line. To that end, we are conducting a wide-ranging review of our future fleet support requirements, and we expect to be able to make announcements shortly.

Mr. Allen McKay: On future fleet requirements, will the Minister say something about the south Atlantic and the proposals to take out HMS Endurance before 1995? Is HMS Endurance to be taken out and, if so, why? If not, will it be replaced in 1995?

Mr. Carlisle: I have no plans to take out Endurance.

Mr. Ian Bruce (South Dorset): I was disappointed that, in my hon. Friend's full tribute to the fighting forces in the Gulf, he did not give as full a tribute to those in the support services who worked so well and tirelessly to ensure that our forces were able to go to the Gulf and were supported there. Will he say something about our need always to have a strategic reserve in terms of dockyards, training and helicopter support? My hon. Friend will know of the wonderful service that he gets from Portland naval base.

Mr. Carlisle: I fully salute the efforts that were made by all those in the support side. I especially mention those in the research establishment who worked long hours to enhance our equipment.

I emphasise that, in implementing "Options", we have had to make some hard choices, but we have been determined to secure a Navy which will be more than equal to the threat that it will face. We believe that the future Royal Navy will prove to be a balanced and flexible force with up-to-date and effective equipment, and high-quality and well-trained personnel. Those qualities led to the success of the Royal Navy's operations in the Gulf, and we are confident that they will continue to be the hallmark of the Royal Navy in the years to come.

5.45 pm

Mr. Martin O'Neill (Clackmannan): I am pleased to follow the Minister's wide-ranging speech, in which he made one or two long-awaited if somewhat vague assurances about future orders, which will be of at least some comfort to people in yards throughout the country. I join him in paying tribute to all the naval forces and marines who participated in the Gulf. In particular, I reiterate the point that a number of marines who were involved in Operation Granby are now carrying out a role of a different character with equal distinction in Operation Haven. That is a measure of their determination to do their duty. As the right hon. Member for Yeovil (Mr. Ashdown) pointed out, it is understandable that there would be anxiety on the part of families that their loved ones should again be away for such a long time.

The presence of the Royal Navy in the Gulf was fortuitous. The Armilla patrol was able to divert its activities deeper into the Gulf and to afford the first vestige of a United Nations presence in the Gulf in the very early stages of the embargo. It was evidence of the allies' determination to stand firm in the Gulf and to make a reality of the early United Nations embargo resolutions. However—I do not say this in a carping sense—I recognise

the point that was made in the recent Adelphi paper by Professor Freeman, when he said that the co-ordination of naval activities in the Gulf by the Western European Union does not provide a tremendous example of the scope of the WEU's expertise in the area, as it was fairly narrow.

Some Conservative Members may try to tell us that the naval role in the Gulf was an example of European co-operation on a grand scale, but I have my doubts about that. I had the opportunity to visit the Gulf and was able to spend some time on HMS London. One was clearly aware of the critical role that the Royal Navy played, alongside other navies and in particular the United States navy. We must also recognise the tremendous role that was played by the minehunters in the Gulf. They provide a unique capability. It is true that other European navies have them, but they do not have the same scale, expertise or range of capability that we have.

The Minister did not detail the maritime strategies of the Navy in the North sea or its critical role within NATO. It is the second largest navy within NATO—the United States makes the biggest contribution. The Minister referred to agreements on conventional forces in Europe —the treaty is still to be signed—but CFE does not address the naval question as such. One criticism of CFE is that in some respects it is Eurocentrist, dealing almost exclusively with the central front. Obviously, if there are fewer troops in Europe, questions about reinforcement and protection of ceilings will arise. The maritime strategy is least susceptible to Europeanisation because of the inter-dependence of the United States navy and the navies of Europe, in particular the Royal Navy.

I am stressing this point as a result of what was said yesterday about European defence co-operation as part of our general debate on the future of Europe. We should bear in mind that three services are involved, and that the senior service does not lend itself to Europeanisation. Some people seem conveniently to forget that point when talking about a European defence strategy.

France has a sizeable navy, but it is not deployed within the NATO structure. I know that, on a 'nods and winks' basis, France associates with certain of our activities, but it retains its independence. I doubt whether France would be prepared to enter into a WEU-orchestrated maritime strategy. The whole thing is difficult to sustain, given the absence from the WEU ranks of Turkey in the southern flank and of Iceland and Norway in the northern flank.

As I have said, people choose to forget that three services are involved in the defence of Europe and that the new risks facing us are of a different character from the old threat, which was based on the European continent. The contribution that the United States and Canada make to our defence weighs against a WEU-type solution. Equally, we can dismiss the EC in that respect, because its involvement would alienate or make more difficult the potential involvement of the neutral EFTA countries.

We should like the eastern and central European countries to take that first step once their economic systems and the level of performance mean that they would be capable of benefiting from such involvement. As my right hon. Friend the Member for Leeds, East (Mr. Healey) said last night, although many Opposition Members welcome European co-operation, as far as defence is concerned we should like that co-operation to involve not so much the deepening of the Community as its widening. It would be unhelpful to become involved at this stage in artificial European defence structures.

The Minister spoke about the size of the fleet, and made a virtue of necessity when he said that the changing circumstances in Europe were responsible for the fact that our surface fleet is now designated as numbering around 40 rather than 50 ships. Those of us who watch these matters with a wary eye remember the famous occasion when the Select Committee on Defence was informed that on one particular date only 34 ships were available in the surface fleet. That occasion gave the lie to claims about the availability of our ships.

I welcome the announcement of the Government's intention to invite tenders for three more frigates. I hope that that process will be carried through as quickly as possible. One of the most disturbing messages that I receive from both successful and unsuccessful bidders when visiting shipyards around the country is that the procurement executive of the MOD appears to have taken a cynical approach by allowing orders to slip to the right. Tenders are then re-requested, not just to delay the ordering of the ships, but to bring about a further reduction in their cost.

That combination of time delay and the request for a further look at the figures drives the shipyards to the point of desperation. There is a great deal of concern at the moment that the yards may be putting in artificially low bids for the work and that the quality of the work will not be of the standard expected by the Navy. Although that has yet to happen—I hope that it will not—I am not seeking to be mischievous because the Opposition have a responsibility to raise such serious questions.

I am putting my remarks in a wider context than I was able to do when I intervened, and I hope that the Minister will take the point seriously—if he does not, he will be hounded at Question Time after Question Time by all hon. Members with an interest in frigate procurement.

Mr. Peter Griffiths *indicated assent.*

Mr. O'Neill: I see that the hon. Member who has a constituency interest in Vosper Shiprepairers Ltd. is nodding. There is no party division on this matter. We all want to see the orders being placed as quickly and as fairly as possible.

One consequence of the diminution in the fleet size and of the improvement in international relations has been that the issue of the bases and facilities that are required has been drawn into sharp relief. Hon. Members of all parties and representing all areas are extremely concerned about the manner in which the Department has dealt with the basing arrangements and about the leaks that have emerged from the Ministry of Defence about the future of the bases. I am not speaking now as a Scottish Member, although several hundred of my constituents work at Rosyth, because I understand that the same question mark also hangs over Portsmouth and Portland. We all recognise that Plymouth will probably be rendered almost invulnerable because of its unique position, but the other three bases are in some jeopardy at the moment.

I urge the Minister to reach a conclusion one way or the other as quickly as possible. The strength of feeling in Scotland about Rosyth is evidenced by the presence on the Treasury Bench of a Scottish Office Minister, who is here in the hope that he will discover something that he has not

[Mr. O'Neill]

been able to discover elsewhere. We know that the Scottish Office has encountered some difficulties in getting brought up to date on all aspects of this matter and that it took some damaging newspaper leaks for this issue to be raised at a level which alerted the Secretary of State for Scotland.

It would be inappropriate for the United Kingdom to put all its eggs in the south coast basket. We have major naval deployments in our northern waters, North sea oil facilities, and fishery protection facilities based on the Forth. It therefore seems sensible to retain a port in that area. I realise that hon. Members representing Portsmouth and Portland will make equally strong arguments and that the Minister will be required to make the judgment of Solomon if he thinks that there is a case for reducing the number of bases.

However, I hope that the consideration of this vexed problem will be at a slightly higher level than that of leaks being made from civil service papers, which suggested that the decision might be taken for the administrative convenience of senior civil servants and naval officers rather than being based on the defence needs of these islands. We need to have an answer fairly quickly because there is great anxiety in all the areas that are involved. Although "Options for Change" has drawn attention to the affection that the regimental system inspires in many communities, the links of our various ports with the services are of great importance and cannot be ignored. The legitimate feelings of the local communities must be taken into account.

Mr. Ian Bruce (Dorset, South): I hope that the hon. Gentleman will not lead the House to believe that there is competition between Rosyth and Portland over possible closures. As I am sure the hon. Gentleman knows, Portland is unique in everything that it does. Its work is not duplicated in any other base, so its case for remaining open is in no way linked with that of Rosyth. Does the hon. Gentleman have any happy words for the Labour party's prospective parliamentary candidate for the Portland area about what the Labour party would do in connection with Portland if it were in government?

Mr. O'Neill: The hon. Gentleman makes the point that it would be wrong for us to set one base against another. I accept that. It is one of the problems of the secretive nature of the review process that we do not know what arguments are being advanced. The debate is being skewed by the leaking of documents which give one view or another. If the Labour party were in government now and had to make choices, we would seek to do so in an open manner so that individual Members of Parliament would not feel aggrieved, as many people may well do, if a decision to close a base was announced in the middle of September or at some other time when we did not have the opportunity to make the final representations in the House.

In opposition one can promise certain things. I do not promise anything in respect of one base or another. I merely recognise that the nature of Plymouth is such that I cannot imagine that it would be under threat. There is broad agreement about that. If there are to be closures it could well happen—I do not have a constituency interest——

Mr. Dick Douglas (Dunfermline, West): The hon. Gentleman has a constituency interest.

Mr. O'Neill: The hon. Member for Dunfermline, West (Mr. Douglas) barely has a constituency, so far as I can see. He is certainly schizophrenic. Hon. Members who have a direct constituency interest are placed at a tremendous disadvantage, whether they are members of the Conservative party or of Opposition parties. The manner in which the review is being conducted—behind closed doors and dependent on leaks—is not correct. The matter should be dealt with as quickly and openly as possible.

I recognise that we shall probably not be given a decision today, but I ask the Minister to make every effort to ensure that he can come to the Dispatch Box before the end of the parliamentary Session and make an announcement. He should end the uncertainty about which base may close or make it clear that all the bases will remain open. There is tremendous anxiety in all the communities. An announcement soon is the best way of addressing the problem on an all-party basis.

The Minister was somewhat ambiguous about the reinforcement of Norway. He suggested that Fearless and Intrepid might be looked at and that some craft would be refurbished. I have participated in Navy debates since 1984. I have yet to hear a Minister tell us anything other than that studies were being undertaken of the possibility of replacing Fearless and Intrepid. We are beginning to become impatient. The Government are conducting the most wide-ranging review of defence capability since 1981. The House is entitled to a better answer than the one that the Minister gave. If he cannot give us an answer tonight, I hope that, perhaps immediately after the recess, when I imagine that we shall have the opportunity to debate the White Paper, he will be able to do so.

If craft are to be refurbished or replaced, the employment prospects of yards which may be fortunate enough to obtain the contracts could be transformed. If the studies are still going on, it might be time that some of us tabled questions about how much they have cost. The cost would probably go some way to paying for a minehunter, if not a frigate, given the amount of time and effort that have been put in to the studies.

In a defence review we might consider whether amphibiosity is still appropriate for Britain's Navy. Could it be taken on by other allies? If the review is dealing with burden sharing and a reallocation of roles in the alliance, perhaps the Minister could tell us whether that is one of the considerations behind the thinking.

We know that we are coming near the decision time for the EH101 order. It has been suggested that the matter will go to various committees in the near future. I hope that we shall have some information about that, again before the summer recess.

I understand that the contractual period for tendering expires in September. We must have an announcement from the Minister about the size and strategic significance of the order. I recognise that it is not within his capability at present to make such an announcement, but he owes the House the courtesy of making some announcement before the recess.

The Minister said that he hoped that the first of the new generation of strategic submarines nuclear would come into service at about the turn of the century. He spoke about establishing the early design stages. Perhaps he

could clarify that. Last year it was announced that there would be a delay in replacing the SSN fleet. There have been press reports about the matter. For example, a recent one in *The Daily Telegraph* said that the Ministry had dropped its plans to build an entirely new class.

Will the Minister categorically say that that report of 25 June was wrong and that a new class of submarine will definitely be started? Can he be specific about when the starting time would have to be in order to have the boats in the water by the turn of the century? Whether a fourth boat is constructed by this Government or a future Labour one, as I understand the construction procedures followed by VSEL, there will be a sizeable gap in the order book of VSEL in the mid-1990s.

I notice that the hon. member for Barrow and Furness (Mr. Franks) is in his place and looking somewhat worried. We have had previous debates in the House on Ministry of Defence ordering procedures and their effect on the capability and the facility at Barrow.

Mr. Douglas: I wish to clarify one point. I do not know whether it was a slip of the tongue—we all make them—and I do not want to misquote the hon. Gentleman, who has been gracious in giving way, but I think that I heard him say, "If the fourth boat was constructed by this Government or a future Labour Government." Is it now Labour party policy that it would construct a fourth boat at Vickers?

Mr. O'Neill: Until an order is placed, no one can talk about construction. If an order were placed before a general election, an incoming Labour Government would have to examine the contract, the cancellation charges, and so on. The position on that is clear. It has been reported repeatedly that we have said that in the event of a general election being called after an order has been placed, a responsible Labour Government would examine the contract before cancelling.

With regard to the future of Barrow, will the Minister tell the House when he proposes to place the order for the fourth boat and what time scale he envisages for the design stage of a new class of SSN? The Labour party has always supported the construction of a new class of SSN. When does the Minister expect that orders could be placed, provided that the terms were right and given that VSEL is now probably the only submarine yard in the country capable of building nuclear-powered submarines?

Mr. Cecil Franks (Barrow and Furness): The hon. Gentleman was right to say that I was looking worried. It was about the same point that the hon. Member for Dunfermline, West (Mr. Douglas) made. I distinctly heard the hon. Member for Clackmannan (Mr. O'Neill) say, "If a fourth submarine is ordered by either this Government or an incoming Labour Government." It is possible that that is not what the hon. Gentleman meant to say. I want to give him the opportunity to clarify the Labour party's policy on Trident.

It is rare for Labour Front Bench spokesmen to give way to me when I seek to clarify the points that they make in debates. In last year's debate, neither the hon. Gentleman nor his Front Bench colleagues spoke about Trident. It is incredible that with Trident the cornerstone of Britain's defence policy, a supposedly credible Labour Opposition can debate the Navy without mentioning the subject.

Mr. O'Neill: Perhaps the hon. Gentleman will give me credit for correcting the shortcomings of last year. Given his grasp of the subject, he will accept that if I can be of assistance to him, enabling him to make a point so that I can give him information, that is for the benefit of the House. He asked if I could envisage a Labour Government ordering a fourth boat. He will find when he reads the *Official Report* tomorrow that I did not say what he said I said. I said that if a submarine had been ordered and was under construction by a Conservative or future Labour Government——

Mr. Franks: No, the hon. Gentleman did not say that.

Mr. O'Neill: We will check with the *Official Report* tomorrow. The point is clear and I shall repeat it once more and leave it there. If an order is placed by the Conservative Government before a general election occurs, a Labour Cabinet will reserve the right to look at the contract before cancellation—*[Interruption.]* That is our position. We shall look at it because it would be irresponsible not to do so.

Mr. Franks: What would Labour Members do now if they were running things? That is a simple question which requires a simple answer.

Mr. O'Neill: We do not consider that there is a need for a fourth boat. We have never argued for one because a fourth boat is a luxury which the country does not need. It is a craft for which the targeting, deploying and crewing arrangements and maintenance are not needed.

I understand that the availability of the present Polaris fleet is such that a number of questions are raised by a report appearing in *The Scotsman* and *The Guardian* today, about which I telephoned the Minister's office in the hope that he would respond to those issues when he replies to this debate. Will he confirm those reports, to the effect that the Polaris fleet has experienced difficulties? Can he provide explanations for the problems that the submarines are facing? What steps are being taken to rectify those problems? What are the expenditure and personnel implications arising out of those problems? The report appearing today in those newspapers may or may not have substance. The House is entitled to a ministerial response on the subject.

Mr. Gareth Wardell: Will my hon. Friend add to that list of problems a difficulty that is of great concern to me and to the Labour party and which should concern the Government? As the Trident programme is on-going, is it not a disgrace that the Government should continue to allow a boat yard manufacturing timber craft to be located on loch Gare, next to the largest construction works, in terms of defence establishments, in the whole of Europe? In other words, a large concentration of our nuclear capability is located next to a small boat yard. The Minister should comment on what appears to be a grave threat to our nuclear capability and say whether it is intended to remove that facility from loch Gare.

Mr. O'Neill: I am sure that the Minister will have given much consideration to the point that my hon. Friend raises, and will give a full answer when he replies to the debate. My hon. Friends and I have always said that problems must exist over the location of nuclear submarines, from security and other points of view.

Sir Anthony Buck (Colchester, North): Will the hon. Gentleman spell out Labour party policy on that issue? Would Labour maintain our independent nuclear deterrent? Labour policy should be clearly on the record, remembering that when Labour was last in office, it updated our nuclear deterrent by bringing in Chevaline, although the House was not told that that was being done.

Mr. O'Neill: We would deploy the Trident boats—*[Interruption.]*—the three of them that we would construct.

It is 18 months since we last debated the Navy and during that time a number of changes have occurred in the international situation, not least as a result of the Gulf war. We have supported the efforts of the fleet and recognised the tremendous courage and determination of the Royal Marines. We recognise also the back-up that was and is given not simply by the Fleet Auxiliary but by the men and women who work in the bases, the dockyards and shipyards and in subcontracting firms throughout the country. Operation Granby made clear the wide range of people who support the fleet and service personnel, the men and women who serve in the ships——

Mr. Peter Viggers (Gosport) *rose——*

Mr. O'Neill: I will not give way to the hon. Gentleman because I am about to conclude my remarks. He has had ample time in which to intervene. He did not attempt to do so earlier.

Mr. Viggers: I hope that the hon. Gentleman will give way because this is the first time that he has mentioned——

Mr. O'Neill: I am not giving way.

Mr. Viggers: —the people who serve in the armed forces.

Mr. O'Neill: I do not know whether the hon. Gentleman has been here throughout the debate and heard the beginning of it. If so, he would have heard the Minister and me speaking of the way in which hon. Members in all parts of the House have great respect for the tremendous work that was done as part of Operation Granby and is now being done as part of Operation Haven. That work will continue to be done in a variety of forms, and as part of it there are many unsung roles.

I am sorry if the hon. Gentleman did not regard my comments in that respect as a fulsome tribute to the Navy. Apart from those serving in the obvious areas—in the bases and elsewhere—all others take pride in the tremendous achievements of our Navy and the contribution that it makes to the security of the nation. While we may disagree across the Floor of the House on other matters, we agree totally about that.

I hope that in areas where the Minister has yet to be decisive, he will give the House, before the summer, the sort of assurances that are required by the people about whom we have been speaking who, in many instances, are many stages removed from service personnel but who feel that they are contributing to the national defence. Their jobs and personal security are on the line and they need reassuring.

This is the first time the Minister has participated in a Navy debate. There have been too many occasions in the past when there have been nods and winks about the possibility of orders. We have had indications to the effect that the process of decision-making might be beginning. Too many decisions have yet to be made and I get the impression that they will not be made this side of the next general election. Clearly, it will take a change of Government to arrive at the decisions that the Navy and the British people want to secure the future of these islands.

6.18 pm

Sir John Farr (Harborough) *rose——*

Madam Deputy Speaker: If the hon. Member would be more comfortable sea ted, that would be in order.

Sir John Farr: I am obliged, Madam Deputy Speaker, for that consideration, but I shall remain standing.

I wish at the outset to congratulate my hon. Friend the Member for Lincoln (Mr. Carlisle) on his concise and cogent speech, which was reassuring and comforting. He took the opportunity to pay tribute to the role of the Royal Navy in the recent Gulf conflict. Like the hon. Member for Clackmannan (Mr. O'Neill), I am sure that we are all full of admiration for what the Royal Navy did, on a budget which many hon. Members consider was a shoestring. The sort of money that has been voted for the Royal Navy has not enabled it to perform a proper role in the Gulf or to be able to perform such a role if there were another Gulf conflict—please God there never will be—unless more finance is put into the service.

My hon. Friend the Minister referred to the decision to wind sown or sell off HMS Challenger to another power. It has been suggested that by losing Challenger we shall lose the capacity to rescue submariners should a submarine be lost on the sea bed. As my hon. Friend the Minister knows, that was not Challenger's main purpose. I have visited Challenger, as has my hon. Friend, no doubt many times. Challenger's role was at the threshold of naval warfare of the future, tracking down acoustic mines and listening devises placed on the sea bed, perhaps by a Warsaw pact power that wanted to know the movements of allied shipping. It has a number of small one or two-man submarines and I was lucky enough to meet the crews of many of them when I went on that trip. It will be a tragedy if we have to lose out when we were in the forefront of such developments.

My hon. Friend the Under-Secretary of State paid tribute to the Navy's role in the Gulf. It is my view and that of people I know who are still connected with the service that it was little short of miraculous. My hon. Friend did not have time to mention some of the dirty work that the Navy carried out. Let us imagine groping for underwater mines in harbours along the coast of Kuwait in water that is almost 50 per cent. crude oil. The Navy did so without complaint. It was a filthy job and the Navy did it so effectively. No other nation would touch it.

What a brilliant role our minesweeping force played in the Gulf. I hoped that my hon. Friend would say a little more about that. I have always wanted to know whether minesweepers that do not create a shadow are effective. There was a fanfare when the minesweepers went to the Gulf and we were told that we had a fantastic force of ships that did not create a metal shadow to explode a mine. Minesweepers did very well and I hope that the Minister will say something about that capability. Are we unique in having that capability, as I thought, and have other nations adopted other methods of tracking down mines

and dealing with them? The Americans seem to favour helicopter search and destruction and I should be grateful if the Minister would say something about that.

The performance of HMS Gloucester and her anti-aircraft crew dealing with incoming missiles was wonderful, as was the performance of all Her Majesty's helicopter pilots.

Our efforts in the Gulf were beyond comparison and I am lost in admiration for them. However, was it really impossible for us to deploy a tiny carrier task force? At the time there was a rumour that one of our carriers was to be deployed, but it never went to the Gulf and we had to rely mainly on the Americans to secure air supremacy.

Let us hope that there is not another Gulf conflict, but if some other international situation arises will we not need our own air superiority? If some form of aircraft carrier force is not available it will be impossible to deal with such threats.

My hon. Friend the Minister will agree that a delicate balance has to be maintained. One could ask whether we need a nuclear deterrent—that decision must be taken on high. I think that we do and I am confident that the Government's decision to go for a four Trident nuclear fleet is correct. Are we right to choose to retain the nuclear deterrent and to have four Tridents? In a short time, if the eastern bloc withdraws from international affairs, it will make it transparently obvious that one ballistic missile submarine makes nonsense. One must consider the necessity of having any ballistic submarine fleet, as it is a weapon which one could never contemplate using. However, there are pros and cons which are not to be aired in a Royal Navy debate.

There is a delicate balance in deciding whether to go for a four-Trident force or to abandon it and advance on another front, by developing the SSN-20 submarine, where we are in the forefront internationally. Such submarines are totally silent and a new generation is due to come into service next year. However, reports in the papers suggest that it is due to be scrapped. Obviously one cannot have everything, but the SSN-20 is in a new field in which our research and technology is very advanced.

If my hon. Friend does not reply to my remarks I shall know that nothing is on. There is the question of securing the sale of a nuclear submarine. We nearly made a deal with the Canadians, and if we were able to interest Canada or any other nation in a joint development programme it might be easier to cope with the financing of the development of SSN-20s and such technical advances.

I was disappointed at the extent to which we had to rely on foreign merchant ships to provide the impedimenta of war for our troops in the Gulf. The Royal Navy, Army and Royal Air Force all did a first-class job in the Gulf, but it seems a pity that more than three quarters of their supplies went by sea in merchant vessels flying another flag. Has the red duster collapsed completely? Do we no longer have a British merchant fleet? If we have, why was some effort not made—even if it had meant a little extra cost, and possibly even for security reasons—to use the red ensign for supplying Royal Navy ships and all the British forces in the Gulf that did such a splendid job?

While ending on that slightly disappointed note, I want again to congratulate my hon. Friend the Minister, and to say how proud we all are in the House at the way in which the Royal Navy performed in the Gulf a few months ago.

6.30 pm

Mr. Paddy Ashdown (Yeovil): It is a privilege to follow the hon. Member for Harborough (Sir J. Farr), whose expert views on the Royal Navy are widely respected in the House. I particularly agree with his two early points about HMS Challenger and about the importance of mine counter-measure vessels in the Gulf war. There is an unsubstantiated story—though perhaps it is not untrue—that on one occasion, an American minehunter in the Persian gulf discovered one morning that it was surrounded by mines and had to call on the assistance of a British minesweeper to find its way out. That is testimony to the Royal Navy's supremacy in minehunting and mine clearing to which the hon. Member for Harborough referred.

I regret that I shall have to leave the House shortly after I finish speaking. I have already apologised to the Minister and to the hon. Member for Clackmannan (Mr. O'Neill) for the unintended and unavoidable discourtesy of not being present for the rest of the debate.

I associate myself and my party with the comments of the Minister and of the hon. Member for Clackmannan on the role played by the Royal Navy and the Royal Marines in Operation Granby and Operation Haven. They performed, as they always do, in the highest traditions of the service, and the House and the nation are much indebted to them.

I found myself much in agreement with the hon. Member for Clackmannan—which is not always the case in respect of defence matters—when he said that the Government's approach to reconstructing and reshaping our forces in the face of the new threats that so self-evidently compose themselves against us is all wrong. That task should be approached on no other basis but that of a proper defence review. We know that the threat to this nation has changed. In the light of the collapse of the Soviet empire—albeit the Soviet Union is still producing submarines at a faster rate than ever before—the threat to our nation has manifestly and self-evidently changed.

We know also, in the light of the Gulf war, that our ability to conduct out-of-area operations in co-operation with other nations may be absolutely vital in ensuring future world peace. To allow decisions to be taken without a proper defence review, and only according to the requirements of the Treasury—rather than make a rational response to the threats that now confront us—is folly of the highest order.

We are seeing a defence review of death by a thousand cuts. It will result in defence forces that are not properly balanced, and a climate in which providers of defence equipment will be unable to make the right decisions for their own industry or properly to serve our armed forces. It will result in a series of spatchcocked decisions, which will not add up to a proper, balanced structure for our armed forces.

Rosyth naval dockyard was mentioned by the hon. Member for Clackmannan, and its future has been raised before by members of my party and by other right hon. and hon. Members. Rosyth is a classic example of a profoundly crucial naval facility of strategic importance, yet hundreds of thousands of jobs associated with it are at risk. To allow that dockyard to be cut as an item on its own, without framing it in the context of a proper defence review, is folly.

[Mr. Paddy Ashdown]

If the Government take rational decisions about reducing or changing the shape of our armed services—and decisions must be made—after a full defence review, the Minister will not find them opposed by Members on these Benches on the basis only of constituency arguments or special pleading. However, such decisions must carry the support of the House.

The subject of the EH101 helicopter was touched on by the Minister, but somewhat disappointingly. I hope that he will be able to say more when he winds up.

Mr. Ian Bruce: Wil the right hon. Gentleman allow me to intervene?

Mr. Ashdown: I will give way to the hon. Gentleman. As other right hon. and hon. Members wish to contribute, I do not want to speak at length, so this will probably be the only intervention that I will allow.

Mr. Bruce: I appreciate that the right hon. Gentleman wants to move on to give his views about helicopters, on which I am sure that I shall support him, even though it may seem that we both have a constituency interest in the subject. The right hon. Gentleman said that defence decisions should not be Treasury-led. I understand that the Labour party suggests cutting back defence expenditure by one third, and that the Liberal Democrats have mentioned a cut of about one half. Can the right hon. Gentleman confirm his party's policy—or would it accept whatever figure the Government produce after their review?

Mr. Ashdown: Obviously such matters have to turn on Treasury considerations as well. The nation must know how much its defence is to cost, and decide whether it can afford to meet that cost. However, the hon. Gentleman is wrong in his remarks about my party's policy. We have said that it seems to us that a 50 per cent. cut in the defence budget by the end of the century is a reasonable aspiration —but that is an aspiration, not a policy. It is an aim that we may be able to achieve, consistent with proper defence.

No Government, and certainly no responsible party, would put that aspiration before the security of the nation. However, the way matters are developing, it is reasonable to aspire to a cut of that size—but not at the expense of the nation's defence. We expect that our armed forces in the future will be much more mobile and flexible than currently, and probably smaller. There is no doubting that. The measure of that can only come after proper assessment of the threat and proper judgment of the forces required to meet it.

Of course I have a constituency interest at heart in respect of the EH101. Perhaps I should declare that I have more than a constituency interest, because I have the fantastic number of 25 shares in Westland which, when I purchased them more than 20 years ago, was the minimum required to allow me to attend the company's annual general meetings. Last year, those shares returned me the princely dividend of 30p. Right hon. and hon. Members will therefore appreciate that my constituency interest in Westland somewhat outweighs my financial interest in the company.

The Minister will appreciate anyway that the matter goes beyond Westland or Yeovil, because only about one third of a modern helicopter is manufactured by the company whose name it bears and about two thirds of it is bought in. I suspect that upwards of 100 right hon. and hon. Members have a direct interest in the future of the EH101, so I speak for a greater number of constituents than the 5,000 or 6,000 who work for Westland in Yeovil.

The EH101 is a world-beating helicopter in all senses. It incorporates many technical advances—vibration suppression probably being the most recent of them—representing the front edge of world aerospace technology. The EH101 is the only helicopter in the world in its class of 28,000 lb to 30,000 lb all-up weight. I believe that the Russians are attempting to produce an "EH101ski" but, as usual, that two-engined aircraft will not meet the requirements. The EH101 has an unrivalled dominance in both the civil and the military market place.

I remind the Minister that it is four years since the then Secretary of State for Defence promised the House, in 1987, an order of 25 utility EH101s and reconfirmed that promise in Yeovil. That promise has yet to be delivered. At the same time, he made a commitment to the Merlin.

The EH101 is more than just a powerful helicopter with substantial defence sales overseas—Canada is particularly interested but such sales required a commitment from our Government—it is the centrepiece of the Government's strategy for the Navy in its anti-submarine protection role in the North Atlantic Treaty Organisation in the North sea and the north Atlantic. The type 23 frigate, which is designed around the EH101 helicopter, has only about 50 per cent. of its operational capacity without it. But the first type 23 frigate, Madam Deputy Speaker—*[Interruption.]*

Mr. Deputy Speaker (Mr. Harold Walker): Order.

Mr. Ashdown: I apologise, Mr. Deputy Speaker.

The first type 23 frigate was launched in 1987—a full four years ago. If the Government take a decision on the EH101 this year, the first one will not come off the production line until 1995. That means that the first type 23 frigate, costing £243 million will have spent a minimum of eight or nine years——

Mr. Douglas: It is not as dear as that.

Mr. Ashdown: I am told that it is. I stand to be corrected, but I obtained that figure from the Library this morning.

The first type 23 frigate, costing a substantial amount of money—£243 million was the figure that I was given, but if I am wrong I concede the point to the hon. Gentleman —will have been in service for nine years, on about one third of its keel life expectancy of 25 years, without the weapon system around which it was designed. There are now three type 23 frigates afloat, worth three quarters of a billion pounds, but without the weapon system around which they were designed. By the time the aircraft comes into production and is in service with the Royal Navy in 1995, there will be seven new frigates plus the three already floating—a total of 10—which means that £2·5 billion-worth of Government defence material will be floating without the weapon system around which and for which it was designed.

The aircraft also has substantial civil potential. Many believe that the standards of comfort of the EH101 match turbo prop levels. We believe that, in Japan and elsewhere, there is a considerable sales potential for the aircraft.

The EH101 is the centrepiece of probably one of the most successful existing European collaborations—the

Anglo-Italian one. The Italians have made their commitment to it clear, but we have not yet heard from the British Government in unequivocal terms.

We have an enormous commitment in Westland. I choose my words carefully, not without consultation, and I believe that it is no exaggeration to say that, if the order does not go through, or if it is delayed, we put at risk Britain's capacity to have a stand-alone helicopter manufacturer. That risk is posed not merely if the Government make the wrong decision—I hope they will not, and the Minister's commitment seems to show that they will take the right decision—but if they take no decision. If there is a delay we face that risk.

We are talking about a piece of equipment that our services desperately need. A senior Royal Navy officer told me the other day that he believed that without the EH101 the Royal Navy could not carry out its anti-submarine duties in NATO on the present force levels of which the Government speak. That fundamental duty depends on the EH101. At risk are overseas military orders, civil market potential, European collaboration and the integrity of the design teams which are at the heart of Westland's capacity to produce this remarkable aircraft.

Again, I choose my words carefully—if the Government delay until after July some of the crucial decisions necessary for that project to go ahead, Westland will not be able to put off for long the dismantling of the design teams at the heart of the aircraft. If they go, there is no doubt that we shall never get them back, and Britain will have lost a substantial aerospace asset. I do not use those words lightly—I have thought about them carefully and consulted widely, and I hope that the Minister will listen to them.

The Government can delay making the decision no longer than the end of July. I hope that today we shall hear a clear, confirmed United Kingdom policy commitment to the EH101. I hope that the Minister in his wind-up speech will say that we are to have an announcement on the mission prime contractor before the House rises at the end of July, as we were promised. I very much hope that the Minister will make a commitment to the Westland IBM part of that programme. I see that the Parliamentary Under-Secretary is speaking to the Minister of State for Defence Procurement. I remind him of the promise that the announcement would be made this summer. It is not good enough for the announcement to be made in the late summer. In all honesty and fairness to Westland, it ought to be made before the House rises at the end of July.

Memorandum of understanding No. 4, initiating investment preparations for production between the United Kingdom and Italian Governments, which should have been made by January 1991, must be made this summer—preferably before the end of July—and intergovernmental memorandum of understanding No. 5, which commits to production, must be made by the end of 1991.

The Minister cannot delay a decision on that any longer. If he fails to decide and to announce that decision, he will weaken our forces, especially the Royal Navy, by denying them the equipment needed to do their job. He will prevent the Royal Navy from carrying out its functions in NATO in the north Atlantic and deal a deadly blow to European collaboration, just when we should be building on it. He will place at risk the technological lead that Westland has accumulated. He will sacrifice overseas orders and severely, potentially fatally, damage the United Kingdom's only stand-alone helicopter manufacturer.

I have one message for the Minister—that further delay would be folly. The Minister must decide, and he must do so as soon as possible.

6.47 pm

Mr. Churchill (Davyhulme): I think that many hon. Members would agree with the right hon. Member for Yeovil (Mr. Ashdown) when he expressed concern at the importance of the maintenance of our defence industrial base. If one allows the levels to fall below certain points in some sectors, one loses an entire capability for ever. The right hon. Gentleman was right: when the Tripoli was struck by a mine in the Gulf, a United States minesweeper came to a dead halt in the water and had to wait until it was led to safety by a British Hunt class minehunter.

I congratulate my hon. Friend the Under-Secretary of State on his opening speech and on drawing attention to the Labour party's achilles heel in defence matters—the deterrent. The Labour party's ambivalence on the future of Britain's deterrent will undoubtedly play a central part in the forthcoming general election campaign. In the face of the threat of nuclear proliferation, Britain's deterrent becomes even more vital than it has been in the past with a multiplicity of decision-making centres and individuals involved in them who appear to be increasingly reckless and irresponsible in their use of political and military power.

This afternoon the hon. Member for Clackmannan (Mr. O'Neill) said that a Labour Government would deploy Trident. That is a welcome opinion, but it is valueless against the assertion by the right hon. Member for Manchester, Gorton (Mr. Kaufman) and the Leader of the Opposition that Trident would be deployed only in order to negotiate it away. What is the value of negotiating it away if that leaves us at the mercy of military dictators such as a future Saddam Hussein who manages to acquire nuclear weapons and the means to deliver them, thereby placing the British people at risk of an attack?

I pay tribute to the calibre and record of our forces in the Gulf which I had the privilege to visit twice with my colleagues on the Select Committee on Defence. The Royal Navy's part in that campaign was remarkable, and there are still Royal Navy vessels in the Gulf continuing the blockade of Iraq. We must not underestimate the Royal Navy's contribution in the allied context. The United States battleships Wisconsin and Missouri, with their magnificent 16 in guns, which we all saw on television would never have been able to get close enough to the Kuwaiti coastline to bombard the Iraqi defensive positions but for the five Hunt class minehunters deployed by the Royal Navy. One cannot speak too highly of what they achieved.

The alertness of a 17-year-old seaman aboard HMS Gloucester at 5 o'clock in the morning when a Silkworm missile was launched towards the USS Missouri probably saved that vessel or one of those in her immediate company from massive damage caused by the Silkworm's three-quarter tonne warhead. The total flight time of that missile was no more than 50 seconds, and the speed in tracking, identifying and engaging it with two Royal Navy Sea Darts was of the highest order of seamanship and modern technology.

[Mr. Churchill]

Many lessons will be drawn from the Gulf conflict, but two stand out. The first is the need always to be prepared for the unexpected, and the second is to learn once again that our military disposition must be based on an asssessment of a potential enemy's capability and not his intentions. Intentions are difficult to assess at the best of times, and they can change overnight. That truth is underlined by the fact that, as far as I am aware, no one claims to have foreseen the invasion of the Falklands by Argentina or Iraq's invasion of Kuwait.

That brings me to "Options for Change". That is a sad misnomer, because the options were foreclosed 12 months ago when the Government selected the minimum option on offer, since when their policies have largely been set in concrete. Even the convulsion of the Gulf war has changed nothing, except that we have seen the emergence of a rapid deployment force in Europe under British command. I welcome that as a tribute to the professionalism and expertise of Britain's armed forces.

These non-options with which Parliament has been presented are already being implemented. I regret to say that the cuts go too far and are too deep. It is painfully slow and difficult to build up a capability, but it can be cut at the stroke of a pen. I urge the Government to reconsider the cuts before irreparable damage is caused to a defence capability that has been built up over decades.

I appreciate that there has been a significant evolution in the nature and immediacy of the Soviet threat following the removal of Soviet forces from eastern Europe and the signing of the CFE agreement. It is right that such changes should be reflected in the dispositions of our armed forces and, in particular, in the major cuts on the central front. It is one thing for the United States, with its vast military resources containing much waste and fat, to make a cut of 25 per cent. It is quite another for us to impose a similar level of cuts upon our already small and overstretched armed forces. Our armed forces are lean and highly efficient and have nothing but muscle and bone to cut.

In many cases, the implemented cuts go far beyond 25 per cent. The strength of the Royal Navy's submarines is being cut by no less than 40 per cent., from 27 to a mere 16, even though the Soviets have maintained a production rate of one submarine every six weeks. Paragraph 5 of the sixth report of the Select Committee on Defence, which was published only today, states:

"We concluded that by the year 2000 there would be a Northern Fleet"—

that is a Soviet fleet—

"submarine force of between 30 and 50 Akula class SSNs, a dozen or more Oscar class SSGNs and around 20 Delta IV or Typhoon SSBNs."

We must not forget that, in world war two, just 57 U-boats sank 18 million tonnes of allied shipping, and that today's Soviet submarines are infinitely more capable than the U-boats. That is why I view with dismay the scale of the intended cut in our submarine forces. It is impossible to cut so deeply our naval, army or air force capability without eliminating roles and capabilities. Thus far, Ministers have not faced that or, if they have, they have not owned up to it to the House. It is time for them to be frank with the House in spelling out the clear consequences of current cuts.

When the cuts have been implemented, will Britain, if it is ever required to do so, be able to implement a naval-based operation on the scale of the Falklands conflict? Many doubts have been raised about that, not least because of the fact that sea-lift is no longer available. In the last decade, the British-registered merchant fleet has fallen to one tenth of what it was and the Government must urgently find a way of reversing that decline. I hope that the Chancellor of the Exchequer will address that matter next week.

It is not just the Falklands conflict that we would find difficult to repeat. In five years, will we be in a position to make a comparable contribution in an allied context to the sort of operation in which we have just participated with such distinction in the Gulf? Is the abandonment of those capabilities a conscious decision of Government?

The Minister of State for Defence Procurement (Mr. Alan Clark): We are not doing that.

Mr. Churchill: I am delighted to hear my right hon. Friend say that these capabilities are not being abandoned. I hope that he will give us clear assurances that, if necessary, we shall be able to repeat our contribution and participation in the Gulf.

The cuts are not being based on a thorough-going defence review, a reappraisal of Britain's foreign policy interests and role in the world or on any intellectual consideration of the threat and interests involved; they are essentially Treasury driven. It is significant that, when the Secretary of State announced "Options for Change" to the House on 25 July 1990, it was expected that the Soviet Union would destroy no fewer than 100,000 major items of conventional military equipment. That has not happened. Although the Soviets signed the agreement, they have managed to evade its provisions by withdrawing no fewer than 49,000 items of treaty-limited equipment to behind the Urals. The fact that the Soviet military has been able to take the west by surprise, and its motives for so doing, should have set alarm bells ringing and, even now, should cause a rethink of the scale of the cuts under "Options for Change".

The Gulf war showed the capability of smart weapons and made one wonder whether we can afford weapons that fail to hit their targets. Tomahawk proved a spectacular success, with 98 per cent. hitting their targets. If the Royal Navy is to stay in the forefront of naval technology, it must acquire a cruise missile capability not only for surface ships but for a new generation of submarines.

The Defence Select Committee has expressed its concern about the impact of Government policies on the defence industrial base, with particular reference to submarines. Submarines have been built at Barrow for 85 years. For the past 20 years, Vickers, which is now VSEL, has maintained a work force of more than 12,500, which increased to 15,500 for Trident. It will be slashed by more than half unless orders are soon placed for a new generation of nuclear attack submarines. If they are not forthcoming, that central core of skill and industrial expertise will be lost for ever.

VSEL and the Ministry of Defence went to great lengths to develop the Upholder class of diesel electric submarine. It was intended that 12 should be built, but the Government now say that only four will be built. The Defence Select Committee says in its report that at least six should be built. I hope that the Government will reconsider that.

It has been suggested in the press—I am sure maliciously and without foundation—that the Ministry of Defence is waiting until the last days before the recess to announce the cancellation of SSN-20, a new generation of faster, quieter submarine that my hon. Friend the Member for Harborough (Sir J. Farr) referred to in his distinguished speech. I am glad that he was able to be here to make his speech. That submarine was intended to replace the Swiftshore class, which came into service in 1973. It would be profoundly regrettable if my right hon. Friend the Minister of State for Defence Procurement were unable to prove the Cassandras wrong by giving VSEL the go-ahead for SSN20 in the forthcoming weeks.

The Secretary of State and his colleagues were admirably robust in standing up to Saddam Hussein, who posed only a limited threat to Britain's armed forces. Let them now show the same determination and tenacity in standing up to the Treasury, which poses an unmistakably mortal threat to our armed forces. The armed forces of the Crown can look to no one else but the House and Defence Ministers to do so.

It is time that battle was joined. Britain is justly proud of its armed forces, which are unquestionably the finest in the world. The Government should beware of drastically cutting them.

7.5 pm

Mr. Andrew F. Bennett (Denton and Reddish): I do not often agree with the hon. Member for Davyhulme (Mr. Churchill), but I perceive, as he does, that the problem with the Government's defence review is that it has not carefully analysed our needs for the next few years and cut the cloth to meet them. For that reason, "Options for Change" is unsatisfactory. Unlike the hon. Member for Davyhulme, I believe that, if we analyse our needs carefully, we might be able to make further cuts rather than continue with the predicted expenditure.

The Minister had the effrontery to attack my hon. Friend the Member for Clackmannan (Mr. O'Neill) for what he perceived as doubt about the Labour party's policy on the nuclear deterrent. I regret that policy, but I see no doubt about it. The Minister has obviously been brought up in the football school of "get your retaliation in first". Instead of answering crucial questions on the state of Britain's nuclear deterrent, he wanted to refer to what would happen under a Labour Government. Any Minister who had seen the substantial article in *The Guardian* this morning and a similar article in *The Scotsman*, the document that has been circulated by Greenpeace in the past six weeks, and the report of the Defence Select Committee, would have realised that there is a serious charge for the Government to answer—that Britain has no seaborne nuclear deterrent.

Mr. Franks: If I heard the hon. Gentleman correctly, he said that he regrets the Labour party's policy. Does he agree with the hon. Member for Clackmannan (Mr. O'Neill) about the Labour party cancelling a fourth Trident boat, or would he prefer the whole lot to be cancelled?

Mr. Bennett: I have made my position clear—I should like the whole lot to be cancelled. The money would be far better spent on meeting other defence roles. I do not apologise for saying that. I have always favoured getting rid of our nuclear deterrent because I do not believe that it would work. I am not prepared to change my mind. For a long time, I was in the minority in the Labour party. For a period, I was able to persuade my colleagues that I was right, but now they have changed their minds again. That is up to them, but I am firmly against the use of nuclear weapons and I do not think that we need them.

The problem facing the Government has resulted not from a change in policy but from their incompetence in appearing to be abandoning the nuclear deterrent. It is odd that, despite all the points that have been put to them in the past few months, they have not been able to answer the central question of whether they are confident that they can keep a Polaris submarine operational at sea until the Trident programme takes effect. They are extremely lucky that, for most people, the Russian threat has disappeared and they are therefore not being scrutinised as closely as they might be.

Over the past six months, it has become obvious that the refit programme of some of the Polaris submarines has fallen so far behind because of technical problems—for example, cracks have been exposed—that it is not possible to keep a Polaris submarine operational all the time now. Over the next three or so years, it will certainly not be possible to keep one operational. The Government should come clean and admit that and develop their policy on the basis of that gap.

I was disappointed that my hon. Friend the Member for Clackmannan (Mr. O'Neill) and his Front-Bench colleagues did not criticise the Government more and ask more questions about what was happening to Polaris. I understand their difficulties, but I warn them that, if they suddenly find themselves Ministers, the kindness that they have shown the Government will not be shown to them. Conservative Members will blame the incoming Labour Government for the demise of Polaris.

I have a criticism to make of the newspapers, particularly of defence correspondents, many of whom have a close, friendly relationship with the Ministry of Defence and are not prepared to put searching questions to it. It is interesting that none of the criticisms of Polaris in recent months in the press has come from defence correspondents. Those criticisms have come from correspondents in *The Observer*, *The Guardian* and *The Scotsman* who specialise in other matters but have turned their attention to what is happening with Polaris.

I also criticise the procedures of the House. It is extremely difficult to get answers from Ministers about the problems of the Polaris fleet. It is argued that that is a matter of national security, but the idea of having a deterrent is to convince other people that one has a credible system. By ducking behind secrecy, the Government suggest that there is no longer a credible Polaris system. If there were such a system, they would be only too pleased to answer questions and to make it clear that one existed.

If one gets questions past the Table Office—I make no criticism of the Table Office—Ministers duck them on the basis that it costs too much to provide the answers or they refer to commercial confidentiality. They offer to write rather than have the answer appear in *Hansard*. Sometimes they are good at producing ambiguous answers which can be read in several ways.

To give a typical example of the problems, I have tried to find out the costs of decommissioning our nuclear-powered submarines so that we know whether the Trident programme is good value for money. Apparently, the

[Mr. Bennett]

Government do not have a clue about the costs. I asked about the cost of making Dreadnought safe, but the Government said that it would cost too much to find the answer. I asked the Government about the cost of decommissioning Conqueror and Warspite, but the Government said that it involved commercial confidentiality. That is rubbish. I suspect that the Government do not have a clue how to make the nuclear reactors in the submarines safe. It is therefore not a matter of commercial confidentiality.

The Government want to hide the costs from the House. They are keen to criticise the Labour party and say that it wants to borrow to produce investment in the health service, industry, and so on. In a sense, the Government are committing themselves to substantial borrowing by going ahead with nuclear-powered submarines when they do not have a clue how to make the weapons safe.

Because of the problems with Polaris submarines, it looks as though the lives of Navy personnel and perhaps those of future generations will be put at risk. Last week, I managed to get from the Government an answer about radiation dosages. Again, it was an interesting struggle, showing how Ministers tried to avoid providing information by writing to me rather than putting the answer in *Hansard*. Figures suggest that radiation levels at Faslane are high compared with levels at other nuclear facilities. The Government must explain why there are such high dosages. Refit work is not going on—it should be routine work. There appear to be major problems in getting the boats back to sea.

At bases where workers are in a trade union, people have managed to negotiate conditions whereby the dosage ceilings are lower, but at bases where workers operate under military discipline they are not in a position to resist what happens. The Government's answer referred to some worryingly high dosages. Perhaps the Minister can tell me that the problems at Faslane have been overcome and that the next dosages registered will show a marked reduction. I should be extremely worried if one of my relatives worked there. The more we know about dosages, the more the families of those who work there should be worried. I hope that the Minister will answer some of those questions.

I hope that the Minister will tell us whether he is confident that Polaris can be kept going until Trident comes into service. If it will not, should not the Government re-examine the deterrent? Do we need it? If we do, do we need it in exactly the same form as was proposed when Russia was perceived to be the only enemy and our system could deliver weapons over a long distance? If circumstances are as the hon. Member for Davyhulme suggested and we need to consider deterring different people, we may need a different system. Those questions should be raised in a proper review of defence expenditure.

I shall listen to the Minister carefully. I hope that he can start to answer the questions that were posed in the document prepared by Greenpeace, in the articles in *The Guardian* and *The Scotsman* today, and in the Defence Select Committee's report, which I suspect will soon form part of a major review by that Committee.

7.17 pm

Mr. Cecil Franks (Barrow and Furness): For the past 12 months, following the statement by my right hon. Friend the Secretary of State on "Options for Change", there has been great uncertainty about Royal Navy procurement policy. The statement this afternoon by my hon. Friend the Under-Secretary of State went a long way towards removing much of the uncertainty, and I compliment him on the decisions that he announced.

I should like my right hon. Friend the Minister of State to consider several matters. The first is the contract for the fourth Trident boat SSBN8. When will the invitation to tender be made? Will my right hon. Friend bear in mind that VSEL, to which the invitation will be made, has made it clear, and has asked me to make it equally clear, that it will submit its tender within three months of the invitation? When the Ministry has received the tender, how long will it take for it to conclude its negotiations and to award the contract?

I need not remind my right hon. Friend the Minister nor the House of the vital employment considerations that turn on the early granting of the contract for the fourth Trident boat.

As the livelihoods of thousands of my constituents depend on Royal Navy procurement and on the Trident programme, it may be worth considering the Labour party's policies, because Labour Front-Bench spokesmen studiously avoid the subject of Trident if they can. I remind the House that the hon. Member for Clackmannan (Mr. O'Neill), and his deputy spokesman when winding up, spoke for one and a half hours in our previous debate on the Royal Navy without once mentioning the Trident programme.

I am grateful to the hon. Member for Dunfermline, West (Mr. Douglas) who, for different reasons, questioned the Labour party's policy on Trident. I assure him that he was only seconds ahead of me. I was surprised, but pleased, that, for the first time in many debates on the Royal Navy, one of the Labour party's Front-Bench spokesmen was prepared to give way to me and allow me to question him.

Mr. Andrew F. Bennett: I hope that the hon. Gentleman noted the remarks of his hon. Friend the Member for Harborough (Sir J. Farr), whom we are all pleased to see in his seat, who also questioned the need for a nuclear deterrent.

Mr. Franks: It is perfectly fair and proper to question; it is the decision that is reached which counts. There were questions and debates in the Conservative party years ago; decisions were made, and they are now being implemented.

It might be worth while reminding the Labour party, and especially those on its Front Bench, that in the 1983 general election I and other Conservative candidates were opposed by Labour candidates who were campaigning furiously and vociferously to cancel the Trident programme. In 1987, exactly the same happened, and now the hon. Members for Clackmannan, for Houghton and Washington (Mr. Boyes) and for Rhondda (Mr. Rogers) are beginning to twist, turn and weave while trying to wriggle out of the decision made by the Labour party conference which binds the Labour party to its manifesto.

I remind those three hon. Members that they were the very people who, in the 1987 and 1983 general elections, sought to make thousands of my constituents redundant

overnight. In the Chamber, they claim that their hearts bleed about unemployment, but they certainly did not give a damn about the unemployment that their policies would have caused in Barrow and Furness.

Dr. Norman A. Godman (Greenock and Port Glasgow): I must point out to the hon. Gentleman that this Government gave the monopoly in submarine building to his constituents and, with the creation of that monopoly, put thousands of my constituents out of work. The hon. Gentleman's memory is a little short about that squalid incident.

Mr. Franks: It is not that my memory is short, but that the hon. Gentleman's facts are incorrect. When the British shipbuilding industry was nationalised in 1976 and British Shipbuilders was created, the decision was taken by the nationalised industry, under a Labour Government, to concentrate the building of nuclear submarines in the shipyards of Barrow. That decision was taken, for better or for worse, by the Labour Government in 1976.

Dr. Godman: I referred to the submarine building monopoly. The diesel-electric submarines were built at Scots in Greenock. The monopoly given to Vickers extends to nuclear and conventionally powered submarines.

Mr. Franks: If the hon. Gentleman checks the facts, he will find that the long lead orders for the Trafalgar class submarine, which is nuclear-powered, were given under the Labour Administration of 1974-79. I suggest that, if he wants to quarrel, he should do so with his colleagues rather than with me. I and my constituents are quite content that we have the monopoly, and we have used it for the benefit of the Royal Navy and have given good value.

Mr. Eric Martlew (Carlisle): Surely it would have been better for Barrow and for the hon. Gentleman's constituents if they had not concentrated on building submarines, but had also built surface ships. There would not then have been the prediction of an unemployment rate of 25 per cent. in the hon. Gentleman's constituency.

Mr. Franks: I remind the hon. Gentleman that VSEL was part of the nationalised British Shipbuilders until 1986. It has a full order book and could not cope physically with building other vessels when four Trident submarines were to be built side by side in the huge ship hall.

The hon. Members for Houghton and Washington, for Clackmannan and for Rhondda are otherwise known as the three brass monkeys Cut, Chop and Cancel. That would be the reality of their proposals if they had the honesty to spell them out. For once, there has been a clear, unequivocal statement that the Labour party would cancel the fourth Trident submarine if it could. The comments have been well noted not just in the House, but by the constituents of the hon. Member for Carlisle (Mr. Martlew), in Cumbria and in Barrow and Furness.

I represent a constituency in which, three or four months ago, VSEL announced that there would be up to 5,000 job losses. I found it rather dramatic when, two weeks ago, the Government announced a support initiative for that constituency and for the town, but the hon. Member for Carlisle, a fellow Cumbrian, was mealy-mouthed. It is equally worrying that the Labour spokesman can sit here grinning at the prospect of major unemployment in my constituency and that he and his colleagues have been unable to come up with a credible way to provide work and jobs for those who live in my constituency.

Mr. Martlew *rose*——

Mr. Franks: No. I shall not give way.

Mr. Martlew: The hon. Gentleman has mentioned me so he should give way to me.

Mr. Franks: I have given way three or four times. I take it as a compliment that what I am saying is at last provoking the Opposition to say something.

Mr. Martlew: Will the hon. Gentleman give way?

Mr. Franks: No.

The authentic voice of the Labour party was that of the hon. Member for Denton and Reddish (Mr. Bennett). Although I disagree with what he said, he at least had the honesty to speak his mind. His is not only the true voice, but the majority voice, within the Labour party. The Labour Benches are littered with members of the Campaign for Nuclear Disarmament. The former chairman of CND sits on the Front Bench, and I am sure that there are others. Prospective Labour party candidates —including the one for Barrow and Furness—all have good, long and sound CND credentials.

It might be interesting to mention the way in which the Labour party in Barrow has dealt with Trident and with the prospect of the fourth submarine. Just a few years ago, in 1986, the Labour party in Barrow, influenced by contacts in Manchester and Liverpool, and following the trend of the time, declared Barrow, of all places, a nuclear-free zone. I must qualify that, because the Labour party actually declared Barrow a "nuclear weapons-free zone". That was the way in which Labour managed to wriggle out of the fact that 100 yards from the town hall where the councillors sat, the nuclear reactors on the submarines went critical. To be fair to Barrow Labour party, it was not exactly a nuclear-free zone, just a nuclear weapons-free zone.

I want to deal next with the announcement about the follow-on to Trafalgar. What the Minister said is good news for Barrow and for the company, but will he clarify two or three points? He talked about a batch of new Trafalgar class submarines. Will he clarify how many that is? Will he also clarify when it is expected that construction will start? Will he bear it in mind that at least two years' design work is necessary before construction can start? Will he bear it in mind that it is, therefore, essential that a decision is taken on which option is requested and that the decision is taken in 1992? The placing of the main design work contract must be carried out next year.

For the continuity of the skills available, we cannot afford to have a lag between the completion of the Trident programme and the construction of the new Trafalgar boats. As other speakers have said, it is essential, if we are to maintain our submarine building capability, that we maintain the key and essential skills. There must be continuity.

I say to the Minister, not in anger but to make a point, that it will be no good for him or his successor to pick up the telephone in 1994 or 1995 and to say, "Hello, Mr. Barrow. This is the Minister. We would like you to build

[Mr. Franks]

a submarine." There will be no point in that if the skills to build that submarine are being used for other initiatives or have dispersed to other areas.

Many initiatives are going on in my constituency. I am sure that my hon. Friend is aware of the statement made on 13 June by the Secretary of State for Trade and Industry about support for Cumbria—principally for the constituency of Barrow and Furness. That statement was very much welcomed locally and in the county beyond. The Ministry of Defence also has a responsibility to play a part in the initiative. If there is to be a peace dividend —and few, if any, will deny that with the collapse of the Warsaw pact and with the changing international scene there has to be a defence dividend of some size—part of it must find its way back to constituencies such as mine, which in the past have been so heavily reliant on the defence industry.

Barrow is one of the three major manufacturing and industrial bases in the north-west. There is Manchester, there is Liverpool—diminishing through its own fault—and then there is Barrow, which has the largest heavy engineering complex in western Europe. If the Royal Navy is to be serviced, we cannot afford and we cannot allow that heavy engineering complex to move away from its traditional role of building ships for the Royal Navy.

Barrow was described by the Secretary of State for Trade and Industry in his statement on Cumbrian support as being unique in its combination of geographical isolation and heavy dependence on a single employer. Barrow and its community have served the Royal Navy well for over 100 years. We build some of the finest submarines in the world and we have built some of the finest surface vessels for the Royal Navy. Provided that my right hon. Friend makes the right decisions over the next 12 months, when he or his successor comes to make the telephone call to place the order for new submarines, the reply will be, "Yes, Minister."

7.34 pm

Mr. Dick Douglas (Dunfermline, West): I do not intend to follow the general line of the remarks of the hon. Member for Barrow and Furness (Mr. Franks), to whose speech I listened with great interest. I will not necessarily come to the conclusion that he came to on the defence industrial base. However, he may take it that I am not just expressing sympathy to him and to his constituents about the possibilities of job decline in an area whose specific reasons for being in existence is to serve the needs of the Navy. I too represent a constituency in which the labour force is high in relation to naval needs.

I welcome to the debate the hon. Member for East Hampshire (Mr. Mates), the Chairman of the Select Committee on Defence. I understand that he has been serving other purposes in the House earlier today. Although I may have had personal disagreements with members of the Committee on certain aspects, I never disparage the Committee's work or the quality of its report. I will refer to some of its reports, including one that has been published today.

It is significant that, in debates on defence strategy, we have heard a great deal about changes on land and in the air as a consequence of the demise of the Warsaw pact, but we have not heard much about the future of naval power, although the Minister and some other hon. Members have tried to correct that. I absolve the Select Committee on Defence from part of that stricture because it addressed the issue in its third report. It commented in paragraph 4:

"The demise of the Warsaw Pact is unlikely to have a significant impact on Soviet naval strength".

In the subsequent paragraph, the Select Committee gave detailed estimates of Soviet naval strength. All the comments suggest that, although the Soviet fleet may be smaller, it would be "qualitatively more capable", and that it

"must remain the principal yardstick against which the Royal Navy's capabilities are judged."

If we take that comment as the first item on the hymn sheet, and if the argument is true, why are we engaged in cutting our naval forces? Why are we going through discussions with the Soviet Union to give it aid? it may not be used directly for defence purposes, but surely, if one aids an economy of such magnitude and complexity, that aid will be used indirectly for military purposes.

I have not been privy to the briefings obtained by the Select Committee, but I doubt the thrust of the argument about the capability of the Soviet fleet in terms of offensive capacity. I doubt whether it presents a major threat in current circumstances. If it does present the threat suggested, the Government will find it hard to justify the cuts that they have made and will make in naval capacity.

May I comment on one aspect of the report of the Select Committee of February 1991—the decommissioning of HMS Challenger and of the three nuclear submarines?

In my view, the whole Challenger episode is nothing short of a disgrace. We have heard many plaudits in connection with the Navy's capability, and I agree with them, but what happened in this instance deserves greater public examination. I would immediately suggest that the shipyard that built the vessel, Scott Lithgow on the lower Clyde, bears no responsibility, and that the fault in relation to the design and operational requirement lies entirely with the Ministry of Defence.

In an answer to me, printed at col. *13* of *Hansard* of 18 December, the Ministry of Defence told me that the total cost of the vessel, including docking periods, at 1990-91 prices, was £240 million. Perhaps we shall get a straight answer from the Minister tonight. How much does the Ministry expect to get back for that expenditure? And what offers, if any, have been made for the vessel? That vessel was called into being by, and specifically designed for, the Ministry of Defence. It is now lying waiting on a bidder. We are talking about £240 million down the drain at a time when our universities and other institutions are being screwed, to put it mildly, to come to grips with deficits of £5 million or £10 million.

On the decommissioning of nuclear powered submarines, I do not have time to go into all the points elaborated on by the Select Committee but, representing Rosyth, I am mindful of the fact that we have Dreadnought laid up there. What is to happen to Conqueror, Churchill and Warspite? What is the Navy's policy on decommissioning? What does it intend to do with the other boats that will be decommissioned in the coming years—the other SSNs and the Polaris fleet?

I hope that the Chairman of the Select Committee will pay particular attention to my remarks about Polaris—and I follow the hon. Member for Denton and Reddish (Mr. Bennett), who referred to the whole question of the viability of the Polaris fleet. I take the view—this arises

particularly in connection with the sixth report of the Select Committee—that we are not getting the truth on this matter. Having been a member of the Select Committee, I know only too well—I am sure that the Chairman of the Select Committee will keep me right on this—that the Select Committee is cleared for information up to top secret.

Mr. Michael Mates (East Hampshire) *indicated assent.*

Mr. Douglas: The hon. Gentleman is nodding his agreement. If that is true, paragraph 9 of the sixth report is extremely disturbing. It says:

"Despite requests for information about the present situation with regard to SSBNs, MoD have not been forthcoming to us in private or in public. In view of the concerns that have been expressed in public, we believe that it would be in the general interest, including that of MoD, to be more candid."

It is one thing to say, "We cannot go into details at a public hearing." It is quite another to deny a Select Committee of the House, cleared to receive information up to top secret, vital information relating to the viability of the strategic deterrent. The hon. Member for Denton and Reddish has referred to the articles—we have all read them; indeed, I have them here—casting grave doubts on the viability of the Polaris fleet. The Minister owes the House an explanation of the current state of affairs.

Having touched on Rosyth already, let me deal with the vital issue of the future of the naval base, to which the Minister alluded but which he did not discuss in any detail. In the changing strategic environment, it is difficult to assess the importance of Rosyth. Of course, offshore fishing protection and mine counter-measures need a naval base close to important operational areas. But a Navy with about 30 operational frigates and destroyers would be hard put to it to retain Devonport, Portsmouth and Rosyth.

Labour has made much play of keeping Rosyth open because of its importance as an employer in the area. Representing that area, I obviously go along with that. I yield to no one in my desire to protect the economic viability of Fife. We in the Scottish National party have repeatedly warned of the consequences to the Scottish economy of cuts in defence expenditure. The Under-Secretary of State, the hon. Member for Eastwood (Mr. Stewart), will confirm no doubt that we have had a series of meetings with Defence Ministers, with the Scottish Office and, last Friday, with the chief executive of Scottish Enterprise.

As the hon. Member for Barrow and Furness said, there will be a peace dividend, but one of the difficulties with the peace dividend and its distribution is that it will not necessarily help the areas that have devoted so much manpower and expertise to producing defence equipment. That cannot be cured by mere market considerations. Those areas will suffer unless concerted action is taken. That is why the SNP has called for the initiative of a defence diversification fund that would be specifically related to such problem areas.

Perhaps the hon. Member for Houghton and Washington (Mr. Boyes) will clarify Labour's attitude—and I do not want to hear policy being made on the hoof. Month after month, Labour has raved about the importance of Rosyth. I assume that Labour Members know what they are talking about when they call for the Secretary of State for Scotland to make Rosyth a resignation issue.

We are a year, at the very most, from a general election. Can the Labour Front-Bench spokesman make it clear that Labour would keep Rosyth, and other naval bases, open and fully operational if it gained power in the next year or so? Not much can happen to a naval base in a year. A decision may be made, but it would be utter folly to close a base overnight. It goes without saying that I am opposed to the closure of the base but, at the same time, I am a realist and I recognise that something has to go. The hon. Member for Clackmannan (Mr. O'Neill), who opened the debate for the Opposition, was obfuscatory on this issue, as on so many others.

I now come to the issue of the strategic deterrent. Time does not permit me to go into all my reasons for opposing the United Kingdom's possession of strategic nuclear weapons or into the absurdity of claiming that a four-boat Trident fleet equipped with United States D5s is essential to our defence needs. Nevertheless, I am interested in the Labour party's posture in relation to the fourth boat. We heard some answers from the hon. Member for Clackmannan earlier today.

I do not know whether the hon. Member for Barrow and Furness has seen the *North West Evening Mail* of 20 December 1990, which ran the headline, "Labour Shift Over Trident" and said:

"The Labour party will consider ordering a fourth Trident boat from VSEL if the next general election is held late and construction work on the final element of the British nuclear deterrent is well advanced.

This shift from previous total opposition to Trident Four was hinted at yesterday in an exclusive interview given to the Evening Mail by Labour's Shadow defence spokesman Martin O'Neill."

Mr. Franks: The hon. Gentleman and I both know where the *North West Evening Mail* is printed and circulated. Unfortunately, when the hon. Gentleman started to read out the article, the hon. Member for Clackmannan made a somewhat rapid exit, but for the benefit of those who have stayed to listen to the hon. Gentleman's speech, will he tell the House where that newspaper is printed and circulated?

Mr. Douglas: I am not an authority on these matters——

Mr. Franks: Could it, perhaps, be Barrow?

Mr. Douglas: I have no doubt that it is well circulated in the area. But I am not here to advertise a particular newspaper; I am here as a great seeker after wisdom. The Labour party is very good at asking questions, but not very good at answering them.

Mr. Roland Boyes (Houghton and Washington) *rose——*

Mr. Douglas: The hon. Gentleman should not tempt me. I have maintained the 1987 policy. The hon. Gentleman should hand his wheesed for a moment.

Mr. Ian Bruce: Will the hon. Gentleman give way?

Mr. Douglas: No, I will not give way. I want to develop my point in relation to Labour party policy.

We all heard Labour Members cheer when it was announced that the United States Poseidon fleet was to withdraw from Holy Loch. Do the same hon. Members intend to cheer when three or four Trident boats come up to Faslane? Will they cheer then, or will they have doubts?

[Mr. Douglas]

I want to highlight the deep divisions in the Labour party on that issue. I hope that the hon. Member for Houghton and Washington will listen when I quote from a letter that appeared in *Tribune* on 14 June 1991. It stated:

"To my considerable surprise I have just read in *Hansard* for June 4 the statement by Roland Boyes, one of Labour's defence spokesmen, that 'the Trident programme is an integral and important part of Labour Defence policy.'
What was actually agreed in 'Meet the Challenge, Make the Change' at the 1989 Labour Party Conference does not support Roland Boyes' claim. Page 87 reads: 'We regard the procurement of the Trident weapons system as unjustifiable in defence policy terms . . . claims of its being an "*independent*" capability are negated . . . it is inaccurate to describe Britain's nuclear capability as a deterrent . . . the only relevant role for Britain's nuclear weapons . . . is to further the process of international nuclear and conventional disarmament.'
Mr. Boyes has no right to make up policy on the hoof. prospective Labour Candidates find such behaviour very unsettling."

That letter was not signed by any old or young Labour party candidate. The candidate in question was Bruce Kent, the prospective Labour candidate for Oxford, West and Abingdon. I hope that the hon. Member for Houghton and Washington will tell us who is right. Is it Bruce Kent, who is noted for his continued unilateralist—

Mr. Boyes: I am right.

Mr. Douglas: Well, the hon. Gentleman had better tell Bruce Kent. If there is a quarrel between the hon. Member for Houghton and Washington and Bruce Kent, he had better sort it out. Contrary to Labour's view in 1987, Labour now embraces Trident as an instrument of electoral virility.

Before I consider the issue of marine strategy, I want to refer to Holy Loch. The hon. Member for Argyll and Bute (Mrs. Michie) and I have received a letter from the Minister of State for the Armed Forces in which he tries to clarify the situation in relation to Holy Loch after the departure of the United States forces. A sentence in that letter disturbs me. It states:

"Improved tourist or leisure facilities at Holy Loch should be entirely compatible with the concept of occasional visits from nuclear submarines, as they are at other locations."

Who is the Minister trying to kid? May we have some idea, if not tonight then on another occasion, exactly what is meant by the current view of a Z-berth? What vessels with a nuclear capability will be allowed to use those berths? The Minister's letter specifically excludes Royal Navy submarines. What other vessels will come to the Loch when the United States have abandoned it? Will the vessels be French? The people of the Cowal peninsula and elsewhere who are trying to retrieve a desperately difficult situation are entitled to some clarification.

With regard to the general marine strategy, we have a declining Navy and the hon. Member for Davyhulme (Mr. Churchill) rightly referred to the great concern about our merchant fleet. Our fishery fleet faces severe constraint, we have an almost non-existent shipbuilding industry, and United Kingdom shipping currently faces enormous problems.

We welcome the MOD's invitation to tender for type 23s. However, I want to probe the Minister a little further about that. The Minister said that there would be three tenders. What does that mean? Will there be three for one yard, one and an option for two, or two and an option for one? What is the ordering pattern? No doubt there will be clarification in the press tomorrow about that, but we are entitled to have some idea of the MOD's plans.

Over and above those general considerations, the people of these islands are entitled to know the Government's intentions for the recruitment and training of future seafaring personnel. That is a serious and important issue which affects not only defence but our economic and trading performance. Cuts in defence spending that are carefully assessed against a changing threat are one thing, but the rundown of shipping, shipbuilding and our capacity to trade is quite another.

When the Minister replies, I hope that he will at least address some of the important questions that I have raised. I conclude by thanking the members of the Select Committee on Defence for their work. I only regret that the general work of Select Committees is not appropriately adjudged in the House. Perhaps that is one issue that we will discuss when we consider changes in our procedures and hours.

7.56 pm

Mr. Peter Viggers (Gosport): The hon. Member for Dunfermline, West (Mr. Douglas) put the knife into the Labour party very effectively. As an ex-member of the Labour party, he had specialist knowledge which allowed him to do so. He will understand if I do not try to add to his questions. I look forward with great interest to see whether the Opposition Front-Bench spokesman can answer any of the questions that the hon. Gentleman posed, but I rather suspect that he will not be able to.

In opening the debate, my hon. Friend the Minister paid generous and totally appropriate tribute to the men and women of our armed forces who served in the Gulf. I wish to add, from my constituency knowledge, that the families of the men and women who served also deserve generous praise. They did not know when their kinsfolk went to the Gulf that there would be few casualties—and in the case of the Royal Navy, none. They did not know that no chemical or biological weapons would be used. They faced the challenge of watching their loved ones sail off to the Gulf with tremendous determination, courage and calm. That goes for all the families—the wives, parents and children. They all deserve our tributes and praise.

There are many service families and service establishments in my constituency. I am particularly grateful to the personnel in those establishments for allowing me to visit them, for giving up so much of their time, for briefing me and for their hospitality on several occasions—all of which I greatly enjoyed.

Sailors realise that defence is in no sense a job creation agency. They are there to respond to and to deter a threat to our essential interests. What is the threat? First, it remains the Soviet Union. After the Germans invaded the Soviet Union in the last war, the Soviets built up an enormous military-industrial complex, and the power of the generals and those associated with them still remains in the Soviet Union.

NATO responded to that threat, but there is still an imbalance between the Warsaw pact forces and NATO forces of about 3:1 in most arms. Since 1985, there has been a diminution in the threat of the Warsaw pact, and we associate that mainly with Mr. Gorbachev and perestroika. However, it is not just Mr. Gorbachev who is

responsible for the diminution of the Soviet threat. It is also a result of the fact that the Soviet Union is bust—economically, politically and morally. One aspect in respect of which it is not bust, however, is the military—the Soviet Union remains a massive military power.

The CFE negotiations have led to a reduction of army forces in the central plain of Europe, but there is no real indication yet that the Soviet navy is to be diminished in much the same way. There are some signs of diminution, but they are not as considerable as in the army. The Soviet Union continues to have the largest general purpose submarine fleet in the world. It is still building at the rate of about 10 a year. Ten new submarines of an advanced design were built during 1990. There are now plans for further designs with cruise missiles and other armaments. Those submarines cannot conceivably be needed for defence. There is no need whatever for the Soviet Union to have submarines to defend its frontiers with China, Turkey or elsewhere. Those weapons can only be intended for offensive use. Admiral of the fleet, Admiral Chernavin, makes it quite clear that the purpose of the Soviet submarine fleet is to attack NATO sea lanes in the event of a further world war.

That poses a serious threat because of the instability of the Soviet Union. We do not know where the military currently stand in terms of reforms within the Soviet Union. Although 60 per cent. of the production of the defence-industrial complex is now geared to civilian products, the military-industrial complex is still under the command of the military.

Some matters cause serious concern. For instance, it is not fully appreciated that, if the Baltic states of Estonia, Latvia and Lithuania were permitted to secede from the Soviet Union complex, this would leave the important area of Kaliningrad, with its large Soviet port and hundreds of thousands of Soviet citizens, cut off from the rest of the Soviet Union. I cannot imagine that the Soviet Union would be prepared to allow that to happen. Indeed, I have seen reports that admirals and generals would not be prepared to see that happen. Clearly, the Soviet bear has not gone away. That is the first threat.

In a period when the world is shrinking, when weapons are becoming much more effective, and when the means of transport and delivery of weapons are improving all the time, the second threat to us is from tyrants on the make. For example, I refer to Gadaffi, with his support for terrorism—terrorism linked with tyrants on the make can be a potent mixture—Galtieri, and recently, of course, Saddam Hussein. We do not know all the threats that can be posed to us. There is a saying in the Royal Artillery and the Royal Air Force that "it's the one you don't see that gets you". We need to defend ourselves against the one that we cannot see—the unseen threat. Clearly, if we are defending against an unseen threat, the key must be flexibility. That is my approach to our need for naval forces.

First, we have a need for a nuclear deterrent, and the Conservative party stands four-square behind it. Secondly, we need command carriers, frigates and SSN submarines to fulfil our role within NATO to defend the east Atlantic. Thirdly—I am not sufficiently confident of the Government's intentions—we also need flexible smaller ships. We need fast patrol boats, vessels that are suitable for fishery protection and smaller ships capable of operating inshore. In particular, we need more conventional submarines.

I read with keen interest the report of the Select Committee on Defence, the Chairman of which, my hon. Friend the Member for East Hampshire (Mr. Mates) is sitting beside me. That Committee takes the view that conventional submarines are extremely important to our defence need. There was to have been a class of 12 Upholder submarines, but that has now been cut to four. I have been following that class of submarine with keen interest. I visited Barrow in Furness some time ago, and I visited Birkenhead to see the second-in-class Unseen under construction. I have been keen that it should be stationed, as it currently is, with No. 1 submarine squadron in Gosport.

Much of the role of those conventional submarines is not widely publicised. I fear that there may be a danger that people regard conventional submarines as second-rate nuclear submarines which do not have sufficient performance. People may not realise that SSK hunter-killer conventional submarines, the diesel-electric Upholder class, have special roles and can fulfil special tasks. Those special tasks include listening in to all sorts of communications. Because the Upholder class is so very quiet, they can travel where other submarines might be perceived. Of course, they have a special forces capacity and are capable of landing special forces behind enemy lines.

It seems very peculiar that we should currently be contemplating a diesel-electric conventional submarine class of only four submarines, when we needed two, for use in the Gulf conflict. Otis and Opossum served in the Gulf area and returned in the camouflage used in that area. It is peculiar that we should have used as many as two submarines in that small area and that we should now believe that we can fulfil that important role in the future with only four.

Paragraph 4 of the report of the Select Committee on Defence, which was published today, states that Flag Officer Submarines and the Ministry of Defence

"should look at ways of increasing professional, parliamentary and public understanding of the Submarine Service."

I am not too bothered about public understanding of the submarine service—I do not think that it needs to blow its trumpet in that way. I should be entirely satisfied if I felt that those taking decisions on the ordering of submarines fully understood the situation. It concerns me that we should have only four submarines so planned.

My main point is about shore establishments and ship bases. I suppose that a planner, starting with a clean sheet of paper, would choose to base most of the fleet in Scapa Flow, because it would be near to the eastern Atlantic and the area where its operations are most likely to be concentrated. Of course, that is not an option, because we have to start with where we are. Most of the shore-based Navy is based in the Gosport-Portsmouth area. There are major establishments in my constituency—for example, HMS Sultan, HMS Collingwood, HMS Dolphin, HMS Daedalus, HMS Centurion and HMS Hasler. All of them are centres for naval training. Therefore, they are areas in which Royal Navy people will know that they will spend much of their shore time, because training is obviously the main activity for shore-based service men.

Whereas the Ministry of Defence previously built housing for naval personnel as they travelled around the world, increasingly in recent years naval personnel have chosen instead to buy their own houses. To put it very crudely, the Royal Navy lives in south Hampshire—and

[Mr. Peter Viggers]

rightly so, as in most cases personnel know that they will be based in the Gosport-Portsmouth area rather than anywhere else because that is where the major training establishments are. *[Interruption.]* I hear noises from others who have interests in this matter. Perhaps they will catch your eye, Mr. Deputy Speaker. Training establishments are predominantly in the Gosport-Portsmouth area and naval personnel have chosen to live there so as to be near their place of work.

Can we move the men and women of the armed forces? The answer is no, because their homes are where they are, their wives are there, and their children are at school. Service personnel wish to remain where they are. We no longer have press gangs or Royal Marines posted on the fo'c'sles of ships to shoot deserters, so we need to make sure that people want to stay in the Royal Navy.

The name of the game in the Royal Navy is retention. The great enemy is premature voluntary retirement. Service personnel are now highly skilled and highly trained. The longer they remain in the Royal Navy, the higher their skill levels will be, the more highly trained they will be, and the more valuable they will therefore be to civilian employers outside. Good personnel practice therefore demands that we seek to keep people in the Navy —retention is the name of the game.

We should try to do all that we can to make the Navy an attractive career, not only to those just joining the Navy, but to those who are trained and skilled and have years of experience behind them because they are the people that we need to keep in the Navy. Therefore, the logic to me is irrefutable—we should move more ships to the Portsmouth area and focus more of our onshore activities at the onshore establishments in that area. If we are constrained in our resources, it is logical to focus those resources in one main area.

Of those local establishments, HMS Sultan is the marine engineering school. As it is central to our marine engineering, I do not think that there is any question of its being threatened. In my view, exactly the same applies to HMS Collingwood in relation to weapons engineering and to HMS Dolphin in relation to submarine training. It follows from what I have said that I believe that No. 1 submarine squadron should continue to be based at HMS Dolphin. The previous Labour Government carried out a detailed study of the possibility of moving HMS Centurion, which is the pay and postings centre, to Glasgow, but that was ruled out when it was found that the computer facilities at Centurion were central to those operations. It can be argued that more personnel functions should be moved to the Gosport-Centurion area to take advantage of those facilities.

Royal naval hospital Haslar has benefited from a considerable spending programme and has superb facilities. It would be therefore be logical to base more of the Royal Navy's medical services at Haslar. If we are focusing our main activity on the Portsmouth-Gosport area, as I hope is the intention, it is essential that we maintain HMS Daedalus, which has many roles—among them its unique facility to provide a runway for fixed-wing aircraft, and its slipway which provides a unique facility on the south coast for amphibious operations and which can be used for a wide range of military activities.

Similarly, as both the Royal Naval aircraft yard at Fleetlands and the Royal Naval armaments depot are doing very good jobs, I see no reason why they should be changed. Those facilities have the advantage of the spirit and atmosphere of the Royal Navy. There is good teamwork with mutual respect at all levels. Many of the civilians working in those establishments have served in the armed forces.

My final point relates to the people who serve in the Royal Navy. The quality of training will continue to rise as the Royal Navy concentrates on high technology. That will be matched by personnel policies that are designed to promote initiative on the one hand and reliability on the other. The Royal Navy now has more sophisticated equipment per man and woman than ever before, and provides more training for its use. It remains an exceptional career for adventure and excitement. I am always delighted to see the young men and women in my constituency taking advantage of those opportunities. The defence of the realm is a noble and worthy cause and, for the individual, it can continue to provide unique challenges, travel and comradeship.

8.12 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): I begin by thanking the hon. Member for Dunfermline, West (Mr. Douglas) for his stout defence of the work force at Scott Lithgow in relation to the Challenger. As he rightly said, the Select Committee on Defence has now reported that the blame lies with the Ministry of Defence, not with the local work force. The hon. Gentleman knows the shipbuilding industry on the upper and lower Clyde perhaps better than I do, because he served his apprenticeship there, while I served mine elsewhere. He knows as well as I do the stigma that still clings to that yard because the tabloids heaped the blame on the work force at the time. As I have said, I am grateful to the Select Committee for belatedly pointing out that much of the blame, as was admitted, rests with the Ministry of Defence. The report states that a rewiring problem could be blamed on the management of the yard, but that had nothing to do with the work force.

That work force are now dispersed. Some of their most highly skilled people are now in Australia, Canada and America. An electrician whom I know and who worked on that ship is now a chargehand in a small yard in Sydney, having emigrated with his wife and young children. Other members of that work force work for Vickers at Barrow. Although, like all Lancashire people, the people of Barrow are extremely hospitable and friendly folk, those employees would naturally like to return to the Clyde. However, the yard now employs only 30 or 40 people whereas in its prime it had a work force of about 5,500.

Until fairly recently, Scott Lithgow at Greenock was the finest conventional submarine builder in the world. Most submariners who have worked in diesel electric submarines will say that a Scott-built vessel is one of the finest. That fact was readily acknowledged by the Australian navy when it purchased a vessel. Although that is Scott Lithgow's position at the moment, I hope that the yard can be resuscitated, perhaps for other work.

I thank the Minister for his letter about the invitation to tender for the type 23 frigates. As he knows, Yarrow is on the upper Clyde while my constituency is on the lower Clyde, but, as several of my constituents work in the upper

Clyde yard, the Minister will not be surprised to hear me say that I hope that Yarrow wins all three orders. Two would do nicely for the time being, although, as a realist, I suppose that I should say that just one would do.

Yarrow is one of the finest warship building yards in western Europe. At the moment, it is in serious difficulties. However, I am not here to make a special plea—not even for my constituents who work in the yard—because I think that Yarrow can win one or two if not all three of the orders on merit. It is a leading yard in terms of design and has a first-class work force and management under the leadership of Sir Robert Easton. The work force will be spurred on by the Minister's announcement today. Incidentally, I hope that it goes without saying that I kept the contents of that letter to myself.

I turn now to the Select Committee's sixth report, "Royal Navy Submarines", which is excellent. I am not an ex-Navy man, although my father served with the RNVR as the skipper of a minesweeper in Scapa Flow. It might make sense to have a naval establishment there, but I do not wish to cross swords on that with the hon. Member for Gosport (Mr. Viggers). My family has been associated with the Royal Navy for generations principally because grandfathers and great-grandfathers on both sides have been fishermen and have served their country in the Navy in times of war.

That leads me to ask about the position regarding our fisheries protection vessels. From information given to me in a written answer, I believe that there is no intention in the near future of building replacement vessels. The men of that fleet do an important job in protecting our fishing grounds as, indeed, do our fishermen themselves when the need arises. The worst predators on fishing grounds are the Spanish fishing fleet. I am not hostile to the people of Spain, but I become angry on occasion at the activities of some of the Spanish fishermen, especially off the west coast of Scotland.

There is a need to look again at the procurement policy for fishery protection vessels. If I may make another constituency point—I am afraid that it is that sort of speech—the finest fisheries protection vessel building yard is, of course, Fergusons, which happens to be in Port Glasgow. It produces fine fisheries protection vessels.

Part VIII of the Select Committee report on Royal Navy submarines deals specifically with the sinking of the Antares, which was a terrible tragedy. I knew the skipper, Jimmy Russell, personally. He was a constituent of the hon. Member for Argyll and Bute (Mrs. Michie), who is not in her place. He was from Carradale. He was a member of the Clyde Fishermen's Association. That association honoured me by inviting me to be one of its honorary presidents, an honour which I was delighted to accept and which I still hold, along with the right hon. Member for Ayr (Mr. Younger) and my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes).

The report contains some sensible words and some important recommendations on the tragedy. In paragraph 104, it states that, the day after the sinking and the loss of the four-man crew,

"the Minister of State for the Armed Forces announced that, in addition to a Department of Transport inquiry, there would be a Royal Navy Board of Inquiry."

Under Scots law there must be a fatal accident inquiry into the sinking of the Antares, because four men lost their lives as they went about their employment. Has the Minister been given any idea by the Scottish Office or, perhaps more importantly, the Lord Advocate's office of when that fatal accident inquiry is likely to take place? There must be such an inquiry. I cannot understand the delay, especially as the Royal Navy board of inquiry has published its report.

I believe that the procurator fiscal in Kilmarnock has prepared a report about the deaths of those four inshore fishermen. Can I assume—I have no doubt that the Minister will correct me if I am wrong—that the officers and crew involved in that terrible tragedy, which, of course, was an accident, will give evidence at the inquiry? Presumably the logbook will have to be handed over to the sheriff who conducts the inquiry.

Paragraph 104 of the report also states:

"While fully appreciating the necessity for thorough examination of the implications of the findings of the Board, we are also mindful of the desire of all those involved to see the issues dealt with speedily as well as properly. Given the Minister's earlier assurances, the delay in publishing the summary has been unacceptable."

I agree with that statement. The summary has now been published, but I am mindful of those sentiments. All those involved are anxious to see the issues dealt with speedily and properly. In the civil context, that means that a fatal accident inquiry must be set up as soon as possible. The widows and families of those four men deserve no less than that an inquiry be set up as soon as possible. I hope that it goes without saying that the close relatives of the men lost in that terrible tragedy will, if need be, obtain legal aid so that their interests can be adequately represented at the inquiry.

The report deals with other aspects of the tragedy. I promise that I shall not detain the House much longer, but this matter deeply worries those of us who represent constituencies along the firth of Clyde. I hope that it deeply worries every hon. Member who is present tonight. As an honorary president of the Clyde fishermen's association, I have views which are in conflict with those of my hon. Friend the Member for Dumbarton (Mr. McFall), for example. I disagree with a few of the statements made in the report. For example, in paragraph 106 of its otherwise excellent report, referring to the difficulties of submarine sonar in detecting fishing gear, the Committee states:

"We accept that there are good reasons why this should be so".

The report rightly says that pelagic trawls are especially difficult to detect. From my knowledge of fishing methods, I know that that is correct. With pelagic trawls there are few if any heavy metal objects to record an impression, whereas with demersal gear, which, as you well know, Mr. Deputy Speaker, has heavy trawl doors to keep the mouth of the net as wide open as possible, the sonar equipment on the submarines can pick up a signal. I submit that the equipment is clumsy. I think that I am right in saying—no doubt I will be challenged if I am incorrect—that the Antares was bottom-trawling when its gear was snagged. It did not have pelagic gear down. Pelagic gear is mid-water gear which must float at a certain level above the sea bed—hence the absence of heavy materials. The Antares was fishing the bottom, yet the doors and other heavy equipment were not picked up by the sonar equipment.

In paragraph 106 the report states that:

"the solution must lie in deconfliction of submarines and fishing boats".

I can only suggest that "deconfliction" is a military term. I have not had a chance to look in a dictionary today because I have been in Committee, but presumably

[Dr. Norman A. Godman]

deconfliction of submarines and fishing boats means keeping them apart. If that is what is meant, I agree wholeheartedly. The submarines that I see almost every day of my life in and around the Firth of Clyde, when I am away from this place, are massive in comparison with fishing vessels the size of the Antares, which was a 16 m trawler. The huge nuclear vessels on the Firth of Clyde should be kept clear of the fishing vessels.

The report goes on:

"We are confident that submarine commanding officers go to great lengths to avoid confrontation with fishing boats and welcome the instruction given to avoid vessels engaged in fishing by as much distance as is navigationally prudent".

I accept that wholeheartedly, because it is right and proper.

When I visited Holy Loch I implored the United States navy commanders—my hon. Friend the Member for Dumbarton will confirm this because he was there—to submit their submariners to refresher courses, to acquire among other things knowledge of different fishing methods used by our fishermen in the approach to the Firth of Clyde and elsewhere in inshore and shallow waters. I was assured by them and by the Minister of State for the Armed Forces that they would ensure that training programmes would familiarise United States submarine commanders with the gear used by fishing vessels.

That is important, because when a vessel, even a quite small one, is fishing, the gear is often hundreds of yards behind the vessel. The submarine can pick up the vessel and detect that it is moving slowly, and hence may be towing gear, but it cannot pick up the gear unless, as the report rightly says, appliances are fitted to the fishing gear. In other words, unless the gear is fitted with pingers, as the Select Committee calls them colloquially—electronic bleepers fitted to the heads of the nets to ward off submarines—the gear cannot be detected.

I have the greatest respect for the submarine commanders and I feel deeply sorry fo the officers concerned in this case because the vessel was engaged in a training exercise. It was almost at the end of the exercise when the incident happened, and I can imagine how dreadful the man in charge must feel. He may be facing a court martial and the whole matter may be sub judice. Perhaps I should not say more about it. He and his crew have my sympathy.

In seeking an answer to the problem, I part company utterly from the Defence Committee, which says in paragraph 107:

"It is unrealistic to expect submarines to give up submerged operations in coastal and inshore waters."

I do not expect the members of the Committee to accept my view, which is that submarines when entering or leaving the firth of Clyde should always be on the surface. When sailing—submarine commanders call it transiting; I call it steaming, an old-fashioned word—through traditional fishing grounds, submarines should remain on the surface. I know that the Minister of State disagrees with me about that. He argues that, for security and operational reasons and for reasons concerned with the testing of equipment following the refitting of vessels, it is necessary at times for them to dive or submerge in shallow waters.

Shallow waters anywhere around the coastline are fishing grounds. My plea tonight—I reiterate it—is that, when they are steaming through traditional fishing grounds, they should stay on the surface, particularly following the collapse of the so-called cold war. It does no harm for them to stay on the surface. Once they are through the fishing grounds they can dive and carry out their training exercises. They should not be doing that in and around the firth of Clyde.

I have the greatest respect for, and trust in, the members of the Royal Navy of all ranks. I have a great deal of sympathy for submariners going into and out of the Clyde. They must now be dreadfully worried every time they go through fishing grounds. The massive burden that has been placed on their shoulders could be lifted to some extent by a clear instruction to them that, when sailing through fishing grounds, they must remain on the surface. That would be a simple—some would say too simple—solution and it would bring great relief to the fishermen of the Clyde and their wives and children.

I hope that the Minister will think again about allowing submarines to sail through fishing grounds close to the sea bed instead of being on the surface. He should also consider shifting the training areas away from the traditional fishing grounds.

Mr. Deputy Speaker (Sir Paul Dean): Mr. Michael Mates.

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker. I appreciate, on account of Monday night, that I am not the flavour of the week. I raise this point of order not by way of a personal complaint. May we have an explicit statement from the Chair that the convention that has existed for many years—that hon. Members who hear the opening speeches take precedence over hon. Members who come into the Chamber at 7.30—no longer operates?

I appreciate the difficulty of the members of the Defence Committee and do not think that what has occurred has been their fault or the fault of their Chairman. Frankly, the Government should arrange business in conjunction with the Committee before alighting on a day that is likely to affect the Committee's activities. May we have a statement from the Chair to the effect that the convention no longer operates?

Mr. Deputy Speaker: The Chair must take into account a whole series of factors in deciding who to call in debates. I cannot go further than that.

8.36 pm

Mr. Michael Mates (East Hampshire): It had been my intention at the outset to apologise to you, Mr. Deputy Speaker, and the House for not having been present for the opening speeches, for reasons which I gave to you last week, before the members of the Defence Select Committee left for a visit to France. I am sorry that we were not able to leave Brest, the French naval submarine base, until 5.30 pm, and for that reason I was not here for the opening speeches. But I have read the Minister's speech, and I shall comment on it.

It is fitting that, on the day we publish our report on submarines, we should have had such an interesting and constructive day at the French navy's nuclear submarine base at Brest. As the House may know, the French have six ballistic missile submarines, three of which are required to be at sea at one time. We have four, of which at least one is at sea on patrol at one time. It was instructive for us to

see the different, although similar, way in which they operate the only other strategic underwater European nuclear deterrent.

After today's visit, and a week of discussions in Paris with our colleagues at the defence committee there, meeting the French chief of the defence staff and the Minister of Defence, I came away having learnt one lesson. It is that in this area we might perhaps now, in the new situation in which we find ourselves, be able to co-operate to the best effect, if only we could get over the hurdle of the fact that we have always done things one way, and individually, while the French have done them another way, individually as well.

I see the most hugely fruitful area for co-operation. I know that both navies are more than ready to co-operate. Indeed, the Royal Navy and the French navy work closely at sea, where perhaps matters are less politically sensitive. There would be no difficulty if we, the politicians, and the Ministers in both Governments, could show the necessary will be perhaps drawing a line under what had happened when the cold war ended and see whether we can do things differently in the coming decade. Both nations wish to continue with our deterrent policy. That makes every sense to us, as it does to all the parties in France.

Given the changing situation, there is scope for huge financial savings if only we could co-operate more closely —indeed, we do not co-operate at all—in terms of the number of boats that we would need, the amount of time that they would need to be at sea, the number of crews and many other matters. That would be a fruitful area for us to address rather more robustly than we have been doing.

I know from my conversations yesterday with Mr. Joxe, the French Defence Minister, that he had some good talks with my right hon. Friend the Secretary of State for Defence, when they were in Dunkirk on Monday. We could be at the opening of a new era of co-operation between ourselves and the French, who have traditionally been perhaps a shade too independent for anyone's tastes. I hope that we will not let that occasion slip by.

Because I do not want to trespass on my hon. Friend's indulgence, I shall be brief, but I wish to make a few comments about our submarine report. Its publication was brought forward to today so that the House would have it for the debate, and I hope that hon. Members have found it useful. We have worked hard to produce it and are grateful to all those who helped us: to the Royal Navy at Northwood and the headquarters of the fleet at Gosport, to Devonport, to VSEL at Barrow which we visited, to Rolls-Royce and Associates and to the Ministry of Defence. I hope that the House will find it a useful and perhaps an authoritative report.

As regards the SSN20 concept, my hon. Friend the Under-Secretary announced that we shall shortly begin studies of a design of a new SSN to replace the Swiftsure class around the turn of the century, based upon the Trafalgar class. I think that we foreshadowed that in our report. We said, "So far, so good," but we also made it clear how important it was not only for a firm statement of intent to be made but for clear guidance on the time scales involved to be given to retain the sectors of UK industry that are vital to production. As far as I can tell from his speech, my hon. Friend the Under-Secretary of State has not done that. I hope that he will realise that it is uncertainty over that which is causing most of the trouble and some frustration.

I must emphasise another point that we make in paragraph 46 of our report, and perhaps the Minister would like to comment on whether the Ministry's study will be looking at some version of the PWR2 to power a submarine on which some £400 million or £500 million has already been spent. It seems inconceivable to us that that should not be the case.

As regards the nuclear submarine fleet—both SSNs and SSBNs—a problem of increasing concern can be referred to in a word—disposal. I know that that problem is exercising the minds of the Government. I mentioned it today to Admiral Orsini, who commands the French nuclear submarine fleet today and I asked him how the French were coping with the problem. It may surprise the House that he told me that two major French sea ports, Cherbourg and Brest, are fighting for the honour of having the first retired SSBN in their harbour as a museum so that the public could see it and it could be a symbol of the association between those sea ports and the navy that they serve. I found that an encouraging suggestion.

Alas, my hon. Friend the Member for Gosport (Mr. Viggers) is not here at the moment, but as he was asking for everything to be retained in his constituency, I wonder whether I might suggest—tongue not very far in cheek —that the Royal Navy submarine museum there should accommodate one of our retired SSBN submarines, on which a great deal of money will have to be spent, as is being spent on the Dreadnought. Why not have it there, so that the public can see where their money goes and what an excellent job our deterrent force has done? It is food for thought; we mentioned it en passant in our report, but I am reinforced by what I heard today from an admiral of the French navy and I wish that our public were as robust about nuclear submarines as the French seem to be.

Another matter that we mentioned in the report is the Government's proposed reduction in the number of Upholder class conventional diesel class submarines from 12 to four. As we were compiling the report, we looked for any sign that the tasks of the Royal Navy submarine force would be reduced, and we could find no such sign. There is certainly talk that the threat has been reduced, but there has not been a single reduction in the directed tasks that the Royal Navy is carrying out. Yet the surface and submarine fleet is being considerably reduced. That can only mean either that the new small fleet will be much more stretched than it was before or that it will not do the job properly.

I hope that there will be the time and the will for the Government to look again at the Upholder class, because four is below the barest minimum when one thinks of the reconnaissance tasks, of listening in the anti-submarine warfare role, of intelligence collection in session with special forces as we understand might have happened in the Gulf, to say nothing of training and trials exercises and our submarine force's commitment to NATO. That, out of all the decisions that we are questioning, seems to be arbitrary, and one cannot but be left with the conclusion that it was totally driven by the Treasury's desire to cut the defence budget rather than by any logical decision by the Ministry of Defence that the Upholder submarines can manage to do the task that they still have to do with so many fewer than planned.

I was going to add to the remarks by the hon. Member for Greenock and Port Glasgow (Dr. Godman) about fishing, but he covered the subject so well; while he finds fault with our choice of words, I think he made a

[Mr. Michael Mates]

well-considered and balanced conclusion on a difficult situation. I suspect that the hon. Member for Dumbarton (Mr. McFall) will want to refer to that subject if he catches your eye, Mr. Deputy Speaker, so I shall not go down that road.

In his opening speech, my hon. Friend said:

"'Options for Change' has confirmed the importance of the amphibious force, and we intend to maintain this capability. We have been studying the best way to maintain the capability . . . and expect to make announcements shortly."

I have questioned many officials from the Ministry of Defence about what "shortly" means. Let me remind my hon. Friend that our right hon. Friend the Member for Ayr (Mr. Younger), when he was Secretary of State for Defence, told the Select Committee, in terms, that, if he had not made an announcement by the end of December 1990, he would consider that he was not giving the Navy enough time to make the necessary dispositions to keep the amphibious force efficient. That date is getting on for six or seven months ago. Even with the most optimistic interpretation of "shortly", I suspect that it will be two or three months before the Minister makes a decision. That is very nearly a year late.

Unless the situation has changed—and no one has told us that it has—the forecast of my right hon. Friend the Member for Ayr when he was Secretary of State for Defence will come true. We are going to let down our amphibious forces; the two ships Fearless and Intrepid are rapidly becoming more out of date and obsolete.

It is necessary to take a decision. I know that it is a difficult one and I know that it is likely to be expensive, whatever it is. However, the worst service that the Minister could do to our very fine amphibious forces and to the Navy would be to delay that decision, tough as it may be, beyond the very near future. I hope that he will take that remark in the spirit in which it is intended. It is not a criticism. I know the difficulties that he is going through, but it is better to say something now than to leave it all in limbo and to leave our amphibious force, which has been the cause of so much pride in the past, to decay.

8.49 pm

Mr. John McFall (Dumbarton): Like the hon. Member for East Hampshire (Mr. Mates), I must apologise to the House for joining the debate late, but I communicated with Mr. Speaker last week to advise him of my situation. Nevertheless, I am grateful to you, Mr. Deputy Speaker, for calling me. Like the hon. Member for East Hampshire, I found my visit to France very enlightening, particularly in the light of defence developments in that country.

I should like to address a number of issues this evening, but I will confine myself mainly to a constituency matter involving the Trident project, which is one of the largest engineering projects in western Europe—second only to the channel tunnel.

Last week, I tabled a question to the Secretary of State for the Environment regarding the number of projects issued by the officer at Faslane and Coalport on a nil value basis. He replied:

"Our contractual arrangements at the Clyde submarine base development are commercially confidential."

Although I accept that answer to some extent, there is great public concern in Scotland about that development. The *Glasgow Herald* in particular has reported on that issue, and only last week, *Construction News* reported that continuous design changes had increased the operational costs at the base. The *Glasgow Herald* additionally reported that the contract was "careering out of control".

I cannot say whether that is true, but firms in my constituency and elsewhere are going bust, and many people are losing their jobs. Firms have been put into receivership because of what is known as subby bashing —that is, subcontractor bashing—at the Clyde submarine base. It is suggested that main contractors and some principal subcontractors are contravening Ministry of Defence codes of practice.

One case reported by the *Glasgow Herald* concerns C. and G. Roofing of Warminster, which was a subcontractor to Tarmac Construction Ltd. C. and G. was originally taken on with a start date of December 1988, but design problems caused the date to be put back. As a result, in June 1990 C. and G. submitted a claim to the Ministry of Defence for £873,000 in respect of delay and disruption in the period to April 1990.

When C. and G. was first taken on, it planned its contract and the number of employees that it would have on site, but the delay meant a doubling of its work force, which produced severe cash flow problems. Consequently, the company approached Tarmac for assistance, and it advanced C. and G. £80,000, on condition that Tarmac could claw it back over the next three months with payments of £25,000, £25,000 and £30,000 respectively.

C. and G. repaid the full £80,000 over three months, but was required to enter into a works contract with Tarmac that seems to conflict with the general conditions of Government contracts for building and civil engineering works. Its terms were much more onerous. It provided for a 2 per cent. discount to Tarmac on the contract. One paragraph from that contract requires C. and G. to accept a back-to-back situation for circumstances and costs resulting from a delay to the subcontractors, whereby it could recover from Tarmac only 60 per cent.

"of all moneys paid by the authorities to Tarmac against revised submissions for the circumstances outlined in Tarmac's conditions.

That condition means that Tarmac could retain 40 per cent. of the £873,000 that C. and G. claimed from the Ministry of Defence, in addition to receiving a 2 per cent. discount on every subsequent job undertaken on site by C. and G. C. and G. was compelled to sign on the dotted line if it wanted to survive financially, but it is possible that Tarmac will make more than £300,000 from the company.

C. and G. received its last payment from Tarmac in December 1990, on 1 February 1991 C. and G. laid off all its directly employed labour and by 1 April it had gone into receivership. I want the Minister to investigate that case, because it seems on the surface to be scandalous. Who takes responsibility in such circumstances? Is it Tarmac, as a main contractor, or the Properties Services Agency? That incident has such serious implications that the Minister cannot claim commercial confidentiality. People are losing their jobs daily and firms are going bust, and it is no use anyone hiding behind the main contractor or the PSA. I am not interested in the Minister drawing blood—only in his sorting the situation out. I want him to investigate and to give a definitive answer so that commercial propriety can be adhered to.

I have received letters from a number of other concerns. The *Glasgow Herald* reported also the case of Wilkie

Reinforcements, which claims that it is still owed £700,000 by Tarmac for work done at the base. The company's owner is quoted as saying:

"The exact figure is £702,433·47. It is a figure that is engraved on my heart, and it still haunts me."

That firm also had to contend with design delays to the extent that it has outstanding claims against the two main projects in Faslane and Carlport, which have accumulated to more than £3·5 million over three years.

Another local contractor who wrote to me is owed almost £12,000, which has accumulated over 14 months. If something is not done, that local business will go bust as well. One of my hon. Friends gave me the details of another firm which is in dispute with Taylor Woodrow. That subcontractor was asked by Taylor Woodrow to sign on the dotted line for a certain amount of money in complete settlement of any outstanding dues. The sum offered was £80,000 below the amount that the company was totally owed. Nevertheless, that subcontractor was compelled to sign. Taylor Woodrow imposed agreement because it had no recourse to the Ministry of Defence and could do nothing else in the circumstances. Those are extremely worrying examples.

Will the Minister take up the issues of the unjustifiably high discounts that appear to be extracted from subcontractors who are in considerable financial difficulty; of main contractors not matching payments to the resources allocated by subcontractors, and of the possible failure of these firms to prosecute claims through the PSA on behalf of the subcontractors as is contractually required? It would appear that conditions 15, 16 and 17 of the code of practice for subcontracting issued by the Ministry of Defence could be contravened. Will the Minister investigate those matters and report back to us?

I have already mentioned supervising officers' instructions being issued at nil value. Those evaluations are carried out and examined by a number of people: the consultant who raises the supervising officer's instructions, the PSA, the quantity surveyor, the outside consultant, and Wimpey—the supervising officer. They require four signatures. About 60,000 supervising officers' instructions have been issued during the project, with more than 6,000 on the ship lift. Even if a small number of them have been issued at nil value, it means that something is seriously wrong with the project and, somewhere down the line, some poor subcontractor or possibly a main contractor will be the loser. That appears to newspapers and others to be a deliberate busting of subcontractors. I hope that that is not so. Will the Minister look into that as quickly as possible?

Our sixth report on Royal Navy submarines mentions their defects. I raised that issue a year ago, but the Ministry of Defence has let it fester. Paragraph 9 of today's report from the Select Committee states:

"MOD has reassured us on two recent occasions that the operation of the strategic deterrent has continued uninterrupted with at least one SSBN remaining on patrol. It is, however, readily apparent that HMS Renown, one of the Resolution class submarines, has been in refit for considerably longer than anticipated. Despite requests for information about the present situation with regard to SSBNs, MOD have not been forthcoming to us in private or in public. In view of the concerns that have been expressed in public, we believe that it would be in the general interest, including that of MOD, to be more candid."

The Guardian newspaper today contained an article on those issues in relation to Polaris, headed

"Polaris faults scupper guarantee of keeping nuclear deterrent at sea".

It is general talk that only one submarine is ready and on patrol at all times. One has been in Rosyth and will not be out for another year or two, which means that it will have been in refit for four years—well beyond the normal time taken for refits.

It has been suggested that another submarine has been tied up at Faslane because, as *The Guardian* mentions, it has a weak hull structure. Again, it has been suggested that Revenge has a crack in it and has been ground down and that Resolution, the oldest of the submarines, is the only one on patrol.

It does the Minister of Defence no justice to hide information from the Select Committee on Defence or the general public. A safety issue was mentioned in *The Guardian* today. Jack Dromey, the national secretary of the Transport and General Workers Union, and Paul Noon, the assistant general secretary of the Institution of Professionals, Managers and Specialists say that they would not allow their workers' health to be jeopardised by letting them face excessive radiation doses to get Polaris submarines back to sea. Whether civilian or naval personnel are asked to do that, it is important that it should not be allowed to happen. The Minister should meet the union representatives to discuss this important issue.

Paragraph 76 of the Select Committee report issued today mentions radiation, and states:

"The recent increases in exposure levels at Devonport and Faslane , are exceptions to a generally favourable and downward trend."

Will the Minister give us an assurance that those radiation levels for last year were just a hiatus and nothing else? Will he assure me that, if there are defects to be attended to, neither civilians nor naval personnel will be put in jeopardy?

It ill behoves the Ministry of Defence not to answer such questions, particularly as its officials appeared before the Select Committee and said time and again that they needed four boats to form an effective deterrent. Issues of credibility and safety are involved, and I want the utmost assurance from the Minister tonight that he will look into them.

My hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) mentioned fishing. We dealt with that in our report. We were impressed by the skill, competence and endeavour of the sailors and captains of those ships in avoiding fishing boats. They performed a difficult and highly technical task.

There has been an element of glasnost in solving this problem and I congratulate the Ministry of Defence on introducing the notification procedure for which the Clyde fishermen have been lobbying. I was privileged to be at a meeting between the Minister of State and the Clyde fishermen on that issue. I understand that it has been announced that the notification procedure is to extend outwith the Clyde, but I have been told by the hon. Member for Argyll and Bute (Mrs. Michie) that the extension is not enough, and I defer to her local knowledge on that. Perhaps the Minister could have another look at the matter.

The Navy is making great efforts to avoid fishing boats, but I should like the notification procedure to be enlarged and I should like to see technical developments going ahead. I understand that the fishermen and naval

[Mr. John McFall]

personnel are dealing with that at Faslane. The Select Committee has had a busy Session, and I am grateful for this opportunity to speak in the debate.

9.6 pm

Mr. Peter Griffiths (Portsmouth, North): I thank the Under-Secretary of State for Defence Procurement for his kind words about Portsmouth. The Gulf conflict was the second time in a decade that people from the Hot Walls had to count service men going out. Thank God this time the number of people coming back tallied with the number who left. The Falklands conflict and the Gulf war showed that the Royal Navy had insufficient ships to be on station for a long time, including the time that it takes to reach a centre of operations. In its careful analysis of the Gulf war, the Ministry of Defence should look not only at the effectiveness of the weapons, the weapons system, the ships and the men but at the strain that the conflict placed upon the naval reserves. None of us expected Iraq to collapse as soon as the offensive began, but if the war had gone on much longer, our naval forces could have faced difficulties. The threat from the east has been reduced, but we must make sure that the Royal Navy has the ability to respond to future commitments.

The Minister spoke about putting three new type 23 frigates out to tender. I hope that he did not think that I was being aggressive when I interrupted his speech to ask about the possibility of building one of those ships on the south coast. We all know why major shipbuilding orders in recent years have been directed to the north, but the economic circumstances which led to that have changed and we need a level playing field—or perhaps I should say a level, calm sea. I was grateful for my hon. Friend's straightforward answer that the competition will be open and fair, which is all that anyone can ask.

The fleet, especially the surface fleet, will be smaller. Therefore, our vessels must be more ready for operations and more capable in service. The modernisation of the fleet and the reduction in the average age of service vessels will be an important feature of the next decade. As we reduce the number of ships on active service, we must ensure that the average age of vessels falls. The obvious advantage is that more modern vessels are usually more able and powerful and require smaller crews. It is important to remember that important savings can be made by reducing not only manpower but vessels.

We shall need extreme flexibility and skill in the management of the uniformed service men and non-uniformed back-up services in dockyards, especially at the fleet maintenance and repair base at Portsmouth. We have such flexibility between blue jackets and civilians at the naval base, but I want the widest possible flexibility at sea, which is why I was disturbed to hear a comment that appeared to disparage the role of women at sea. The Wrens should be judged on their ability to perform any duty on land or sea according to their technical competence, not some imaginary basis linked to their gender.

Young women in the Royal Navy do not expect to be protected from the harsh realities of naval life. They want to be accepted as equal partners. I trust that we shall use their skills to the full and will not take a patronising view, which is sometimes taken by the press, of the role that they can play in the sea-going ships of the Royal Navy.

Flexibility is necessary on shore. I know that the Minister will not announce his decisions about the naval bases at Devonport, Portsmouth or Rosyth, but it is important that he reaches an early decision on management of the fleet maintenance and repair organisation at Portsmouth. Management need flexibility to show that they can effectively and efficiently use the capacity that must be maintained at all times to deal with problems in crises, but maintenance and repair facilities cannot be sufficient only for peace time beause they would be inadequate in a crisis.

There must be a way of maintaining and using those facilities. If the opportunity to tender for jobs that management such as at FMRO recognise are available, the Minister could retain capacity at places such as the naval base at Portsmouth and ensure that it is effective not only in a crisis but in more peaceful circumstances.

The naval base at Portsmouth is a great haven for the Royal Navy. There is no reason why it should not be a place where work is carried out on other countries' warships and on civil vessels. If the capacity exists, it should be possible for us to tender for that work. Never again should a British warship be taken from Portsmouth naval base to be repaired elsewhere when there is the capacity and the ability to work on her at Portsmouth, as there was with HMS Southampton.

The time has come for flexibility and for management on the spot to judge what Portsmouth has the capacity to do, to tender and to show its efficiency. In that way, the smaller, leaner fleets will be backed up effectively.

9.14 pm

Mr. Tam Dalyell (Linlithgow): I shall share the time remaining, because I strongly believe that hon. Members who have sat through the debate should have time to speak.

First, there should be a two-day debate, as there was after the Crimean war, the Jameson raid, the first world war, the second world war and the Falklands war, summing up the pros and cons of what this country did in the Gulf.

Secondly, I ask the Minister to investigate the health of people on our ships. I received a letter stating:

"My son is out there with the RFA"—

Royal Fleet Auxiliary—

"and has had a chest infection and a rash on his face".

If there were more time, I would read out more. Health is an urgent matter. The Minister of State for the Armed Forces said that the problem was equivalent to the effect of only "20 cigarettes a day", as I repeated in a question at column 419 of *Hansard* of 6 June this year. The Under-Secretary of State for Health referred me to the following as consequences of that number of cigarettes per day: cerebrovascular disease; cancer of the lip, oral cavity and pharynx; cancer of the oesophagus; cancer of the larynx; cancer of the pancreas; and peripheral vascular disease. They are the threats to our people out there.

Thirdly, I repeat my question about Dr. Downing. The Government have done nothing since my visits to Ministers to get the major expert to look at the coral atolls. If only they would put the same effort into considering the ecological consequences as they did into Operation Desert Storm, things would be that much better.

Before talking about the Navy's role, we should know what the perceived threat is. In particular, what is the perceived threat from Iraq's so-called nuclear capacity? We have heard a great deal about Tuleitha and the lack of monitoring. Will the Government investigate?

If time permitted, I would have gone into the issue of Samarra and chemical weapons. If one is to have a force, especially a rapid reaction force, one had better understand what the perceived threat is. We should be given an explanation of what is happening with the rapid reaction force.

Finally, I hope that the Navy will do something in the light of a Harvard medical report on what is happening in Iraq. The Americans say that 170,000 children under five will die this year because of waterborne diseases. It is high time we lifted sanctions. The Navy should be used to bring medical supplies to kids. It is not their fault that Saddam Hussein leads their country.

I said that I would share the time, and I shall keep my promise.

9.17 pm

Dame Janet Fookes (Plymouth, Drake): I shall condense my remarks considerably owing to the short time available.

I am increasingly disenchanted with the "Options for Change" exercise. I am not confident that it reflects our needs for our armed services, and I see the hand of the Treasury coming down more heavily than I would like. It means that there is considerable uncertainty among the armed forces and the support staff behind them. That is extremely bad for morale, and I hope that my hon. Friend the Under-Secretary of State makes the final decisions as soon as possible. If he does not, I fear that the best will show the way with their feet—they will go out—and we shall have the devastating prospect of losing our best and most experienced men and women just when we need to retain them.

I wish to refer to the support staff. Hon. Members will know of my interest in and concern about Devonport dockyard. My hon. Friend the Member for Gosport (Mr. Viggers) said, more or less, "If it's there already, keep it." That is what he meant, although I have stripped the phrase of its elegance. However, I can also use that phrase. We are confident that we have a long-established dockyard which has had a great deal of capital injected into it, and which has, above all, an excellent work force. The work force did not wish to go into private contract management, but they have sustained the change and the shock very well. They have had no industrial strife, and they have given loyally and of their best under the new dispensation.

The dockyard management, Devonport Management Ltd., have produced what I regard as a brilliant exposition of the role that they anticipate for the dockyard now and in the future. I hope that my hon. Friend the Under-Secretary of State for Defence Procurement will take due account of that. The dockyard has a great deal to offer, and I have every confidence that, when making his final decision, my hon. Friend will see that for himself.

9.20 pm

Mr. Roland Boyes (Houghton and Washington): We have had a long but important debate. I am sorry that the Chairman of the Select Committee on Foreign Affairs is not in his place, but nevertheless, I want to thank him for ensuring that some essential documentation was made available to us for the debate.

There was much of interest in the Minister's speech, especially in what he had to say about the Royal Navy's involvement in the Gulf. I shall deal with that in a moment. Supremacy in the sea was soon established and that proved to be a vital element in the war. It is invidious to pick out bits and pieces, but he rightly paid tribute to the super performance of our minehunters.

I am also glad that the Minister took the opportunity to inform us that he has invited tenders for three further type 23 frigates and that tenders are expected by October from shipyards which, wherever they are, would welcome the work that the orders would bring.

The Government's attitude to the future of HMS Fearless and HMS Intrepid has been raised. I hope that the Minister will have an opportunity to comment on that.

My hon. Friend the Member for Barnsley, West and Penistone (Mr. McKay) asked about HMS Endurance, and I shall comment on that matter later. I give the Minister notice of that so that he can prepare an answer for us.

My hon. Friend the Member for Clackmannan (Mr. O'Neill and the hon. Member for Dunfermline, West (Mr. Douglas) mentioned naval bases. There are issues that need to be resolved extremely quickly, and the decision should be reported in Parliament but not in the sneaky way used for the decision on Challenger 2. That was announced on Friday morning without any warning to those of us who live in or represent areas where Challenger is manufactured.

The hon. and learned Member for Colchester, North (Sir A. Buck), who is not in his place, asked whether Labour would maintain a nuclear deterrent. The answer is, emphatically, yes. I am glad to see that the hon. Member for Harborough (Sir J. Farr) is in his place. I am sure that all hon. Members hope that he is recovering. I may be about to misquote him, although I tried to write down carefully what he said, and I hope that I have done so correctly. He said that there was a delicate balance between building the fourth Trident boat and—as he said later when weighing the issue, although I am not clear about this—cancelling the Trident programme altogether. However, if he was referring only to the fourth boat, that is what I shall put on the record for him. He can nod, thus avoiding the necessity for standing.

The right hon. Member for Yeovil (Mr. Ashdown) made a strong case for the EH101 helicopter and gave a strong warning, with which I agree, that if an order was not placed quickly, there could be difficulties for the company. He also asked for a defence review, for which the Opposition have been asking for a long time.

The hon. Member for Gosport (Mr. Viggers) made a plea for Portsmouth and Gosport. We expect such pleas from hon. Members for their constituencies. My hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) made a passionate speech about the sinking of the fishing boat and explained what could be done to prevent such incidents in future. The hon. Member for East Hampshire (Mr. Mates) talked about the importance of the amphibious force, as did my hon. Friend the Member for Clackmannan. We want to know the Government's intentions on Fearless and Intrepid.

My hon. Friend the Member for Dumbarton (Mr. McFall), who is not in his place, talked about the contract

[Mr. Roland Boyes]

for construction of the Trident base. He went into detail about the financial implications, but it is not necessary for me to go into them now.

The hon. Member for Portsmouth, North (Mr. Griffiths), who also seems to have nipped off, spoke about the reduced threat from the east and said that we must measure the worldwide commitments of the Royal Navy. He also mentioned the type 23 frigates and the possibility of building one on the south coast. It is not my position, especially as my constituency is quite near Newcastle, to determine how and when the contracts are given, or who gets them.

My hon. Friend the Member for Linlithgow (Mr. Dalyell), in what I thought was a supportive speech, stressed the urgency of the health question, and he especially mentioned the Harvard medical report which said that there was a risk that up to 70,000 children in Iraq might die in the near future.

Mr. Dalyell: Some 170,000.

Mr. Boyes: My hon. Friend corrects me; the figure is 170,000.

The hon. Member for Plymouth, Drake (Dame J. Fookes), in two minutes, mentioned two important points. The first was her disenchantment with "Options for Change". She referred, as hon. Members have done many times, to the heavy hand of the Treasury interfering a bit too much in defence matters.

I put on record my attitude and that of my hon. Friends to the Gulf war. Last week, we saw the march past and the fly past of the forces who had participated in the Gulf war. It was right that the tone was one of gratitude that so many of our soldiers, sailors and airmen had returned safely, and of respect for those who were prepared to lay down their lives.

We must remind ourselves in the post-cold-war world that our military forces may increasingly be called to fight in wars far away which do not directly threaten Britain. That requires even greater courage and commitment from our forces, and those resources should not be squandered. I mention as an aside the quiet and considered words of Prince Charles, and I am sure that everyone thought that he had found exactly the right mood for the occasion.

The Navy's part in the Gulf war is frequently overlooked, but its importance was established long before the war began and continues to this day. The United Nations imposed trade sanctions against Iraq which involved a major naval policing operation in the Persian gulf and in the Red sea. Royal Navy destroyers and frigates were heavily involved in that operation, which was a classic demonstration of the use of naval forces in practical action short of the use of force. It is a sad commentary on the war that we have now returned to a strategy of sanctions as the principal lever on Saddam Hussein.

Another aspect of the Navy's operations in the Gulf has been the continuing effort to clear the many hundreds of sea mines laid by the Iraqis. The benefits of multinational co-operation have been especially apparent here. The long experience of joint mine counter-measures work in the NATO standing naval force channel has paid dividends. Mine-clearing operations in the Gulf may take many more months, so it is important that we remember the personnel who are still out there clearing up the mess and that we also remember that the Government are set to reward many of those mine counter-measures personnel by closing their base at Rosyth.

Because of the trickiness of the situation, I want to say only a few words about naval base closures. The proposed cuts in naval bases in the United Kingdom are a further example of tragic incompetence on the part of the Government. If our forces are to be cut, clearly some shore bases will close, but the tragedy is that the Government's hostility to planning, and their use of public money to ease painful economic transitions, have prevented them from establishing a clear policy and mechanism for dealing with the effects of base closures.

Several years ago it became obvious that there would be some major changes in international relations, and there was every opportunity for the Government to set up a diversification agency—as the Labour party will, when we gain power in a few months' time. A diversification agency could improve alternative investment opportunities and provide training for workers moving out of declining defence activities. But the Government ploughed on as if nothing was happening, blinded by their faith in the market. I am afraid that it is already too late to cushion the blow for many workers and naval personnel who will be thrown on to the scrap heap by this Government's obsession with market forces.

That blow could not have come at a worse time. Unemployment is again soaring, and in the Rosyth area there is the added problem that private sector manufacturing employment is also heavily dependent on military work, which means that private sector companies are also laying off workers because of defence cuts. Moreover, at Rosyth, Ministers have clearly not been in control of the agenda. Countless leaks have shown that Rosyth was, indeed, the favourite for closure. The remark of the Minister for Defence Procurement that his own local naval base, Devonport, was definitely not intended for closure exacerbated the situation. As I said, I fear that it may now be too late to make any serious efforts to provide alternative work and training opportunities for those made redundant by base closures.

The Prime Minister's competence is at stake here. We have been told in newspaper reports that he has taken command of the Rosyth naval base closure problem since he became fed up with the poor co-ordination between the Navy, the MOD staffs and the Scottish Office. If that is true, and not just a piece of Downing street press office hype, he had better have something to show for it, and soon. We should be told now what is to happen at Rosyth, the Portland training base, Devonport and Portsmouth, to put an end to damaging speculation and leaks.

I have visited Rosyth and Portland. The question that we must ask ourselves about Portland is whether we want a training base for naval ships. If so, there is no-tide, instant access water at Portland and revenue from the ships coming in. I make those remarks about Rosyth and Portland because I have just been to both bases, but that does not mean that I am placing more emphasis on them than on Devonport and Portsmouth. All the bases must be considered equally, on the basis of their special attributes.

The hon. Member for Portsmouth, North mentioned women at sea, and I should like to respond to his comments. There has been much publicity about the recent court martial of a Wren and a naval officer who had an

affair on HMS Brilliant while it was deployed in the Gulf. The episode has been cited by some as evidence that the Navy's new policy of sending Wrens to sea does not work.

It is important to realise that there are two entirely separate issues at stake here. The first is the question whether having Wrens on combat ships leads to distraction of personnel from their duties and adversely affects the efficient operation of the ship. The second is the effect of any offshore liaison on morale among dependants ashore.

I believe that the first question is a red herring. Many other countries now have mixed crews on their combat vessels, and there is no evidence of degraded operational capabilities. If anything, the presence of women in combat posts at sea improves morale and sharpens commitment. Moreover, even in this era of cuts in force levels, there remains a shortage of skilled personnel in the Navy. One of the simplest and most effective ways of overcoming that shortage is to open the force to women. The Navy would now find it very difficult to get along without Wrens serving at sea in such specialisms as navigation, engineering and the operation of radar and sonar equipment.

The second criticism, which is that the prospect of offshore liaisons adds to the stresses and strains of life for Navy wives, is more difficult to address. Two things can be said about that. First, I am not convinced that the problem is significantly greater in the Navy than in any other service. Where men and women are deployed away from home for lengthy periods, whether on land or at sea, a certain amount of "interaction" is bound to occur. The Navy's problem is that it has taken the lead in placing women in combat posts and has therefore put itself in the spotlight.

I do not want to belittle the problem. The tensions of life at home for those who have spouses at sea for months at a time are immense. Some Navy marriages founder for those reasons. It is therefore vital that the Government learn from the adverse publicity given to the HMS Brilliant affair. They should take the opportunity of "Options for Change" to create much more stability for Navy personnel. Reduced combat readiness and a decline in personnel shortages due in part to the deployment of Wrens at sea should allow the Navy to increase the time spent by sailors at home and to reduce the frequency of posting which may be a major factor in domestic disruption.

There is a second, broader point. In future, as the armed forces becomes smaller and the immediate military threats to Britain subside, it will be more important to ensure that the forces are not isolated from society by the perpetuation of anachronistic traditions and prejudices.

A Navy in which men and women play equally important professional roles is more likely to attract respect and appreciation than one from which half the population are automatically excluded from the most important jobs. The "Newsview" editorial of the July edition of *Navy News* addresses that problem. It states:

"Yet it remains unlikely whether any of this has altered the entrenched views—whether for or against—expressed when the women-at-sea policy was announced . . . anyone ever imagined that you could take a group of healthy young men and women and lock them up together for weeks at a time without a few of them succumbing to the temptation to jump into bed with each other."

I want to refer briefly once more to HMS Endurance. I have been on board that vessel, although I have not been to sea on it when I was in the Falklands. The Falkland islanders think that the vessel is very special. If we had lived in that area and witnessed the arrival of the Argentines after the Endurance had sailed away, we would understand how they felt. They do not want that to happen again. It has long been accepted that the decision to withdraw HMS Endurance from the south Atlantic in 1982 was a major factor in the Argentine's decision to invade the Falklands.

Another attempt is now being made to scrap HMS Endurance, this time at the behest of the MOD as part of the overall cuts being imposed on the Navy. I hope that the Minister will consider that point most carefully because it is important to many people, and many of us feel strongly about it. Again, *Navy News* carries an excellent article about HMS Endurance and its role in the south Atlantic. It refers to the significance of the vessel's presence in the area and states that it has——

Mr. Mates: Will the hon. Gentleman give way?

Mr. Boyes: I have only a few minutes left, but I will give way to the hon. Gentleman. However, I must point out that I did not ask any hon. Member to give way to me this evening.

Mr. Mates: If there is to be a Labour Government, will it be Labour policy to replace HMS Endurance?

Mr. Boyes: Labour has not been in government for a very long time and there are a host of issues that we would have to address, and HMS Endurance would certainly be one of them. I am sure that we would find a role for the vessel in the south Atlantic.

We can justify and be proud of our service men and women who serve this country and who have been prepared to lay down their lives to protect our democracy. We owe them much. If we ask people to go into most dangerous situations, often at short notice, we must ensure that, as a minimum, their weapons systems are as good as any that a potential adversary may possess. We have a duty and an obligation to make that necessary provision for our forces.

9.39 pm

Mr. Kenneth Carlisle: It is a great pleasure to reply to the debate. I shall try to respond to as many points as possible in the time available. I should like first to say something about the people in the Royal Navy.

Mr. Douglas: On a point of order, Mr. Speaker. Is it not the custom for a Minister, if he speaks twice in a debate, to ask the leave of the House?

Mr. Carlisle: I beg the House's pardon. With the leave of the House, I will speak again.

I am delighted that hon. Members have praised the people who served in the Gulf so magnificently. I also pay tribute to those who were at home on the support side —for example, in the bases, dockyards, research establishments and elsewhere. As my hon. Friend the Member for Gosport (Mr. Viggers) reminded us, we must pay respect also to their families. The whole House joins in praise for all those who were involved in any way in the Gulf conflict.

As people are the core of our Navy, we should never forget, even in this age of high technology, how much we owe to the skills and dedication of our people in the Navy.

[Mr. Carlisle]

I am very glad to say that recruitment is generally buoyant, although recruitment targets in future will be lower in order to stay within the manning levels required post-"Options". The high outflow levels experienced in 1990-91 have eased. The challenge that faces us in the period ahead is to improve retention rates among the officers and ratings whom we need and to manage the gradual reduction in overall numbers that is necessary under "Options for Change", without serious disruption either to individuals or to career and branch structures. We intend to do that as carefully and as sensitively as possible.

I should like also to say a word about the Wrens. My hon. Friend the Member for Portsmouth, North (Mr. Griffiths) rightly reminded us of that matter. In last year's debate, my right hon. Friend the Minister of State for the Armed Forces announced that members of the Wrens were to serve at sea in surface ships. We can now usefully take stock of how that decision is working out in practice.

Wrens are now being recruited and trained alongside male ratings in almost all branches. The exceptions are submarines and small ship branches, but only because of the difficulties of providing a reasonable level of privacy for both men and women in the restricted accommodation areas in those vessels. We are, however, looking to see what might be done on that in the future. We are also considering the feasibility of women serving in the Royal Fleet Auxiliary and in the Royal Marine Corps. As was announced earlier this year, we have already opened employment opportunities for women as naval air crew.

Mr. Douglas: Will the Minister give way on that point?

Mr. Carlisle: No, I shall not give way—I have very little time to answer the points.

Women are serving in 10 major ships, and we are encouraged by the result. As an illustration, I cite a letter which the commanding officer of HMS Brilliant, whose ship was the subject of some quite scurrilous press reports, wrote to *The Daily Telegraph*. In his letter, Captain Elliott describes a gruelling 17-hour battle undertaken by his mixed crew during service in the Gulf to put out fires in a merchant vessel which had suffered a major engine room and superstructure fire. He describes the scene on board as a burning, blacked-out, flooded and smoke-filled jagged mass of metal, and ended by saying:

"so to all you doubting Thomases—stop doubting. There is no need to. From where I have had the privilege of seeing it during my time in Command, this mixed manning has been a dramatic success and I will stand up and say that to any man with my ship's company right behind me."

Captain Elliott's words provide a necessary corrective to the disproportionate publicity that was given to the one or two isolated problems that occurred.

Many points have been raised in this wide-ranging debate and as I shall be unable to cover them all now, I shall write to those hon. Members whom I do not answer directly. There has been some wide-ranging questioning of "Options for Change". As I said when I opened the debate, "Options" and our framework for the Navy are based on assessment of strategic need and on the threat that we face. The House will remember that, in 1980 and 1981, when we were also facing a squeeze on public expenditure, spending on the armed forces increased because of the threat that we faced. At the present time of difficulties with public spending, we can contemplate with tranquillity a small decline in our spending on defence because the threat is different. Our strategy and framework depend on the threat.

I am glad that the House generally, including the hon. Member for Greenock and Port Glasgow (Dr. Godman) and my hon. Friend the Member for Portsmouth, North, welcomed our order for type 23 destroyers. There will, of course, be a fair competition for the orders for the ships. We hope to get the tenders back by October. We shall look at them carefully and order as we feel fit. I confirm that those orders will be placed.

On the other hand, I am sorry that we do not see any need at present for more orders this year for the Sandown class of minehunter. However, I welcome the praise for the minehunter's performance in the Gulf, and especially that from my hon. Friends the Members for Davyhulme (Mr. Churchill) and for Harborough (Sir J. Farr). It is a delight to have my hon. Friend the Member for Harborough back in his place so pertinent, lucid and clear. He is an example to us all. The quality of our minehunters and of the crews who man them is supreme. My hon. Friends were right to say that they rescued minehunters from other countries when they were surrounded by mines in the Gulf. Our quality is unrivalled. We can be truly proud of it.

I have not yet had the time to read the Select Committee's report on submarines, which was produced only today. Obviously, we shall read it with great interest, and reply to it in due course.

I am glad that my hon. Friend the Member for East Hampshire (Mr. Mates) has returned to the debate. I was interested in his comments about collaboration with the French. As he knows, we hope to collaborate with them on the anti-warfare frigate which will replace the type 42 destroyer at the turn of the century. We have already signed a joint collaboration agreement over the local area missile system. Those are two examples of the way in which we are starting to collaborate. I hope that we shall expand those efforts.

A central issue in the debate was submarines. I was glad to be able to announce the studies that will take forward the SSN classes. The studies will last about a year. The Select Committee envisages that we shall be able to meet our commitments if we start building by 1996 or 1997, which is certainly our aim.

My hon. Friend the Member for Barrow and Furness (Mr. Franks) made a clear speech about his constituency and submarines. Our aim is to preserve our skills in building submarines. The fourth Trident will take up some of the slack at the Barrow yard. We envisage that, after the fourth Trident, the new submarines—the development of the Trafalgar class—will retain VSEL's capacity to build submarines. We believe that our ability to build such submarines is of strategic necessity and we intend to preserve that capacity at VSEL. The new SSNs are not second-class submarines—they are the most sensible way to use our existing skills, and on them we can apply the most up-to-date technology, so they will be the best such submarines in the world, if not world beaters.

Mr. Ian Bruce *rose*——

Mr. Churchill (Davyhulme) *rose*——

Mr. Carlisle: No. I am afraid that I do not have time to give way. I hope that my hon. Friends will forgive me.

Some hon. Members criticised the number of SSKs. These new SSKs are advanced ships, but we believe that four is sufficient at present. It is the first new SSK for 30 years. We decided after careful consideration that we had the right balance between the SSKs and SSNs.

While we are on the subject of submarines, I was challenged about the safety of Polaris. I can confirm to the House that we continue to deploy our nuclear deterrent. Obviously, I cannot discuss operational details but I can confirm to the House that the submarines go to sea only if they are considered safe and we follow carefully the independent advice on safety proffered by the Nuclear Powered Warship Safety Committee.

The right hon. Member for Yeovil (Mr. Ashdown), who explained why he could not be here for the reply to the debate, was anxious about the EH101. Nine prototypes are already built. We are evaluating the tenders for the prime contractorship for the EH101. We certainly hope to make an announcement before the end of July, as the right hon. Gentleman particularly wanted. However, we shall decide on any orders in due course when we consider that the time is right.

The hon. Member for Argyll and Bute (Mrs. Michie) was anxious about the submarine movement notification scheme. I can advise her that the extension of the Clyde area submarine movement notification scheme announced by my right hon. Friend the Member for Epson and Ewell (Mr. Hamilton) on 24 June covers the coastal sea areas in which dived submarine operations are most prevalent. I understand that the extension has been warmly welcomed by the Scottish and Clyde fishermens associations. While we have no plans at present for a further extension of the scheme, I can inform the hon. Lady that we are considering the possibility of operating the notification scheme in other waters.

I am also aware of the great interest in fisheries protection. The Royal Navy fisheries protection squadron continues to perform its tasks with great skill. Currently, 15 Royal Naval vessels are deployed in the fisheries protection task and we consult closely with the relevant fisheries department about requirements.

Considerable anxiety was expressed during the debate about the future of the bases. That is understandable. It is generally recognised that a smaller Navy leads to a smaller support area. That is self-evident. Therefore, we are considering the future of all our naval bases and other establishments. I have to advise the House that no decisions have yet been taken. *[Interruption.]* We shall consider carefully all the arguments before coming to any decisions. I recognise that uncertainty is undesirable and we wish to bring it to an end. *[Interruption.]* Will the hon. Member for Clackmannan please contain himself?

I am sorry that my hon. Friend the Member for South Dorset (Mr. Bruce) did not have a chance to put in his bid for his naval base at Portland. However, I can advise the House that he constantly badgers me about the excellence of Portland, and we listen to what he says.

There is great concern about HMS Endurance. I can confirm that Endurance has not been decomissioned. She has entered her routine maintenance period in Portsmouth on return from the Antarctic, as normal. As hon. Members will know, Endurance is a relatively old ship, operating in a demanding environment. She will have an extensive structural survey during this maintenance period and deployment this winter will obviously depend on the results of that survey.

The question of amphibiosity is considered to be important by many hon. Members, including my hon. Friend the Member for Davyhulme. We have reconfirmed our commitment to amphibiosity and it might be encouraging for my hon. Friend to know something which is public knowledge already, though not widely recognised —that we have invited tenders for design studies for replacements of the LPD, the Fearless and the Intrepid. So we are taking the first steps towards replacing those ships.

I restate the Government's commitment to the Royal Navy and our recognition of the central role that it plays in our defence. Hon. Members in all parts of the House have today demonstrated the respect that we have for the Royal Navy, and we saw in the Gulf what it can do when stretched to the limit, with the excellence, courage and skill of the people involved operating their first-rate equipment.

Our commitment for the Royal Navy contrasts starkly with the obscure and grudging muddle which is the defence policy of the Opposition. The hon. Member for Denton and Reddish (Mr. Bennett) put the Opposition's defence policy more honestly and clearly than most when he called for a cut in spending. He was only putting into words the implied policy of the Labour party—of a cut of £9 billion or one third in the defence budget.

The hon. Gentleman said that we should get rid of the nuclear deterrent. As we know, the Labour party refuses to give a commitment to preserve our deterrent should the Russians or any third world country continue to possess nuclear weapons. Opposition Members fail time and again to come up with any clear decision or statement on that issue. So from our point of view, the hon. Member for Denton and Reddish stated true Labour party policy on defence.

Labour, by default, has declared, as I understand it, one-sided nuclear disarmament. By contrast, we are facing the future with an open and sensible defence policy, and my hon. Friend the Member for Gosport said in an interesting speech that we must always keep the nuclear deterrent, not only against Russia but against tyrants on the make. We must always meet a changing threat.

The importance that we attach to maintaining strong naval forces is reflected in our investment in new equipment and manpower for the future. I have referred to some of the new equipment and have answered some of the points that were raised in the debate about manpower and equipment. I have not been able to answer various other matters, but I shall reply to hon. Members by letter as soon as possible.

The clear message is that with us in office in the coming years, the Royal Navy will continue to play its proud part in meeting our commitments to NATO and further afield and in protecting British interests wherever they need to be protected.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Mr. Dalyell: On a point of order, Mr. Speaker. I may not be the best person to say this, because I have had more than my share this week and it may not be the best week to say it, but I have a serious point of order. Our proceedings are debate, are they not? In my 29 years in the House I have always understood that the convention, if not the rule, was that the Chair gave precedence to those hon. Members who heard the opening speeches. For whatever good reason, the members of the Select Committee on Defence did not come in to the Chamber

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[Mr. Dalyell]

until 7.30 pm. I do not think that it was their fault, because the Government ought to have consulted the Select Committee before choosing a day for this debate. But whatever else, that destroys the idea of a debate—there can be no continuity of the proceedings.

Mr. Speaker: I understand that Mr. Deputy Speaker dealt with this matter, as I think that it was raised at the time. Many factors have to be taken into account. I deeply regret that one hon. Member failed to make his speech. However, it was largely because a number of his colleagues made very long speeches; otherwise, he would have been able to speak. I have already assured him that he will get a prime slot in the Army debate on Monday.

Mr. Douglas: On a point of order, Mr. Speaker. This is a serious matter about the conduct of our debate. I know that we are all busy, but it used to be the convention of the House that one at least stayed to hear the following speaker, and that seems to be falling into desuetude. Also, if one spoke, one at least made an attempt to come in to hear the winding-up speeches. I know that the winding-up speeches were nae very good tonight, but if we are to preserve the idea of a debate perhaps you, Mr. Speaker, might have a word with the usual channels, who seem very assiduous about other matters concerning conduct in the House.

Mr. Speaker: It is not for me to say openly what I do about these matters, but I always note those hon Members who have spoken and who are not here for the winding-up speeches, and I certainly let it be known that that is not part of our conventions. I reiterate what the hon. Member for Dunfermline, West (Mr. Douglas) has said: it is our conviction, although of course the Chair cannot impose conventions, that hon. Members who have spoken in a debate should stay for at least the speech after theirs, if not longer, and should always come in for the winding-up speeches.

Women's Rights

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

10.2 pm

Mr. Graham Allen (Nottingham, North): I am delighted to use this rare and valuable chance for Members of Parliament to raise a topic of their choice to talk about the need to develop women's rights, as a central part of the next Labour Government's agenda for democratic reform.

Equal opportunities for all people, regardless of sex or social class, lie at the heart of the democratic socialist mission. It is a good time to refocus on that task away from the hurly-burly of the political excitement surrounding the collapse in support for the Conservative Government, their splits over Britain's future in the European Community, their poll tax debacle, their economic incompetence and their undermining of our health service.

As time dribbles away, we need to reconsider an issue whose time is about to come. Britain is a backward democracy and nowhere is that underdevelopment so marked, so hurtful and so wasteful as in the failure to allow more than half the population to make their full contribution. Discrimination against women exists almost everywhere in the world, but our social conservatism gives it an added twist, often unknown in north America and Europe.

One of the clear differences between the Conservative and Labour parties is that Labour recognises that failure and we will tackle it. Previous Labour Governments passed into law the Sex Discrimination Act 1975 and the Equal Pay Act 1970—firm foundations which have not been built upon in the past 12 years. I shall shortly outline some of our concise sets of proposals which we shall bring forward as soon as the Conservative Prime Minister finds the decisiveness to call an election.

A legislative war of attrition against discrimination, while essential, is only part of what is required. Every individual—woman and man—must know his or her rights if they are to exercise them. If we have rights at all, let us write them down for all to see, from their schooldays onwards. A Bill of Rights within a written constitution is the indispensable backcloth against which individuals will come to understand their rights, argue for them, and consolidate hard-won progress beyond legislative whim.

Such a democratic backcloth would also open up the democratic process beyond the narrow confines of executive action, and allow a multitude of individuals and organisations to play a part in developing rights rather than wait for laws to be handed down. In fighting sex discrimination, many channels must be used, and our Labour Government must not restrict themselves to a one-club policy—a gentlemen's club policy at that.

The traditionally minded will say that that would give power to the judges, as if they do not have power already. Ask those women who have been involved in equal value for equal work cases about judicial interpretation. And as if a Labour Government, serious about democratic reform, would not put a class-based, unrepresentative, and misogynistic judiciary first on their list. The law that has so failed to protect women over the past decade, and which has underwritten the Government's values, demands attention—Bill of Rights or no Bill of Rights.

A radically updated judiciary and a Bill of Rights would merely facilitate and serve as the stage for those battles. They would not in themselves guarantee outcomes that supporters of a woman's right to choose know only too well must be fought and won over and over again, without end.

The second institutional strand that is vital if we are to build on progress in women's rights is a Ministry for women, under its future Secretary of State, my hon. Friend the Member for Barking (Ms. Richardson). Before Conservative Members grow too frightened, I may point out that such a Ministry is common in many European countries and elsewhere.

The seriousness with which that Ministry is staffed, funded and given access to programmes, Departments and Cabinet committees will be the litmus test of Labour's practical commitment to women's rights. It will not be speeches that deliver fair job opportunities, adequate child care, and decent quotas, but mundane chasing through, quality of service reports, implementation targeting and swift administrative sanctions against obstructions and obstructors.

For women to have improved status and power in our society, the attitudes of many men and women must change. Such a change can only benefit from the knowledge and assertion of the rights of an individual—and, just as important, from the knowledge and assertion of the individual rights of others. Even with a Bill of Rights, such a mutual education process between men and women would take a generation. When it is commonplace at meetings for British men to allow women to finish their points without interrupting, that will truly be a landmark.

Meanwhile, much work remains to be done—particularly in the sphere of economic rights. That task will be set about with relish by all the Departments of a Labour Government, with the Ministry for women in the lead. Despite existing equal pay and anti-sex discrimination legislation, the Equal Opportunities Commission, and European Community rulings, women at work are still not treated equally when they apply for a job, seek promotion or look for fair pay. Each equal value case, for example, must be fought from scratch—rather than serve as a precedent for behaviour and fairness that should be applicable to all employers. Such cases can take up to four years to complete. That is totally unacceptable, and it will be tackled as part of a sex equality Bill.

There are many other examples of unfairness that are visited upon the powerless at work, often women, by the powerful, usually men. I noted today's announcement by the Leader of the House in respect of the hours that the House sits. That can only be good for those parties and individuals trying to get more women into positions of power. I am grateful to see that the Minister of State, Home Office, the right hon. Member for Mitcham and Morden (Mrs. Rumbold) is nodding, however slightly. I hope that she also welcomes today's announcement.

It is just as important that we make efforts to ensure that public figures are given assistance, and certainly women should be helped in every possible respect in politics, not least in the timing of meetings and the provision of child care so that they can make their contribution to local councils and elsewhere. The same argument applies in public service. It is shameful that only 3 per cent. of senior civil servants are women, when many of the industrial grades comprise 40, 50 and sometimes 60 per cent. women.

The job segregation that begins at school with the choice of subject often ends with too many girls in low-tech, low-paid jobs and women being over-concentrated in poorly paid sectors. That is why low pay will demand the immediate attention of a Labour Government. It is about time that the case for a national minimum wage was given as much media time as the propaganda against it. I am sure that the packed Press Gallery will take that issue in hand and rectify the balance immediately.

Millions of men will benefit from a national minimum wage, but 78 per cent. of those who will gain from it will be women—nearly half of all gainers will be part-time women workers. The scare stories that were used about the Equal Pay Act 1970 are now being recycled against the minimum wage. It must be understood that low pay is always accompanied by poor or no training, a high labour turnover and low investment. We are all taxed to subsidise bad employers through family credit payments to their low-paid employees. Our European competitors would not dream of being without basic pay standards. A Conservative Government who would condone pay of less than £3·40 an hour deserve the condemnation of all women and men at work. Once again, the early implementation of a national minimum wage will be a credibility test for a Labour Government.

A Labour Government prepared to tackle low pay would equally swiftly improve child care, the provision of workplace creches, community care, training and education, ensure equal pay, and provide bridges between benefits and work, to free women to take up job opportunities. Maternity rights in the United Kingdom lag shamefully behind those of our European neighbours. We are like some third-rate banana republic, and it is only in Britain that women have to work two years for the same employer to be allowed maternity rights. Our paid maternity leave arrangements are the worst in Europe. Only half working pregnant mothers have the right to have their jobs back. It is a national humiliation that we have to be dragged up to European standards by European Community directives that, in turn, the Conservative Government are now blocking.

Time does not permit me to give at length the European comparisons on parental leave, part-time workers, maternity rights and other spheres in which the British working mother is always the poor relation. However, the evidence is there and it is strong enough to convert the most ardent member of the Bruges group into a federalist, because our conditions are so appalling and our position in the league table is so consistently near the bottom.

It will fall to a Labour Government to ensure that, once in work, the same rights and pay apply to full timers, part timers, temporary subcontractors or home workers. Paid maternity leave and the right to return to a job must sit alongside truly independent taxation for women and the prospect of a flexible decade of retirement for those who want it. The Labour party has the comprehensive package of measures necessary to promote and support the fundamental change in social and interpersonal attitudes that will ensure that the very idea of women's rights being distinct from human rights will grow ever more irrelevant.

10.14 pm

The Minister of State, Home Office (Mrs. Angela Rumbold): I congratulate the hon. Member for Nottingham, North (Mr. Allen) on securing this debate on women's rights. It takes place on the day when the first part of the Conservative party's women's conference is being held. The streets of London are thronged with Conservative women from all over the country and they are gathering at one of our national conference centres to hear about Conservative policies. No doubt they will also hear about my response to the hon. Gentleman's proposals for a Bill of Rights for women.

The aspirations of the Labour and Conservative parties about putting right inequalities and lack of opportunities for women are not far apart. The Conservative party attaches great importance to the role and status of women in our society. We are committed to the principle of equal opportunities and to removing barriers that prevent women from playing their full role in public and private life, in employment and in the role that many women choose to play, at least for part of their lives—that of bringing up the next generation. I hope that the hon. Gentleman would not imply that members of his party do not attach enormous importance to that role. I should be surprised if he did.

Mr. Allen: We attach so much importance to the role of bringing up children that we think that the father should share the duties.

Mrs. Rumbold: I share that belief, and many young men share with their wives the joys and tribulations of bringing up children.

When speaking about women's rights we would not use the same strident terms as the hon. Member for Nottingham, North, but we certainly encourage flexibility and choice and we seek to set an example through practice. We establish standards through legislation and we promote good ideas and co-operation between Government, local authorities, employers, voluntary organisations and others.

The hon. Gentleman said that a Labour Government would establish a Ministry for women. The Government have already established a ministerial group to look at women's issues. I have the honour to chair that group and I was appointed by my right hon. Friend the Prime Minister. We undertake to ensure that throughout Ministeries the issues that are most important to women are dealt with fairly and looked at objectively and we try to ensure an input before policies are set in legislation.

I am on record, and I shall be on record again tomorrow when I make a speech elsewhere, as saying that I am deeply concerned about the notion of a separate Ministry for women. Such a Ministry would be an organ within Whitehall and would have to discharge its responsibilities though other Ministries. Experience in Whitehall has taught me that each empire likes to draw tight boundaries. The idea of a Ministry for women that would be able to encroach on Whitehall bureaucracy without fear or favour is not feasible.

Mr. Allen: I am tempted to ask the Minister to give some examples of the difficulties that she has encountered in penetrating other Ministries in her capacity as chair of the ministerial group. I shall leave that as it might be unfair to do so. Does she believe that it would be useful to have the teeth of a separate Ministry in pursuing even the aims of the Conservative party on women's rights?

Mrs. Rumbold: The ministerial group has sufficient teeth and has shown what achievements can be made. I have no doubt that we shall achieve more under a Conservative Government.

The hon. Gentleman spoke briefly about equal opportunities. The Government have consistently supported the Equal Opportunities Commission and have demonstrated our commitment to its work. The extent of the commission's work is impressive. It publicises the good things that happen to women and highlights some of the difficulties that they encounter, such as securing equal employment opportunities. The commission is working exceedingly well in discharging its responsibility to eliminate discrimination and to promote equality of opportunity between men and women. As an independent body, it should be able to scrutinise the actions of Government, and sometimes it has had no hesitation in rightfully criticising our actions. It has a fine record, and I doubt whether any subsequent Government will better its achievements.

The hon. Gentleman briefly mentioned the education opportunities and aspirations that he would like to see for women. I share those education aspirations. The Government introduced the national curriculum and set in train equality of opportunity to enable girls to grow up through the education system and to study the same subjects as boys. Tomorrow's women will have had the opportunity to learn technology, science and mathematics, which formerly were not regarded as girls' subjects but are now part of the education system.

This year's results have demonstrated the success of those policies in the past 10 years. For the first time, more girls are applying for university places than boys. We can be justly proud of that tremendous record.

The hon. Gentleman claimed that the introduction of the minimum wage will liberate women. I ask him to think about what is happening in the labour force, because 91 per cent of part-time workers are women. They choose to work part time because it better enables them to combine that work with the work that they readily wish to undertake in the home looking after their young and growing children. If a minimum wage were introduced, employers may not be able to employ as many people as they do now.

Britain has many women in its work force—many more than in the European countries that the hon. Gentleman cited with such glee as in a better position than us. Forty-four per cent. of the United Kingdom's labour force are women, and they have never been in a more powerful position to ensure that their needs and wishes are taken into account. That is an exceedingly good record and is better than that of any comparable European nations. The notion that we would introduce a minimum wage and undermine that position would frighten not only me but armies of women who would think, "Just a minute. That means that, with a Labour Government, our jobs will go at a stroke." The hon. Gentleman should think about that.

Mr. Allen: The right hon. Lady should not believe too much of the propaganda from the Secretary of State for Employment. Those fears were shown to be totally unfounded in north America and most European

countries. I ask the right hon. Lady to consider not merely the fears that have been wrongly raised in the propaganda battle over a national minimum wage but the opportunities that a minimum wage may provide, particularly for women on benefits, who feel that it is hardly worth their while leaving home for a job that they would like. So often, the wage paid for such a job is appallingly low. With a national minimum wage, we might encourage more people to go into work and end the stories that are occasionally told about a fictitious number of available jobs.

Mrs. Rumbold: A substantial proportion of our work force are women. There would not necessarily be many employers who could sustain their business—which is to achieve profits—and continue to employ women in the way that they are now employed without being concerned about the number of jobs that they could offer women.

I understand the hon. Gentleman's point about the differentials for women who wish to go to work rather than remain on benefit. A number of women make the courageous and proper decision. They wish to show their children that they can work and maintain them, rather than live on the state. I would work to achieve that objective. It is important that the next generation can see that a member of the family supports the family through her own efforts rather than by living off the state.

I wish to comment on the importance of involving women in key aspects of public life. Perhaps the hon. Gentleman did not consider that matter in depth. Recently, my party carried out an interesting exercise into the changes in the achievements of women over the past 12 years. There have been dramatic increases in the number of women succeeding all the way through the professions. There have been dramatic improvements in the number of women in financial services—work in which they were not involved in the past—and in the number of women in higher education who are successfully pursuing different careers and qualifications. Those improvements will continue. There have also been increasing numbers of women in top public appointments and in the major professions.

Slowly but surely, we are winning the battle, without the underpinning of a Bill of Rights and a bureaucratic structure. Such a structure would not be particularly welcomed by women. Under a Labour Government and the structures and bureaucracy envisaged by the hon. Gentleman, women may feel that they are constrained to put themselves into the straitjacket of having to work rather than make clear choices themselves and take the opportunity to bring up their children and to compete at their own pace and level. The Conservative party and the Conservative Government have never pushed people around. The success of women in public life and throughout society during the past 13 years has been dramatic.

The United Kingdom has a very good record on maternity rights. It allows one of the longest periods of maternity absence—40 weeks—in the European Community and one of the longest periods—18 weeks—of paid absence. We already allow women not to be unreasonably refused time off for ante-natal care. We have thus ensured that women can pursue a career and raise a family while not worrying unduly about their jobs when they may feel especially vulnerable.

I refute the hon. Gentleman's claim that a Bill of Rights is the way forward for women. The women of this country are doing very well indeed without a Bill of Rights.

Question put and agreed to.

Adjourned accordingly at half-past Ten o'clock.

House of Commons

Friday 28 June 1991

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Anti-social Behaviour

9.35 am

Mr. Martin M. Brandon-Bravo (Nottingham, South): I wish to call attention to anti-social behaviour, and I beg to move:

That this House agrees that all have a right to the peaceful occupation of their homes; recognises that such a right can only be achieved if nationally sound long-term employment measures are pursued, and locally proper use is made of existing housing, environmental health and mental health legislation, all of which are necessary to achieve the desired environment; and therefore deplores the conduct of Labour local authorities in Liverpool, Lambeth, Hackney and elsewhere for counter-productive local policy and practice and the Labour Party nationally for hoodwinking workers by the advocacy of employment policies, including a national minimum wage, which together work against the achievement of peace in the community.

I am most grateful to have the opportunity draw to the attention of the House yet again the subject of anti-social behaviour. The motion falls broadly into three parts: the more obvious manifestation of anti-social behaviour including the evidence that I have from my constituency and the city of Nottingham itself; the climate in which such behaviour flourishes—I shall seek sadly to show how our local council, not just those of Liverpool, Hackney and Lambeth, contributes to that climate—and how employment may or may not impinge on the subject. I intend to concentrate on the first part, briefly touch on the second part and, as my colleagues and the Parliamentary Under-Secretary of State for Employment, my hon. Friend the Member for Mid-Worcestershire (Mr. Forth), seem to regard employment matters as being interlocked within this subject, to leave such issues to them.

By the grace of modern technology the city authority of my Nottingham, South constituency was able to fax to me this morning a brief, the opening paragraph of which states that, in the current year, that authority has had to deal with 500 reported cases of anti-social behaviour. It is therefore clear that this is no small subject. It requires the widest publicity if it is to be properly addressed.

Hansard contains considerable records of discussions on the topic, but most of them were held at the ungodly hour of 2 am, precisely the same time as most of the parties to which we were referring were disturbing our neighbours. I am not sure that we were disturbing many people with our debates here at 2 am, but it seems appropriate that our discussions coincided with the disturbances themselves.

I brought the subject to the Floor of the House in the early hours of one morning in March 1989, when I said that a home affected by the anti-social behaviour of neighbours ceased to be a home, and that anti-social behaviour was a cancer in our society, on our housing estates and particularly our tower blocks. I said that the problem was known to all too many of us in urban districts and stressed that all of us had ducked and fudged the issue for far too long. In that debate I acknowledged that, in giving security of tenure to good tenants, we also gave it to the troublemakers. I stressed that no one should have the right to abuse security of tenure and conduct themselves in such a way as to deny their neighbours the right of the peaceful occupation of their homes.

What bothers me is that the chairman of the housing committee of my city council has said many times—he repeated it only last week—that it is security of tenure which is preventing the council from tackling the problem. He seems to suggest that my Labour local authority would be happy to see security of tenure eliminated or its scope diminished.

Mr. Alan Williams (Swansea, West) *rose*——

Mr. Stuart Randall (Kingston upon Hull, West) *rose*——

Mr. Brandon-Bravo: I shall give way in a moment.

Whatever the difficulties in dealing with an anti-social tenant, I would not—I hope that this goes for all my hon. Friends—for one moment consider taking away from honest, law-abiding tenants the right of security of tenure of their council property merely to make it easier to deal with the one in 100, or perhaps one in 500, who wrecks other people's lives.

Mr. Alan Williams: Obviously, the hon. Gentleman is going to give us a stimulating speech given the reaction it has already generated. If we follow the logic of his argument would the problems be eased if the unruly, inconsiderate neighbour happened to be someone who had exercised his right to buy?

Mr. Brandon-Bravo: If someone is an owner-occupier in the public sector—the problem also applies in the private sector—the housing authority would have no power to do anything.

Mr. Williams: What happens if that person lives next door to a council tenant?

Mr. Brandon-Bravo: I intend to speak for about 50 minutes, but if the right hon. Gentleman does not allow me to reply to his question I shall speak for even longer. I am sure that he would acknowledge that whether the anti-social resident is in the public or private sector, the environmental health officer has a role.

Mr. Williams *indicated dissent.*

Mr. Brandon-Bravo: The right hon. Gentleman will have to make his own speech. The environmental health officer has powers, as do the police.

Mr. Randall: The hon. Gentleman will be aware that the powers available to the police are limited because noise is not a crime. The enforcement powers of environmental health officers are similarly limited. I am a little confused by the hon. Gentleman's speech. Earlier the hon. Gentleman seemed to imply that if people did not behave in a reasonable and social manner they would be thrown out. Where would he throw those people? Should we expect to see a lot of people living in cardboard boxes on the streets of Nottingham as a result of his policy?

Mr. Brandon-Bravo: I am awfully glad that, at this early stage in the debate, we are flushing out what now looks like another official Labour party commitment. I am sure that there will be some back-shovelling as the weeks go by.

The official Opposition should decide whether they agree with my local Labour party. Do they wish to remove from council tenants the security of tenure that was given to them by the Conservative party under the Housing Act 1980? If so, that should be said loud and clear. At that time the one great thing that we gave to all council tenants was either the right to buy or security of tenure. As a result, many of my council tenants now feel that they can treat their property as their own home.

Whether a person is evicted should be left to the courts, but, if he is evicted, the present housing legislation means that a local authority no longer has any legal requirement to rehouse that person. The local authority might say in advance to the courts that it considers the miscreant to have made himself intentionally homeless, but it might then offer that person a home under a temporary licence. That person would then be the one in a 100 living in public-sector property who does not have the protection enjoyed by the other 99.

The local authority would have the power to say to that trouble maker that he no longer had security of tenure as his tenancy was under licence. The authority could say to that tenant, "If you do it again, tough." If that means that that person becomes homeless I am sure that the hon. Member for Kingston upon Hull, West (Mr. Randall) will accept that that means that a house is available for someone else who will live decently. I have little sympathy for people who try to destroy other people's lives. If those people are given two chances, but spurn both, my sympathy is at an end. I am sure that that feeling is shared by many.

Mr. Barry Porter (Wirral, South): I agree with the argument that my hon. Friend has advanced, but I fear that he is whistling in the dark. Surely the most virulent form of anti-social behavour is the failure to pay rent. Does my hon. Friend agree that Labour local authorities show a marked reluctance to collect unpaid rent or to do anything about tenants who refuse to pay rent? If they will not do anything about that, I doubt whether they will act as my hon. Friend suggests.

Mr. Brandon-Bravo: My hon. Friend ilustrates why the motion refers to Liverpool, Lambeth, Hackney and elsewhere. If those authorities will not collect their taxes and deliver to their residents and tenants the services that the law says that they should, they do not use the tools available to them. I am sad to admit that that is local democracy. If they will not act, one can only hope—a faint hope perhaps—that the electorate will realise where the problem lies and do something about that through the ballot box.

I received a letter from a tenant who described the problems with which she was confronted—I am sure that many hon. Members have had similar letters—as a result of late-night parties. My constituent said that the noise and music start

"about midnight and goes on until 7 or 8 am most nights of the week. We can't sleep at night. And you can't even hear the television . . . I've been reduced to tears."

My constituent approached the police about the problem, but, to be fair to them, they face a difficult task. The police said that they do not have a "soft policy" on what we have come to call "blues parties". However, in that particular case they at least admitted that there was "a problem", which is a masterly understatement.

In comon with most hon. Members, I am regularly confronted by people at my advice sessions who are at the end of their tether with worry and aggravation. They tell me that they find it almost impossible to get across to the culprits the strength of feeling of their neighbours and the distress caused. Officials have confirmed that difficulty. That is not good enough and we must work to find ways in which to tackle the problems.

In the debate in March 1989 I referred to the growing practice of providing a concierge and security systems. Provided that system is properly used it works. I acknowledge that it is expensive, but in the long run, I suspect that such systems cost a local authority little and certainly a lot less than the human distress that is caused by such anti-social behaviour.

The installation of security systems means that there is less destruction of flats and the common parts, for example, the main doors, of our tower blocks. It means that a tenant's front door is not kicked in every time a difficult tenant forgets his key. It would avoid the problems caused by a difficult tenant who does not bother to tell friends coming to his shindig the number of his flat. When that happens everyone else is woken up at some unearthly hour until those people find the right flat.

I said in the previous debate—I shall deal later with the issue as it affects my city—that councils did not, for example, enforce their own tenancy agreements. Councils have argued for far too long that it is difficult to get cases to court and residents to appear as witnesses. That does not surprise me. I am aware—I shall produce evidence this morning to substantiate this—of threats that my constituents have received when seeking to deal with this dreadful problem. As I said, my local authority has announced in the last month its intention to enforce tenancy agreements. That could not have come too soon, and we shall wait and see whether the council means what it says.

In October 1990 the subject of noise was again debated on the Floor of the House, in the context of the Environmental Protection Bill and that debate took place at a sane hour of the day. As the Minister for the Environment and Countryside said then, the Government did not intend that measure to be used as a tool to introduce fundamental changes to noise legislation, as they wanted the opportunity to consider fully what the noise review working party would say about the many facets of noise in the environment. But as he pointed out, the measure took the opportuntity to consider the maximum penalties, and that will help in my city because penalties in certain circumstances have risen from £2,000 to £20,000.

That Bill, now the Environmental Protection Act 1990, also defines statutory nuisance and underlines the duty on local authorities to investigate complaints. This debate is not designed to discuss that Act, but it is relevant in the sense that nobody can say that the Government have not attempted to provide the tools necessary to tackle the problem.

My hon. Friend the Member for Luton, North (Mr. Carlisle) had the opportunity, also at 2 o'clock in the morning, to raise the subject of noise pollution and he covered the same ground that I am treading today. I have discussed the matter with him and he apologises for not

being able to be here today. Perhaps by debating the issue in prime time we may be able to publicise some actions that can and should be taken to help tackle the problem.

My hon. Friend the Member for Luton, North said in that debate that he was anxious to raise the problem of noise and in particular the problem of noisy parties and noise created by individuals, mainly in the towns and cities. He said that problems were often caused by people who seemed totally bereft of any feeling for their fellow citizens and neighbours. The tragedy, he said, was that parties did not occur for an hour or two but sometimes for many hours and even days. He noted that substantial numbers of people were likely to attend such functions and claimed that the way in which they behaved and the nuisance they caused should concern us all.

My hon. Friend pointed out that some people enjoyed loud music more than the rest of us. Perhaps that is one of the down sides of modern society. He added that some styles of music were not particularly accommodating to some people who lived in urban areas. He also, rightly, pointed out that all too often some of the parties were a front for drug taking. That is why I say that many Departments of state are involved, and it is an area in which the police can and do try to act.

My hon. Friend the Member for Luton, North claimed that some of the problems were caused deliberately, rather than accidentally, to provoke neighbours, and he spoke of music deliberately turned up high, the use of what have come to be called ghetto blasters, and even television sets being turned up simply to annoy neighbours.

We must bear it in mind that problems of that sort occur in modern public sector housing blocks that were not equipped with soundproofing. Their construction did not take noise problems into account, and I blame nobody for that because this has nothing to do with party politics. When we built tower blocks in the 1950s, 1960s and 1970s the problem was simply not understood.

Faced with the problem, people have gone to the police, but, as the hon. Member for Kingston upon Hull, West pointed out, the police do not have power to deal specifically with noise. Simply making a noise is not of itself a crime. While I appreciate that, it is not an excuse for saying, "Let us forget all about it." We must address the problem because it has, or should have, nothing to do with party politics.

As my hon. Friend the Member for Luton, North pointed out, in certain situations the police are reluctant to enter a party where large numbers of people are in attendance. Those people might be highly intoxicated or, as my hon. Friend pointed out, be on drugs and, to put it kindly, be in a boisterous mood. I suggest that it is often much worse than that.

Replying to that debate, the Under-Secretary of State for the Environment, my hon. Friend the Member for Banbury (Mr. Baldry), said that it was sensible for neighbours to try to sort out problems among themselves in the first instance, before invoking the local authority and the law, but he recognised that that was only a first step and that we could not just leave it to people to solve their own problems because, in practice, that was often not possible. He acknowledged that gatherings such as blues parties might go on not just for hours but for days, were conducted at a volume that polluted the environment—he, too, spoke of ghetto blasters, car radios and so on—and he accepted that much of the nuisance was deliberate rather than unthinking and accidental.

Mr. Randall: I should be interested to hear what action the hon. Gentleman suggests people should take in those circumstances. In that debate, the Under-Secretary referred to the Government's new initiative, the neighbourhood noise watch pilot scheme. He emphasised that in such schemes the initiative had to lie with the residents. As the hon. Gentleman said that in many instances residents could not tackle the problem on their own, does he envisage the local authorities having a role?

Mr. Brandon-Bravo: Yes, but not the local authority in the sense in which we normally use that term. I have more in mind the role of the active local councillor. Such a councillor, in an area where the problem is prevalent, should have at the top of his priorities the need to help his ward constituents to try to solve the problem. That is the type of self-help that I would welcome and encourage, and later I shall describe some activities of a group of people in my constituency who, living in difficult circumstances, have done that.

Mr. Tom Cox (Tooting): I do not know whether the hon. Gentleman has a local government background, as many of us have. I sympathise with the point that he makes, but he does not know about the current legislation. The power to act when loud music is causing a nuisance does not lie with the police but with environmental health officers. The problem in my area and possibly throughout the country is that, because of Government cutbacks in local authority funding, there are insufficient environmental health officers. I am told that repeatedly by my own authority.

Mr. Brandon-Bravo: The hon. Gentleman may be told that by his own authority, but it is the standard excuse from local authorities throughout the country.

Mr. Cox: It is a Tory council.

Mr. Brandon-Bravo: I do not mind what council it is. If it is a Tory council it should be ashamed of itself. If it is a Labour council that is probably par for the course. The money can and should be found to resolve this problem. The hon. Member for Tooting (Mr. Cox) came into the Chamber a little after the start of the debate——

Mr. Cox: I was here at the very outset.

Mr. Brandon-Bravo: Then I am sorry that the hon. Gentleman was not listening, because I referred in my opening remarks to the role of environmental health officers. The hon. Member for Kingston upon Hull, West shook his head as though I were wrong. I am grateful to the hon. Member for Tooting for confirming that I was right and that the Labour Front-Bench spokesman was wrong.

Mr. Matthew Carrington (Fulham): There may be an analogy here with the legislation that combats noise under different circumstances. If a private sector landlord puts a noisy tenant next door to a sitting or controlled tenant, a plethora of legislation would allow action to be taken against the private sector landlord for harassment of his sitting tenant. He would be accused of putting someone next door to "winkle out" that tenant. The local authority would take immediate action under the various rules, regulations and procedures available to it. If it takes such

[Mr. Matthew Carrington]

action to protect a sitting tenant, should not it treat with equal seriousness the same harassment perpetrated by one tenant against another in its own housing stock?

Mr. Brandon-Bravo: I am grateful for my hon. Friend's valuable intervention. Given the paucity of attendance in the Chamber this morning, I hope, Mr. Deputy Speaker, that my hon. Friend will catch your eye, because his point needs to be underlined. I am grateful to my hon. Friends and the few Labour Members present for attending this debate, but not a single member of the Liberal Democrat party is present at least to let us know that party's policy.

Mr. Barry Porter (Wirral, South): I was just contemplating that, in the 12 years that I have been a Member of Parliament, I cannot recall having received a letter, representation or petition on the problem about which my hon. Friend clearly feels so deeply. I hope that he will produce some evidence because either there is something different about Nottingham, Luton, Tooting and, for all I know, Fulham, or the good people of Wirral are models of proper behaviour. There may be something in the water in Nottingham.

Mr. Brandon-Bravo: I doubt whether it has anything to do with the water. My hon. Friend must be the luckiest Member of Parliament if he has never had an example of this problem.

In a sense, my hon. Friend the Member for Wirral, South (Mr. Porter) highlights why the problem has taken so long to be tackled. Many hon. Members represent rural constituencies—I do not suggest that my hon. Friend's constituency is rural—where the problem does not exist. When those of us who represent urban constituencies try to describe the problem it is beyond their understanding because they have no experience of it, have never talked to people about it and simply do not believe that it happens. I assure my hon. Friend that it is one of the biggest nightmares in urban areas and we must continue to seek an answer.

The date of the letter to which I referred is important in establishing the history of the problem and how long it has taken some authorities to get to grips with it. Although, I consider my local chief environmental health officer, Mr. Sidney Hill, a friend—he is a first-class officer and I do not criticise him—like other council officers throughout the country he can act only under the policies laid down, monitored and watched by elected councillors. If elected councillors will not support an officer in getting to grips with the problem, the officer cannot succeed. The letter has now been sent to every citizen of Nottingham.

Mr. Allen McKay (Barnsley, West and Penistone): The hon. Gentleman will probably hear from the Institution of Environmental Health Officers after the debate putting him right on some of the matters that he has mentioned. First, environmental health officers have a statutory duty on noise abatement. The council's policy does not stop them carrying that out, because a complaint can be taken up by an environmental department as a statutory duty. Secondly, if the problem occurs on a council estate, the environmental health officer normally approaches the housing department, which then deals with it.

Mr. Brandon-Bravo: I do not disagree technically with the hon. Gentleman. He knows—I am sorry that the hon. Member for Tooting did not know—that I have spent enough years on local authorities to know the rule book, but I also know how it works in practice. The hon. Gentleman knows in his heart that I am right. If the elected council will not back the officers, much less can be done. Naturally, environmental health officers have duties and powers under current legislation and they are separate from the duties of the local authority, but it is a rare officer who will fly in the face of his elected council if it is minded not to pursue the problem.

The letter from my local chief environmental health officer to which I referred is dated 29 April this year—six weeks ago. That is why my reaction, when I received it from one of my constituents, was that the penny had finally dropped. I thought that in 1991 the council might be about to do something. The letter says:

"The City Council is becoming increasingly concerned about nuisance caused by the anti-social behaviour of certain residents"—

what a revelation after all these years of publicity, discussion and letters—

"the City Council will take all necessary steps to ensure that your tenancy conditions are adhered to, which may lead to the eviction of tenants who act persistently in an anti-social way and disturb their neighbours."

Again I say, "At long last"—six years after the Labour-controlled city council was given the tools to do the job. The letter refers to

"the keeping of cats and dogs in flats and maisonettes"

not being allowed under the conditions of tenancy and states:

"tenants are responsible for the action of any visitor who breaches"

the tenancy agreement. That relates to the practice of tenants, often in tower blocks, who go away for a couple of weeks and give their key to a friend who holds parties. That causes all sorts of problems for the local authority and the police. I pay compliments where they are due and I am delighted that Nottingham city council has now agreed at long last to recognise the problem. It says that it will do something about the problem and I hope that it will.

Mr. Sidney Hill refers to the Environmental Protection Act 1990 and says:

"I shall use powers strengthened by the Environmental Protection Act 1990 to deal with noise nuisances and the Council will"—

I am delighted that he underlined the word—

"prosecute people who continue to cause noise nuisance with a maximum fine of £20,000. Furthermore, fines of up to £2,000 may be imposed where the property is being used for business purposes."

In response to possible criticisms from the hon. Members for Barnsley, West and Penistone (Mr. McKay) and for Tooting, I say that I hope that the local council will let Mr. Hill get on with that job. Indeed, I hope that the council will make it easier for him and not put obstacles in his way.

In my opening remarks, I said that by the wonders of technology, my council had faxed me through a brief. It ties in with the letter and confirms:

"As the landlord, the City Council has an obligation to protect a tenant's right to quiet enjoyment of their property and to take action against the tenant who, by their anti-social behaviour, breaks their conditions of tenancy."

If that is a public statement which my council has at long last put on the record and which it means, I hope, for the sake of thousands of my constituents and of people in the city of Nottingham and elsewhere, that that pledge is delivered.

The note continues:

"500 reported cases of anti-social behaviour covering noise, blues parties, unruly dogs and car repairs"

are contrary to tenants' agreements and the council will seek notices of possession. I am delighted. The note continues:

"The City Council is committed to taking a firm line with anti-social tenants and apart from the possibility of seeking possession of a dwelling, ex-parte injunctions will be sought as a way of stopping the nuisance without necessarily requiring the eviction of the tenant."

The memo deals with the mental condition of some anti-social cases. My motion refers to that and I shall return to the problem later. I acknowledge that hon. Members on both sides face a real difficulty and I hope that by highlighting it today we can tackle it.

I received an earlier letter from Mr. Hill in June 1985 —as I have said, I am angry that this has taken so long —in which he said:

"The majority of such complaints relate to the playing of loud, amplified music at unsociable hours"

and he describes everything that I have already mentioned. He highlighted differing lifestyles and mentioned unemployment. My hon. Friend the Under-Secretary of State may say whether unemployment is relevant. Mr. Hill highlighted commercial interests and referred to blues parties. He said:

"they cause annoyance, discomfort, loss of sleep, intimidation and other social pressures . . .

The noise may be intermittent, irregular and as a result sometimes difficult to monitor and to obtain evidence to take legal action"

and effectively resolve the problem. His letter concluded:

"The Director of Housing will be writing to you concerning the problem of enforcing tenancy conditions relating to nuisance caused to other tenants."

That was back in 1985. Six years later, the council has made up its mind to say that it will apply the tenancy agreement. Hence my anger during the past six years.

In 1980 the city council published a booklet that contains two sentences which are as valid now as they were 11 years ago:

"One person will accept with apparent unconcern a noisy situation that will drive another person to distraction . . . What is acceptable at 10.00 pm on Saturday night, has by 2.00 am Sunday morning become decidedly unacceptable."

That is a masterpiece of understatement.

People have floated the idea of housing courts. I do not wish to debate that possibility this morning, save only to say that we must find ways of improving access to the legal system for ordinary citizens so that they can enforce their rights. Perhaps my right hon. Friend the Prime Minister will consider whether his citizens' charter could give my constituents and others their right to the peaceful occupation of their homes that exists in current legislation. Whatever our system, the aggrieved party must be allowed easy and prompt access to a legal remedy at an affordable cost.

The papers on the possibility of a housing court said that the atmosphere and procedures must not be unnecessarily forbidding. That assumes that we reach that stage. All of us who have been involved in the problem know that, because of threats and intimidation by the guilty people, many tenants would not go to such a court even if it were easy to do so. Only a very brave person will stick his head above the parapet and take action himself. That is why the state machinery—I hate that phrase—must do the job for the resident. We cannot allow the resident to do it himself.

The Conservatives had a brief spell in control of Nottingham city council in 1988. They began addressing the question of how to make the new legislation work. They set up a housing management panel to deal with cases of persistent anti-social behaviour. It agreed that the director of housing could receive papers on anti-social behaviour, noise nuisance, dogs, vandalism, harassment and illegal use of the premises. The machinery was there. We lost control. The machinery did not exactly gather dust; it was kept and the council has begun to use it. I have been told to my amazement that the council has even evicted one tenant. That is one tenant in all this time. I hope that sufficient publicity will be given to that eviction, if only to ensure that it acts as a deterrent to others who, having got away with creating nuisance for the past heaven knows how many years, think that they can continue to do so. Let us hope that the message will get through that they will not get away with it any longer.

I am trying to show why I am so angry that it has taken not just my authority, but many others, so long to act. When my hon. Friend the Member for Broxbourne (Mrs. Roe) was Under-Secretary of State for the Environment I asked her to reaffirm what powers we had. Her answer went to our city council in March 1988. Referring to anti-social tenants, she said:

"We specifically gave Councils the power . . . to go to court to seek their removal. The relevant provision is now Ground 2 of Schedule 2 to the Housing Act 1985. Where a 'tenant or a person residing in a dwelling-house has been guilty of conduct which is a nuisance or annoyance to neighbours' . . . the Court does not have to satisfy itself . . . that in addition suitable alternative accommodation is available for the displaced tenant."

Such a person may have made himself intentionally homeless, and the letter makes it clear that the local authority has no obligation to rehouse him.

I want to show that Conservative Members took the problem seriously and did not just leave it to the housing Minister. I have a note that confirms that the Home Secretary also recognised the problem and called for the papers. I know that my right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) also tried to deal with the problem; he was the Minister who took the 1985 legislation through the House.

Little happened thereafter—certainly not in my area. I approached my hon. Friend the Member for Rossendale and Darwen (Mr. Trippier), the then Under-Secretary of State for the Environment, in March 1989. He reaffirmed what we already knew—that much could be achieved with concierge security systems—and he made an important point in his closing sentence. Three years after the legislation was passed he wrote:

"the tools are to hand now for real progress on this front."

Yet by April 1991 my council had only just managed to tell its residents that it believes it has the tools to do the job.

I continued to press the issue, not because I was dissatisfied with what the Government had done, but because, for some reason, we could not get the point across to local authorities. The Minister confirmed again that

"It is a matter for the local authority to decide whether they wish to provide further housing for tenants evicted"

under schedule 2 to the 1985 Act. The Minister confirmed that he had taken legal advice on the interpretation of the Act and that these people could well be regarded as having made themselves intentionally homeless:

[Mr. Brandon-Bravo]

"In this case the authority would have no obligation to provide permanent accommodation . . . it could provide accommodation under licence to persistent anti-social households"—

that is the mechanism that we should try to persuade local authorities to use.

I should like to offer a few specific cases to persuade my hon. Friend the Member for Wirral, South of the reality of these problems which affect so many people. I corresponded with a gentleman who lives in one of our tower blocks. I shall not give his name because I do not think it right to use constituents' names except in special circumstances. It is one thing to name Members of Parliament and local councillors—we are in politics and we have to stand up and be counted—but I dislike using the names of constituents without good cause.

The heading under which the gentleman wrote to me was, "The Nightmare Continues". For some of these people the problem is indeed a nightmare. The then chief constable of Nottinghamshire tried to deal with some of the points. I accept that the police cannot gather evidence unless they are actually present to witness tenants slinging their rubbish out of their 12th floor window. They can also do little about dogs fouling stairways and walkways. The dogs should not be in the blocks of flats in the first place, but that is the responsibility of the local authority, under the tenants' agreement.

The chief constable stated that he was aware of the problem and was dealing with it. He confirmed that people had been arrested for possession of drugs. I welcome my right hon. Friend the Minister of State, Home Office to the Front Bench. He was responsible for the superb legislation of 1985 and he followed it through with support from the Home Office thereafter. I find it rather sad that some of these flats had to be demolished; nevertheless I approve of their demolition in this case. I still have a photograph of my right hon. Friend the Minister of State, Home Office standing—at the time he was responsible for housing—in front of these ghastly flats and seeming to agree that the sooner they were pulled down the better. As the chief constable said at the time:

"The forthcoming demolition of part of the flats will improve the environment which has been upgraded visibly during the past three years."

It is sad that the only way to cure an anti-social problem is by knocking down flats—but they were lousy flats, and good riddance to them.

I should like to mention a letter from a resident of another block of flats. There are 18 tower blocks in Nottingham and I am blessed—if that is the right word—with 11 of them. The letter describes another anti-social tenant who continually sniffs glue. He has been seen squirting gas lighter fuel down his throat. He plays a cassette recorder and a television very loudly and generally behaves insanely. He spends most of his waking hours as high as a kite. He says that he has been addicted for the past five years and cannot stop. His place reeks of glue and gas fumes. He has 22 convictions. This is not hearsay: it is fact, and I know that the case was resolved. It is another example of why I believe that we should debate these issues in prime time, as we are doing today.

Earlier, I mentioned self-help, as did my hon. Friend—I know that it is not the custom of the House to call him that—the Member for Kingston upon Hull, West. I applaud the laudable efforts towards self-help of a group of residents in four of our tower blocks in the Radford area of the Lenton ward. I pay tribute to and I do not mind naming Mr. Tony Barton and his fellow residents on the self-help committee. He writes that many people keep dogs in the flats and that nothing is done about that:

"Small dogs aren't so bad, but big ones such as Rottweilers etc. need space".

Imagine an elderly person finding the lift doors opening to reveal a rottweiler!

Mr. Randall: I should be grateful if the hon. Gentleman would tell us in a little more detail what he envisaged happening to the gentleman with the drug and behavioural problems whom he described. Earlier, he advocated that such people should be evicted and moved into other housing on licence whence, if they did not behave properly, they should be thrown on to the streets. How would he deal with people of this sort? His tough stance seems to go against the Government's notion of care in the community.

Mr. Brandon-Bravo: I have not one jot of sympathy for people who consciously carry out anti-social activities, but the young man to whom I referred was very sick and I believe that he was taken to hospital, where his problems were dealt with satisfactorily. I accept that that individual perhaps falls into the grey area of those people who slip through the loophole of the Mental Health Act 1984.

In response to a letter I received from one lady about the noise coming from flats, I suggested that she should wait until the security system was installed, because the mechanism would then be available to council staff on duty to know what was happening and to deal with it. It seems that was a pious hope, because, even after the security system was installed, little was achieved. I do not blame the staff, because they were only acting on instructions. They sat and watched the screens, and if anything untoward occurred, they did not telephone the police but their supervisor. I am not sure what was supposed to happen then, but as far as the tenants were concerned, what hapened was zilch.

Mr. Randall: I want to return to the example that the hon. Gentleman gave earlier, because it concerns a central point that I am anxious to resolve. The hon. Gentleman described it as a case involving someone with psychiatric problems moving into an area. Although I do not have the details of that specific case, my immediate reaction is that a man who lives in the way that the hon. Gentleman vividly described needs help. To evict such an individual on licence would be a tragedy. The hon. Gentleman is raking up all the old Conservative nonsense of the early 1980s—the short sharp shock, and hang 'em and flog 'em brigade. Instead, such a man needs help to get back on his feet and to live a decent life in society.

Mr. Brandon-Bravo: I am greatly disappointed with the hon. Gentleman. He knows very well that I have tried to draw a clear distinction between those consciously guilty of criminally anti-social behaviour and the individual who is not covered by the 1984 Act. No one denies that a grey area exists. I have discussed it with my right hon. Friend the Secretary of State, and we are examining the ways in which it can be tackled with care, understanding and sympathy—while making certain that a distinction is drawn between the consciously guilty and individuals of the kind that I described.

I turn to the question of intimidation. After a security system was installed in the block of flats that I earlier mentioned, I received a letter from one of the residents, stating:

"every time a flat became empty, it was used for blues parties, and the council were not making a great effort to stop them . . . all they would do would be to repair the door and the people running the parties would come and break it down again. On that afternoon, the door was opened by some . . . guys. I knew one of them . . . to be a person that organised parties . . . I went to the housing officer . . . we were told to go home and not to worry as everything would be taken care of and that there would be no parties . . . an injunction would be obtained and if a party started . . . I just had to call the police.

At 7 pm, the music and drink arrived and they off-loaded a music speaker as big as a mini car."

I can confirm that, because I have seen one of those speakers. It is about the size of a domestic fridge-freezer. That is pretty big. Right hon. and hon. Members can imagine the noise that two such speakers would make at a party in a comparatively small council flat. The letter goes on:

"I asked the security guard, 'Have you no powers?' He answered, 'I have no powers to say no. He lives here.' That is absurd . . . We are told we have great security, yet the doors are just held open while all this goes on."

I saw that happen, so I know it to be true. When the tenant checked with the police, they knew nothing of any injunction. As he says,

"Someone is lying to us."

On another occasion, that same resident's family was awoken at 1.30 am by loud banging in the flat above. He went upstairs and saw two men trying to break down the door with a hammer. He states:

"I was told by them to go away . . . I then said that I was going to call the police . . . they came towards me and lashed out, then I was hit with a hammer, punched, and my teeth were broken and knocked out. The council do not seem to realise the feeling of insecurity and anxiety felt by my family and me . . . I could not even bring myself to speak to the lady from Victim Support."

As a result of my meeting with members of the residents association, Labour councillors finally bothered to go to talk to them. Those residents, who live in a ward that has been a Labour fiefdom for as long as anyone can remember, told me, "They take us for granted." I replied that they would probably go on voting Labour for the rest of their lives anyway, but, be that as it may, I was their Member of Parliament and would do what I could to help. I never ask people about their politics, and that probably goes for most right hon. and hon. Members. However, it grieves me when I see ordinary working-class people being taken for granted by their elected representatives, on the basis that they will always have their support.

Mr. Randall: Of course.

Mr. Brandon-Bravo: The hon. Gentleman says, "Of course." That is the saddest part of all. We imagine, as reasonably sophisticated people, that everything can be solved through the ballot box. Sadly, that is not so. In certain situations, people need help beyond the ballot box, in dealing with problems that some councillors will not address.

The chairman of the city housing authority acknowledged that the flats concerned had fallen below city standards, and that tenants should expect cleanliness inside and out and action to be taken against noise nuisance. He confirmed the duties of the people watching the security monitors, and made a reference to the use of loudspeakers. He pointed out to the residents that unless they were prepared to stand up in court and testify, it was difficult for the local authority to take action. I accept the truth of that, but it should not be used as an excuse to do nothing.

The housing chairman, who is supposed to be in charge of policy and to approve council tenancy agreements, irritated me beyond belief with this comment about dogs in the blocks of flats known as the 4Bs, when he said that its tenants association should make decisions about dogs. It is for the council to take such decisions, and to say, "Dogs are not permitted, but we will apply discretion when it comes to the Yorkshire terrier or small lap dog that many people, particularly the elderly, keep for company." No one can deny that the council has the power to say, "You shall not keep a rottweiler, alsatian, or any other large dog in a high-rise block."

I tried to make direct contact with that housing chairman, but he did not answer. Instead, he wrote to Tony Barton, whom I complimented earlier, saying that he would not reply to my letter because he thought that I was being somewhat hysterical. If I am angry on behalf of my constituents and that is deemed to be hysterical, so be it. However, at least he conceded this point:

"This nevertheless does not excuse the fact that the rubbish and graffiti should not have been there in the first place."

When I visited the residents, they smiled and said, "We don't know if it was because the council knew that you were coming, but yesterday four lorries turned up and carted away more rubbish than you can possibly imagine from these flats." When they showed me around, I said, "My goodness. If four lorries came yesterday, they had better come back tomorrow, the day after, and the day after that,"—because it looked as though no rubbish had been removed from those tower blocks for months.

Councillor Chapman continued:

"I am not excusing previous management deficiencies but we are already taking measures to improve the situation by, for example, introducing security".

The council is beginning to do what I was submitting should have been done years ago. I said at a tenants' meeting that I would be willing to try to enforce a ban on dogs in the Radford road flats, but added that I would need the backing of the tenants' association. The views of the representatives of the tenants are clear, but it must be for the council to decide whether large dogs should be allowed to be kept in the flats. It is ridiculous for councillors to say that the responsibility for placing a ban on dogs rests with the tenants.

In his letter, the Labour chairman, Councillor Chapman, takes up the issue of security of tenure. He wrote:

"Mr. Brandon Bravo, I believe, voted for this legislation."

Indeed I did. If the measure came before the House again, I would vote for it again. I hope that all my right hon. and hon. Friends would vote for security of tenure. I challenge those who occupy the Opposition Front Bench to say unequivocally that the Labour party has no plans to diminish security of tenure for council tenants. If the sort of things that are being said in Nottingham on this issue represent official Labour party policy that lies under the surface, it is time that that was established once and for all.

I tried to help a constituent who lives in another block of flats. When she explained her position I said to her, "After 23 years, you should not be driven from your home. I cannot accept that it is the innocent who have to pay the price." I am sure that many hon. Members would confirm

[Mr. Brandon-Bravo]

that the local authorities in their constituencies often ask complainants whether they would like a transfer. Often it is easier to offer the innocent party a transfer than to tackle the guilty party. Surely that is wrong. I do not see why the innocent should suffer. The constituent to whom I have referred is a lady who lived happily in her home for 23 years before a problem arose, yet she was being asked whether she would like a transfer. That is not an option which I can accept.

Mr. Barry Porter: I am grateful to my hon. Friend for allowing me to put the record straight. Some many hours ago—well, it feels like that—I said that I had never heard of the sort of problems that my hon. Friend has described in the area that I represent. I have made a check and I have been reminded by my secretary that twice over the past five years I have been approached about similar problems and the transfer option. These cases involved noise, drug-taking and general unneighbourly behaviour. I wish that to be known, but the majority of the Wirral is clearly perfect. I must accept, however, that there are one or two small stains to its otherwise impeccable character.

Mr. Brandon-Bravo: I am grateful to my hon. Friend for taking the opportunity of putting the record straight. It seemed inconceivable that the Wirral could be perfect and that within the area there had not been one example of the sort of problems that I am drawing to the attention of the House.

In one instance I have no criticism of the local authority's housing department or social services department. Those who are involved in causing the problems to which I shall refer are not criminal—I know that I am not using that term in a correct legal sense. I shall not put a label on those who are causing the problems, because I am aware that I shall be challenged up hill and down dale for using the wrong label. I shall refer to the two people who are causing problems as Mrs. X and Miss XX.

Solicitors have tried to take out injunctions against Mrs. X during the past couple of years. She threatens people in the streets. The police have tried to take her to court to have her bound over. We cannot lock up this sort of person, I am not sure how conscious such a person is of the trouble that he or she is causing. With Mrs. X, the problem is abuse and foul language generally. Perhaps I am being kind when I describe her as a poor old dear. She seems not to fit into any category and no one knows quite what to do with her. However, an answer must be found.

I went to see Mrs. X's house in the knowledge that there is not a solution to everything. One of the failings of politicians is that we kid ourselves that there is always a solution to everything. There is not. Indeed, we have debates to try to highlight problems. It may be that there is a genius living in these islands who has the answer. If so, let him come to the Bar of the House and present it to us. After all, we have long been struggling to find answers to the problem that I have put before the House.

I referred to Mrs. X as a poor old dear, but she is not an old lady. When I went to her house I found that the windows were boarded up. It seems that she thinks that stones will be thrown at her windows. People wish that she would stay quietly in her home and leave them alone, but it seems that she feels threatened. As I have said, no one knows what to do with her.

Miss XX has been moved voluntarily on five occasions within Nottingham. All that that has done is move on the problem. Again, no one knows what to do. A letter from some residents reads:

"Over the past five months she has threatened the children, shouted abuse at adults and children (which is unrepeatable) . . . threatening with dangerous weapons such as a carving knife, a baseball bat and scissors. The last straw was last night when she came out threatening the children with a hammer. Who is to say that in one of her fits of depression she will not physically attack a child? She has already tried to do so on numerous occasions in the street."

When I took up the case I found, to my horror, that I had dealt with it 12 months before—at least I thought that I had dealt with it. I said to myself and to my constituents "Here we go again. I know this Miss XX of old." Their hearts fell just as mine did.

I recalled that 12 months ago an old lady of 92 was terrified to leave her home because Miss XX used to lift the flap of the old lady's letter box and scream through the aperture. She would threaten to pour petrol into the old lady's house. I should say that Miss XX has never carried out a threat of that sort. She has occasionally been taken before the magistrates by the police, but she seems to fit into no slot that has been created by the relevant agencies. We love to put people into slots so that we can say that we have found an answer.

I shall read a letter that I received from the housing department that is relevant to the argument that I am advancing. It reads:

"I am sure that you appreciate Miss"—

the letter gives her name but I shall refer to her as Miss XX—

". . . has a mental problem which neither I nor my staff are able to deal with. Indeed, it is my personal opinion that she should not be living in the community at all without some regular supervision. I have expressed this view forcibly to the caring agencies but they seem unable or unwilling to take any responsibility for her."

I do not want to pass judgment on whether the agencies are "unable" or "unwilling". I only hope that this constituency case will be picked up by my right hon. Friend the Secretary of State and that he will consider whether current legislation is able properly to deal with it.

The letter continues:

"In all fairness, however, I have to tell you that in my opinion it is most unlikely a judge would grant the council a possession order, despite the evidence, in view of her condition."

In other words, there is no point in the council taking Miss XX to court because it would not be able to obtain an eviction notice. It is obliged, therefore, to opt for the voluntary approach. The letter adds:

"I am desperately trying to do all I can to find a solution to this very difficult and time-consuming problem but in all honesty I cannot see a way forward at this point in time. I only wish I could."

The letter continues:

"The meeting was attended by Social Services staff, the Police and . . . this Department . . . and each expressed great concern about her behaviour. It was noted she had been banned from the Offices due to her abuse of staff . . . there were frequent complaints/petitions about her behaviour etc."

They concluded that Miss XX

"may persistently be at odds with the community . . . Health services staff are quite clear that she is 'untreatable'. Any work . . . can have only a very limited effect in changing her attitude/behaviour."

The housing department agreed to

"recommend rehousing on Management Grounds but careful consideration must be given as to location/neighbourhood and vulnerability of children/elderly etc."

I believe that that case is typical of a number of cases, although I do not know how many, throughout the country.

I share the view expressed in the letter that Miss XX and those like her

"should be placed in a hostel/community-type setting where there could be close monitoring of . . . behaviour. It seems, however, there is no Local Authority or any other type of accommodation available for people like her. It was also stated, quite rightly, that she cannot be forced or co-erced to live where she does not want to go.

I am greatly concerned that the Housing Department is left in the unenviable position of having to deal with this anti-social tenant with a mental condition. Obviously my staff will continue to act in the best interests of both the tenant and the community, (hopefully with the continued co-operation of the Social Services staff and the Police), to try to ensure matters do not get out of hand . . . in any other area where she may be moved to in the future."

I think that I have shown that there is a real problem not only in my city, but throughout the country, much of which can be tackled if there is the local will to do so. Housing, environment and health legislation can deal with most of the problem. The House should consider further legislation to provide for local authorities to deal with such cases. Although they may be few in number, they involve a disproportionate use of staff, money and time.

I wish briefly to touch on the second part of my motion. It appears that the city of Nottingham now has a council willing to use the tools that this Government have provided. If it uses them, there may well be a diminution of the problems caused by anti-social behaviour. However, if local authorities such as Liverpool, Lambeth and Hackney do not carry out their duties in areas in which nine out of 10 other local authorities happily carry out those duties, how on earth can we expect local authorities, such as the one that I have named, to tackle those real human problems? By whatever style, title or priority the Labout party currently adopts—*[Interruption.]* Is it high priority, first priority, top priority——

Mr. Randall: We decide the priorities.

Mr. Brandon-Bravo: The hon. Gentleman was, of course, referring to the Labour party, not the Government.

Mr. Barry Porter: I wish to be as helpful as possible. The secretary of the ruling Labour party in Lambeth is an ex-Member of Parliament, who represented a Nottingham seat. If my hon. Friend has any complaints, I am sure that Mr. Michael English will deal with them immediately.

Mr. Brandon-Bravo: My hon. Friend referred to the gentleman who held my seat before I won it in the 1983 general election. I hope that my hon. Friend will forgive me if I do not respond to his point.

I have taken much more time than I intended, but given the number of interventions, most of them helpful——

Mr. Cox: Rubbish.

Mr. Brandon-Bravo: As the hon. Gentleman says, the rubbish came from him. I accept his descripton of his intervention. I was grateful for the other interventions from hon. Members, and I commend my motion to the House.

10.54 am

Mr. Alan Williams (Swansea, West): The hon. Member for Nottingham, South (Mr. Brandon-Bravo) has done the House a service by initiating this debate, He may as well have taken another five minutes to deal with the other two constituency cases that have been brought to him since 1983. He made an interesting speech, in which he recognised personal ineffectiveness—not just his, but that of all Members of Parliament. It is a pity that he spoilt what should be a useful and constructive debate by trying to superimpose a rather trivial and silly political dimension.

I do not intend to follow that line, although we could cite examples of Conservative councils and councillors and make silly yah boo noises. We could even ask how it is that, with the previous Conservative party leader, the right hon. Member for Finchley (Mrs. Thatcher), having said there is no such thing as society, it is possible to be anti-social? That would be a good debating point at the Oxford Union, but it is not what we are here to debate today. As I said, the hon. Gentleman has provided the House with a good opportunity for debate, which he partly spoilt by introducing a political dimension. I hope that we can now get to the substance of the issue.

In some ways, we are involved in an exercise in humility. As the hon. Gentleman said, this is a sovereign Parliament, but we have placed a duty on councils. That is passing the buck. He said that he did not know what to do about the problem, but implied that because Parliament had imposed a duty on councils we should assume that they could deliver an answer. That is a rather fatuous way to treat some of the issues that we are discussing.

What continually emerged during the hon. Gentleman's speech—I am not making a criticism as I am sure that we will all say it—was the fact that he did not know what to do about the problems. It is a pity that he kicked the councils for not being able to solve them. I am not suggesting that the hon. Gentleman should know how to solve the problems; I certainly do not. He gave the example of an old lady in his constituency—a sad but common case. Every hon. Member has the equivalent of that old lady. However, it is simplistic to suggest that such people should be rehoused, given one opportunity to stop causing problems, and then thrown out on the streets. He cannot seriously suggest that that would be a solution. If that approach were adopted, I do not doubt that he would be on his feet in the House condemning the very council —especially if it were Labour—that had put an old lady out on the street.

Mr. Brandon-Bravo: I did not say that.

Mr. Williams: The hon. Gentleman should read his speech in *Hansard*. He did the House a disservice because instead of dealing with the issue on its merits—it has enormous merits—he tried to twist it by imposing a political dimension. He put himself into rather absurd, illogical corners.

It became increasingly clear, not just from the hon. Gentleman's comments but from some of the examples that he cited, that very often the sort of people we are discussing are at the margins of competence. He said that they were not criminals, but he could not define them. If something cannot be defined, it is hard to legislate to deal with it. That is one of the problems of Parliament.

[Mr. Williams]

I suspect that during the debate we will hear example after example for cases of which Parliament cannot effectively legislate. We can introduce nominal legislation saying that certain things cannot be done, but that is rather like our legislation that says that people should not break the 30 mph speed limit. We all know that that legislation is effective only in the context of the impossibility of achieving that speed on many of our roads. Although necessary, the legislation is fairly meaningless in its application.

We should clear the deck of the nonsense that all that we have to do is to pass a law and we will have solved the problem. We can often recognise and define a problem, but that is very different from solving it. Therefore, let us not indulge in the easy trick of saying, "We, in Parliament, from on high, have said that this should not happen and those nasty, incompetent councillors and council officials have failed to do what we have told them they have to do, although we admit that, if we were in their position, we would not know what to do either."

Mr. Hugo Summerson (Walthamstow): The right hon. Gentleman is somewhat missing the point. The House has given local authorities considerable powers and resources to deal with the sort of problems described by my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo). The main complaint is about local authorities which, although they are in full possession of these powers and resources, display indifference to the problem and make no effort to deal with it.

Mr. Williams: My hon. Friend the Member for Tooting (Mr. Cox) mentioned Wandsworth council, the prime example of all Conservative virtues, which suffered from the same problems as those outlined by the hon. Member for Nottingham, South. Unless half the population are inspectors checking on the other half, many of the matters about which we complain are almost untreatable in legislative and administrative form. We are talking of behavioural and malevolent defects. One can sometimes deal with malevolence, but behavioural inadequacies are more difficult to cope with. They are caused by the change in our social cement, our social structure and our social responsibilities.

Mr. Carrington: The House will accept that many of the problems described by my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) result from social conflict between the lifestyles of the parties involved, which is a great difficulty. However, is the right hon. Gentleman is mistaken, because the problem is in the solution. It may be difficult enough to find in itself, but we cannot even start on a solution because the legislation to enable it to be acted upon is not in place. In other words, legislation is a necessary precursor to finding a solution to a social problem.

Mr. Williams: The hon. Gentleman is taking a somewhat different position from that of the hon. Member for Nottingham, South, who said that the solutions are there but these nasty local authorities will not use the legislation that Parliament has enacted.

Mr. Brandon-Bravo: I did not say that.

Mr. Williams: The hon. Gentleman will need to read what he said. I listened to his speech with an attention that much of what he had to say did not deserve. He needs to think through what he said, because many of his premises conflicted with each other. I did not want to get into party contention on this because I came in to refer only to one brief issue. However, listening to the hon. Gentleman stimulated all manner of responses.

Mr. Carrington: I reinforce what the right hon. Gentleman said. We had a stimulating hour and a quarter from my hon. Friend the Member for Nottingham, South.

Mr. Williams: It was certainly thought inducing. Unfortunately, hon. Members have had to bear the consequence of the fertility that it created in my imagination. If the aim of the exercise was to stimulate debate, the hon. Member for Nottingham, South has certainly done that.

We can all quote examples of anti-social behaviour—aggressive smokers, hooligans and the foul mouthed. I shall concentrate on one example. Many of these personal behavioural inadequacies come together in a singularly dangerous environment when the people about whom we are talking are put into a car. I can hark back to my younger days, as no doubt other older Members can, and talk about the neighbourhood, the influence of neighbours and the fear of stigma in the community. We live in a different society. It is more mobile and semi-detached in its accommodation and attitudes. There is no social cohesion or sense of social responsibility. Strangely, such social patterns were consolidated by factors such as living through a war, because we had to work together and observe certain basic rules. However, society has gradually loosened.

The hon. Member for Nottingham, South described the person who throws litter from the top floor of a flat, but that person is now throwing a can through the window of a car in the fast lane, on to the central reservation of a motorway. People who are a danger, a threat or a nuisance when they are relatively static become positively dangerous when they are in 1 tonne of metal capable of doing 100 mph. On the roads, the neuroses, the aggressiveness, the competitiveness and the inconsiderate behaviour that can be found in other contexts are concentrated in a situation in which there is no accountability. For example, if one feels inclined to shout at a neighbour, one knows that he will be living there the next day, and one has to take into account how relationships will be affected. In a car, if a conflict arises, snap decisions are taken at 70 mph by drivers of varying competence. There is no social restraint there. There is no accountability because one does not know the other person.

Mr. Brandon-Bravo: In America, a driver could pick up a gun and shoot the other person.

Mr. Williams: The hon. Gentleman is correct. I fear that we may be coming to that extreme behaviour. We have a relatively low ratio of cars to people and it will become considerably higher.

There is belligerence, aggressiveness and a lack of awareness in people in control of vehicles that are capable of high speeds. That is exacerbated by the fact that there is congestion not only on urban roads but on motorways.

People are in a hurry and a rush. All these additional pressures bring out the inadequate characteristics described by the hon. Member for Nottingham, South.

All hon. Members spend a lot of time on the roads and we have observed such behaviour. I do not suggest that we are better or worse drivers than anybody else, but, because of the amount of time that we spend on the roads, we are able to observe the rapidly deteriorating standards of conduct. I drive up and down the M4 to my constituency. I am lucky in that it is a relatively unused motorway. I feel sorry for those of my colleagues who have to travel on the M1, one of the most miserable motorways to be found anywhere in the world. We are lucky that the road from London to Wales and back is a fairly pleasant drive with only the occasional hold-up.

I have been struck in the past few years by the change in attitudes towards driving. The hon. Member for Nottingham, South spoke about the American experience. On American freeways motorists are allowed to pass on either side. In Britain we sensibly preserve the rule that one should pass only on the right-hand side. At least one knows where to look to see where trouble may be coming from. Increasingly we all experience the belligerent, aggressive driver who weaves his way through the traffic, passes on the inside lane, ducks into the middle lane and works his way in and out of the traffic streams. No doubt he feels clever. He may be venting his need to prove his competitive capability, but he creates enormous dangers for a great many people.

A worrying phenomenon that has emerged recently is a tendency, which cannot persist for long without leading to serious accidents, for people to jump the red light at traffic junctions. All of us who drive in and out of city centres, especially if we do so in the rush hour, find various ways of dealing with the tedium and frustration. We turn on the radio and try to lose ourselves in music, a discussion or whatever is on. Recently I have taken to counting the number of cares that jump the red light. It is not uncommon to see as many as three cars go through the red light. One is aware that for them and for the people on the other road, it is a matter of good fortune rather than judgment that accidents are avoided.

About two months ago I was driving in London. I was the third car in the outside lane to draw up at a set of traffic lights. A car behind went not only outside into the oncoming traffic stream but around the red light, cut across the traffic and proceeded to turn left.

The problem of standards of driving is the only reason why I bothered to intervene today. It worries me that we have a problem which, as the hon. Member for Notthingham, South said, we do not know how to deal with. The laws are in place on road traffic offences. There is no point in passing more laws, because we cannot enforce the existing ones. People do not seem to recognise that the laws are there not just because of parliamentary bloody-mindedness but to protect them and other people.

I conclude this brief speech with a warning of what will happen. The hon. Member for Nottingham, South referred to how much further aggression and violence among road users has developed in the United States. I am appalled at the speed at which we seem to be following the same pattern. That must be a matter which causes anxiety to all road users and to families and pedestrians. Therefore, I hope that some attention can be given to how we can introduce new self-discipline. Enforced regulation on its own will not achieve the objective. We must try to create a new self-discipline in road use and driving and try to develop a sense of consideration for other road users.

11.13 am

Mr. Matthew Carrington (Fulham): I am most grateful for the opportunity to participate in this debate. I begin by congratulating my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) on selecting this motion, which is wide-ranging and all-encompassing but tackles the real problems that many of us who represent urban seats find that our constituents face on a day-to-day basis. In many ways the problems are of almost insoluble complexity. That has already been said and amply illustrated with examples. The difficulties of anti-social behaviour have no simple solutions. They are frequently conflicts of lifestyle, attitude and sometimes of generation, experience or stage in development in the stages through which we all pass in life. In many cases those conflicts are insoluble. My hon. Friend demonstrated that magnificently and I compliment him on the way in which he introduced the motion.

I shall concentrate on some aspects of anti-social behaviour which my constituents face. I hark back to some of the points that my hon. Friend made about noisy neighbours, one of the worst social problems that my constituents in some areas face. Noise problems are by no means confined to council estates. We must be clear about that. It is not a problem of class, wealth or poverty, any more than anti-social behaviour is. It is a problem which we all face in some way or another. The only way in which one can get away from noisy neighbours is by becoming so isolated that no matter how noisy the neighbours are they do not cause problems. That, I am afraid, is not a privilege that any of my constituents have—nor, I am sure, do many constituents who live in urban areas.

I am not sure that even in rural areas it is easy to get away from noise. I am a townie—a Londoner born and bred. Having lived in London all my life and represented a London constituency, I like to take my holidays in the countryside. Several years ago I went to an extremely rural spot. I was taking a walk one evening as the sun was going down and in the middle distance a loudspeaker was beating out heavy rock music for the edification of the entire countryside, including the cows. Someone was having a party in the middle of the countryside. If I had lived a quarter of a mile away, I should have been just as annoyed as some of my constituents are when parties are held next door.

The problem of noise is not confined to one area or one class. In many areas it is, of course, exacerbated by the policies pursued by local authorities. I shall come to that in a moment. The problem is also made worse by the nature of the construction of many properties. Again, that is by no means confined to council estates or modern properties. Much of my constituency was built before 1914 and much of it comprises terraced houses. In fact, the overwhelming majority of my constituency was built as terraced houses. Many of those houses have partition walls that are as thin as anything that one would find in the most jerry-built of the 1960s council estates. Noise travels just as easily through them. Some of the noise problems arise not from wild parties but from a neighbour, who is absolutely deaf, having the television set turned up too loud in the front room.

Mr. Alan Williams: The hon. Gentleman makes a valid point. Is not it an example of the problems that face councils and those who seek to deal with such difficulties? Even when regulations have been changed to ensure greater sound insulation, often the regulations were devised in the days of what we call the radio. Now youngsters have amplifiers and so on. Technology invalidates attempts to engineer out the problems that the hon. Gentleman describes.

Mr. Carrington: The right hon. Gentleman is correct. Attitudes to noise change and technology has changed, which enables music to be played louder than when he or I were young. I listened to the wireless with a cat's whisker, trying to get some noise in my headphones. I well remember as a child lying under the bed clothes trying to pick up Radio Luxembourg on my crystal set. Children now have ghetto blasters, to use American parlance, and can make as much noise as they like. That is a serious problem.

On the underground, one often has to sit next to a fellow—not necessarily young, but perhaps somebody who should know better and should be more experienced —who is listening to a personal stereo. One hears not the music but the thud, thud of the base. Noise is intrusive and is a problem, but the extent of the problem differs according to the person who is listening and the time of day.

Mr. Summerson: Does my hon. Friend agree that an equal menace is the young man who gets on the underground with a guitar, sings two or three songs extremely badly and then passes a hat round?

Mr. Carrington: My hon. Friend is right. I have mixed views about buskers. Hon. Members walk down the squalid and sordid underpass that leads from this place to the outbuildings at Norman Shaw. Some of the buskers in that underpass are wonderful people who play instruments so well that they should be in a concert hall, whereas others hurry one on one's way in order to get away from them. Noise is an irritation if it is unpleasant to the person who is listening, but it is cheering and pleasant if it is played in the right circumstances and at the right volume and if one is in the mood to listen to it.

I wanted to presage my comments with those thoughts because we cannot regard noise as being absolute; it affects different people differently. In some circumstances, noise is totally inappropriate. All-night parties are not a novel feature of urban life. When I was a student in London in the mid-1960s, many more years ago than I care to remember, I was not averse to all-night parties. I am sure that the neighbours were no happier about the noise that we made, admittedly on more primitive equipment, than neighbours these days. Such parties are unacceptable and steps must be taken to eliminate them.

The problem is worse in areas of mixed communities. If a community consists of people who have similar lifestyles, are from similar age groups, have similar work patterns and have children, problems can be reduced. One of the problems is that councils tend to mix the young with the old and people with or without children on council estates. They are not sufficiently sensitive to the needs of different members of society.

In advocating such a solution, we can be accused of racism. I represent an inner-London constituency which benefits from having a mixed community. The stereotype of all-night parties, ghetto blasters and anti-social behaviour is that it is a black-white problem. That is not true. Many people from all races and ethnic backgrounds suffer from such parties. The problem is not confined to any racial ethnic sector of the community. When my constituents complain about an all-night party, it is perceived as a complaint on racial grounds rather than on noise grounds, and frequently it is not. The initial reaction of the people to whom a complaint is made is that it is a racist complaint, but often that is confounded by the fact that the people on both sides of the dispute are of the same race. These things are never as simple as they seem.

Policies must ensure that people of similar lifestyles are housed together. There is a problem in Fulham, where many houses have been converted into flats. I see the hon. Member for Tooting (Mr. Cox) nodding; I am sure that he experiences the same problem in his constituency. If a family with children live in the upstairs flat and an elderly couple live in the downstairs flat, there will be many problems and difficulties that, given the description of my hon. Friend the Member for Nottingham, South, might be more common in Nottingham.

The problem will not be solved by fining one party to a dispute. The housing allocation officer must consider possible conflicts when allocating housing and, where possible, the policy should be to house elderly people together. That would minimise the problem. It will not be possible to achieve that every time, but the London borough of Hammersmith and Fulham does not appear to operate such a policy, mainly because of a misguided fear of being accused of being racist rather than because it does not understand the problem.

Much can be done to minimise the problem of noise, but if a neighbour is completely unamenable to reason and outrageous in his behaviour, there comes a point when something more must be done. There are always extreme cases where noise is persistent and they occur when the environmental health officer is not at his or her desk. All too frequently in the London borough of Hammersmith and Fulham when my constituents telephone the environmental health officer they get only the answering machine, and when the officer contacts them the following day the party is finished and there is no evidence. Therefore, nothing can be done until a party is next held, when exactly the same happens. The problem may be solved by employing more staff, but it is more likely to be solved by changing the priorities of the environmental health department.

If someone has a neighbour who is extremely noisy and obtains evidence to give grounds for eviction, that will sometimes result in an eviction and the people will be thrown on to the street. The council may not have a statutory obligation, or even a moral obligation, to rehouse those people. However, more often than not, that is not so. Instead the people causing the noise are vulnerable and the council has a statutory obligation to rehouse them either because they are mentally or physically disabled or, which is more likely, because children are involved.

The children might be the principal cause of the noise. Many cases have been brought to me where the noise is not caused by the parents in a flat, but by their children, who may be 10, 11 or 12 years old and listen to what we used to call record players. I suppose that nobody calls them that now. The children listen to loud music on what are now called sound systems, probably when their parents are

not in. Perhaps parents should not leave children of that age alone, but in reality many do. When neighbours complain to the parents, the parents often find it impossible to control children and the next time they go out, the children ignore their instructions, turn up the sound systems and create the same problem.

In such circumstances, eviction is very difficult because the council has an obligation to rehouse people, albeit not always a legal obligation. It may be possible to rehouse people on licence without security of tenure. If they are rehoused, they will have to move to another area. As my hon. Friend the Member for Nottingham, South graphically illustrated with his examples of Mrs. X and Miss XX, the problem passes from one group of neighbours to another. Someone once said about a couple who were unhappily married that the only good thing to say about the marriage was that it stopped two other people being unhappy. We are talking about much the same problem because, by moving the people on, another set of neighbours will be made equally unhappy, which is no solution—although it works occasionally.

I have encountered some extreme cases in Fulham, one of which recently hit the national as well as the local press. I shall not give enough detail to identify the family, although I regret that some newspapers did. Their small children were completely out of control, running riot in the street, in neighbours' gardens and on neighbours' roofs and causing mayhem. There are a number of such cases in my constituency where the families involved need to know that the council cares enough to do something about them. Part of the solution might be for them to be relocated and given a fresh start. But that is not the whole solution, because many of the problems stem from such families being abandoned in the community without the sort of social service support that they need.

In the case that I mentioned, the local residents, the council and I are working together with a degree of co-operation across party boundaries to try to find a solution to the problem. I am optimistic that we may find a solution, but it is never easy. As my hon. Friend the Member for Nottingham, South said, part of the solution is to ensure that we have the legislation necessary to take action.

Problems related to care in the community often occur in urban districts. We now have people who, in previous generations, would have been in long-stay mental institutions. They have rightly been brought out to live in the community as their psychiatrists and doctors believe that that is appropriate. Such treatment works in the vast majority of cases, where the people make good neighbours, and conform and cope well, given the right amount of support. They often live in the community to their benefit and that of society.

I strongly believe that a community in which people of all types live together greatly benefits that community, but it does not work in some sad instances. That is sometimes because disabled people refuse to take the medication that they have been prescribed so their condition is no longer under control. It may be because they refuse treatment or because the support services break down so that they do not receive the assistance that they need. When that happens, such people become a great nuisance to their neighbours. They do not create merely a noise nuisance —although that is frequently the case—but many other types of disturbance.

We have heard about abuse and threats and we can add to those nuisances smell, which is equally horrible if one lives next door to it. It is equally impossible to cope with and, as a problem, it is equally difficult to solve. Although it is perhaps a more comic problem, if one lives next door to it, it becomes as all-pervasive and revolting as loud music played day and night. As constituency Members, knocking on doors, canvassing at elections and walking round our constituencies, we have all been met by a blast of stale, fetid air and a smell that knocks us back from an open doorway in a block of flats. That is no joy for the canvasser and is a horror for the next-door neighbours.

It is difficult to try to deal with people who are not receiving adequate care in the community. That problem should not be passed on by simply moving the people from one flat or house to the next. The only way of solving the problem is to ensure that they receive the right level of support within the community and that there is the right structure in social services departments and the understanding that they not only have to look after their clients, but have to ensure that those clients are acceptable to the neighbours. Therefore, the social services departments are responsible for not only their clients, but for the others who live in the community.

There should be a greater readiness by the medical profession to understand that some individuals, either through their own choice or because they cannot look after themselves, need greater care—even to the extent of hospitalisation. Understandably, many psychia-trists are reluctant to accept that.

The problems of mixed communities frequently occur on council estates, although by no means always. Other problems arise throughout my constituency, often in streets other than those that have been built since the war as new council developments. Double-parking is as much about anti-social behavour as are problems involving people who blast their neighbours with loud music.

I know of many instances where people double-park as a matter of habit in narrow streets, leaving just enough room for one car to pass. it is an understandable habit because parking in Fulham is akin to musical chairs. Fulham does not have residents' parking and consequently parking is a matter of catch as catch can. When one tries to park in certain areas the only way to do so is to tour round two or three blocks until somebody leaves. When that happens four or five other cars all rush to the same space. It is a lengthy procedure as well as an anti-social one because the people who do not get the parking space are upset. The parking problem means that double parking is common; consequently, public service vehicles such as fire engines or ambulances cannot get down a street and the poor person parked on the kerb must knock on various doors in the street to try to find who has double-parked.

Mr. Summerson: I know that my hon. Friend is keen on cyclists. Does he agree that if more people used bicycles rather than cars, parking would not be such a problem?

Mr. Carrington: I do not want to be sidetracked, but many years ago, when I was a young boy, I used to ride a bicycle around London—that shows how long ago it was.

Mr. Steve Norris (Epping Forest): No one had cars then.

Mr. Carrington: That is right. I now drive a car, as do most hon. Members, because I need to travel at unsocial

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times of the day when public transport is not available. The difficulty is that, nowadays, few cyclists obey the highway code. When I was a cyclist I had that code drummed into me, but now cyclists overtake me on the inside, ride in my blind spot and jump the lights. Perhaps a minority of cyclists behave in such a dangerous manner, but we must do something to ensure that cyclists understand that they, too, are responsible for road safety.

Mr. Jack Aspinwall (Wansdyke): Does my hon. Friend agree that the sidetracking that he mentioned would be helpful for cyclists in traffic?

Mr. Carrington: My hon. Friend is right, but that brings me back to the problem of parking. My hon. Friend will know that cycle tracks in London go down the side of roads and, more often than not, someone parks in those tracks. The cyclist must then go out into the road, which defeats the purpose.

The solution to the problem of double-parking is simple —we should have more control on parking. I welcome the Government's initiative to give parking control to local authorities. We should have a self-financing service operated by traffic wardens who can identify bad and illegal parking. Double-parking is dangerous and is therefore a police matter, but traffic wardens would be able to report that and summon assistance from the right authorities.

Another problem caused by cars is that when people leave a party late at night—even a well-run one—they may slam their car doors. That noise is as anti-social as any other behaviour.

I recognise that I have taken up a considerable amount of time and I hope that hon. Members will forgive me for doing so. This is an extremely important matter of concern to my constituents and I am grateful for the opportunity to discuss it.

We must address one of the fundamental problems of anti-social behaviour. I do not believe that it is confined to a particular stratum of society; it is not related to poverty or wealth, but crosses the spectrum. The difficulties that people encounter in their housing and the problems that are caused to neighbours are frequently misunderstood and related to the poverty of the individual. In other words, it is suggested that someone living in poor circumstances because he does not have a lot of money is more likely to be anti-social than someone living in relative comfort.

Mr. Allen McKay: The hon. Gentleman's argument is extremely good. Is he aware of the problem with neighbours that is being encountered in Belgravia? One morning a man got up to find that his Rolls-Royce had been stripped of paint; it will cost him £25,000 to put it right. The next morning he found that his car was covered with bolt holes. He has accused his neighbour, who has denied liability.

Mr. Carrington: That problem illustrates exactly what I am trying to say. Disputes between people are more often to do with human nature than with human conditions.

One difficulty is that sociologists frequently look at the problem and claim that if only we did this or that it would be solved. That is not true. The only thing that will solve human nature is divine intervention and we have been a bit short of that recently. We can all hope that human nature will change, but we should not be too optimistic about it.

It is frequently suggested that poverty is the cause of anti-social behaviour. I believe that that does a considerable injustice to people who do not have a great deal of money. It is also suggested, sometimes by the Labour party—I do not want to introduce an unsuitable party-political tone, because the problem of anti-social behaviour is a cross-party one—that if one introduced a minimum wage into the pay bargaining structure it would solve many of the problems associated with anti-social behaviour. I note from the expression on the face of my hon. Friend the Minister that he is extremely pleased that that subject has been raised. I can understand why.

It is suggested that a minimum wage would alleviate poverty, but it would do no such thing. It would exacerbate it, as has been demonstrated by studies of that policy. A minimum wage would create more unemployment as it would throw people out of work. Many of our trade unionists have illustrated ably how that minimum wage would create pressure for the restoration of differentials in pay bargaining. That means that all wages would go up so that the minimum wage would cease to be of benefit to the lower paid. Its introduction would mean that everyone's wages were pushed up, which would make inflation far worse. We all know that high inflation hits the least well-off in our society hardest. A minimum wage would make life worse for the poorest people.

Mr. Randall: What is the hon. Gentleman's formula for helping to alleviate poverty in Britain?

Mr. Carrington: The hon. Gentleman has been here many years and he has listened as the Government have explained endlessly how we shall alleviate poverty.

Only a few ways of alleviating poverty work. The principal one is to achieve a healthy, low-inflation economy which grows solidly and consistently. We have achieved that in the past 10 years at a faster rate than have our European neighbours. There will always be people who, sometimes through their own fault, but often through circumstances, end up being out of work and having to say to the state, "I cannot support myself. I need assistance." We must ensure that the level of assistance increases at as rapid a rate as the economy can afford. That, too, has been achieved under Conservative rule. The level of income and social security support, through housing benefit and so on, has kept pace with, and sometimes gone beyond, the rate of inflation. So the least well-off in the community are doing very well indeed.

The same is true of wages. The average household has seen its real rate of disposable income increase by about 3 per cent. a year since the Conservatives came to power. Those are the ways to alleviate poverty. To try to do it by manipulating the social structure of the fabric of society not only does not work but causes worse problems.

Mr. Randall: What the hon. Gentleman suggests as the answer to poverty has not worked. The Conservatives have been in power for over a decade and the OECD figures show that in the poverty stakes, Britain is at the bottom of the league in Europe. The gap between the rich and poor has widened. Either the hon. Gentleman accepts the level of poverty that exists in this country or he does not understand how the Conservatives have been operating during the past decade.

Mr. Carrington: The hon. Gentleman becomes confused on this subject, which is not unusual among Labour Members. I accept that the gap between the rich and poor has been getting wider, but the poor have become much richer and some at the top have got richer as well. In other words, the whole of society has prospered. The implication of the hon. Gentleman's intervention is that the size of the economic cake is static and that, as a result of the rich getting richer, the poorer have had money taken from them. That is not true; the poor have got richer as well, because everybody has benefited from the growth in society.

Statistics can prove almost anything, and the hon. Gentleman quotes statistics to suit his case. The degree of poverty in society depends on where one draws the poverty line. As society gets richer and as, rightly, we give more resources to people who cannot look after themselves—as we pour money into helping people who were abandoned by the Labour party before 1979—the poor get richer. Poverty is defined by the level at which people get assistance from the state. As the threshold for receiving assistance goes down and as the amounts of assistance that people get go up, larger numbers of people are helped.

That is the right way to proceed. Rather than increase the degree of poverty, it alleviates it, because we recognise poverty where previously it was ignored. We bring people into receiving help. Family credit is a good example of that. If the hon. Member for Kingston upon Hull, West (Mr. Randall) knows people in his constituency who have not taken up family credit, he should urge them to do so, because the Government have been extremely generous to those who are unable to look after themselves. That is one of the great strengths of our economy.

The measure of poverty and proposals, for example, for a minimum wage, will not solve the problem that we are debating this morning. It must be tackled in other ways, often by local authorities arbitrating between neighbours, recognising that different lifestyles must be considered when housing is allocated and responding faster to enable measures to be taken to identify the problem and then tackle it, whether that is simply by talking to both sides in a neighbours' dispute or by obtaining an eviction notice, and so on.

Mr. Randall: I have great respect for the way in which the hon. Gentleman is putting his case, but there is a terrific flaw in what he and the hon. Member for Nottingham, South (Mr. Brandon-Bravo) have been saying. The hon. Gentleman is advocating that we do nothing to prevent problems from arising. His argument has been entirely about how we deal with the problem after it has arisen. My hon. Friends and I argue that there has been a deterioration in the social fabric which has contributed to the trouble and that the most cost-effective way of dealing with it is to improve the social fabric in crucial areas so that people do not have recourse to anti-social and criminal behaviour.

Mr. Carrington: I had hoped that the hon. Gentleman would not take that line, because it is not a useful way of considering the problem. It is not simply a problem of society, although it must be addressed ahead of time. I spoke of housing allocation policy and the like. Apparently the hon. Gentleman missed that part of my speech. It is not good enough simply to blame the social fabric of our society, which today is more homogeneous than at any time in the past. We now have greater respect for each other. *[Interruption.]* More complaints are now being made by the public about anti-social behaviour because people generally complain more today about matters that previous generations tolerated happily. The same applies to crime statistics. The amount of crime has increased because more crime is reported.

Mr. Randall: Really!

Mr. Carrington: If the hon. Gentleman does not believe that, let him examine the correlation between the number of policemen and the amount of crime. There is a greater willingness today to report crime. Like my hon. Friend the Member for Nottingham, South, I hope that the Secretaries of State for the various Government Departments involved will consider what measures can be introduced to help solve the problems that we are discussing. Although those measures may not solve them completely, they may provide a path to a solution.

11.57 am

Mr. Tom Cox (Tooting): It is a pleasure to follow the speech of the hon. Member for Fulham (Mr. Carrington) and I agreed with many of the points he made in his interesting and constructive speech. Long ago, I served as a member of the old Fulham borough council and later I was a member of the borough of Hammersmith and Fulham. Having grown up in the area, I am well aware of the problems that the hon. Gentleman rightly brought to the attention of the House.

I listened with interest to the speech of the hon. Member for Nottingham, South (Mr. Brandon-Bravo). He will be aware that during the week, certain words were added to his motion. When I first visited the Vote Office and asked whether the terms of the motion had been published, I received a copy and decided to take part in the debate, and my speech was prepared at that stage much in accordance with the speech that the hon. Gentleman made.

I proposed to talk about the playing of loud music. On that and similar issues, I agree with the comments of the hon. Members for Nottingham, South and for Fulham. It is a real problem to which there are no readily available answers. One approaches the police, they become involved, the music is turned down for a while, the police go away, the music is played at high volume again and when one telephones the police again they reply, "We are stretched to the limit and we cannot pay another visit."

The hon. Member for Fulham suggested that people should contact the environmental service officers. He may not be aware that on many occasions people who telephone are connected to an answering device, so the party, or whatever the disturbance may be, has ended before those officers are able to get involved.

When I saw the additions to the motion I decided to change the content of my speech. In the coming months Labour Members can expect such changes on an increasing scale, including the usual attacks against Labour councillors. The motion names the councils under attack, but I shall speak about another council that is not named—Wandsworth council.

Mr. Norris: It is a good council.

Mr. Cox: I wonder whether the hon. Gentleman will say that once he has heard my speech. If so, I am more

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than willing to make arrangements for him to come to my constituency to witness several ongoing problems there. I wonder whether he will then say that it is a good council.

We know much about the London borough of Wandsworth and the fact that it is a no-poll-tax borough. However, we all know the old saying, "You get owt for nowt", which certainly applies to Wandsworth.

Mr. Norris: Will the hon. Gentleman give way?

Mr. Cox: I shall give way later. I have only just started my speech.

Many residents, irrespective of their family and social backgrounds, now say that Wandsworth council——

Mr. Norris: Will the hon. Gentleman give way?

Mr. Cox: No, the hon. Gentleman must learn to contain himself a little.

Residents in the borough now say that Wandsworth council is behaving anti-socially. Another old saying is that the chickens come home to roost. They are now coming home to roost in Wandsworth because the Tory group there, which has a massive majority, is split. This week's edition of a long-established, highly respected newspaper, the *Wandsworth Borough News*, contains a lengthy article on that subject. It names the groups that are now splitting from the official leadership of Wandsworth council. Last night's *Evening Standard* also reported the split. At the annual general meeting in May, several very experienced and highly respected councillors were sacked. They were chairs——

The Parliamentary Under-Secretary of State for Employment (Mr. Eric Forth): Chairs?

Mr. Cox: They were chairmen and chairwomen of important committees in Wandsworth. The Minister laughs; we know his style. I wonder whether he will laugh at the point that I am about to make.

Mr. Forth: Probably.

Mr. Cox: That is the kind of comment that we expect from the Minister. If Labour councillors were being attacked, he would shout "Hear, hear". However, when he hears Conservative councils being attacked he regards it as a big joke.

Those former senior chairmen and chairwomen were sacked by the leader of Wandsworth council because they opposed the ongoing cuts in council services. They are quoted as saying that the leader of Wandsworth council, Sir Paul Beresford—he was knighted by the right hon. Member for Finchley (Mrs. Thatcher) for his services—misled them and has imposed excessive and unnecessary cuts on the council. Such action has been detrimental to many of the services in Wandsworth.

Mr. Norris: I wanted to agree with the hon. Gentleman's earlier remark about getting "owt for nowt". I have the misfortune to live in Lambeth, which is littered with huge sacks of fetid, rotting rubbish. When I go into Wandsworth I see that I should prefer to live there because there is neither rubbish nor poll tax. Therefore it seems that "owt for nowt" is an extremely attractive option.

Mr. Cox: As one would expect, the hon. Gentleman does not mention that there are not many services in Wandsworth either. He would not need such services because he is lucky enough to be able to pay for them. As the hon. Member for Fulham said, if one is fortunate enough to have a good job, a good income or independent means, one does not look to the council to provide services. So there is another side to the argument.

I am prepared to accept that some people are delighted that they pay no poll tax. We know that in the City there are people who would be delighted to pay no tax at all. Services in Wandsworth are being increasingly run down, cut back or completely stopped. For example, this week's *Balham and Tooting Guardian* —a freebie newspaper that circulates throughout Wandsworth—says:

"CAB office is to close. Balham Citizens' Advice Bureau has been forced to scale down services and will close its doors in September as a result of a council-imposed grant freeze. Wandsworth council froze the CAB's grant of £513,000 for its four borough offices in March".

The article then says:

"Last year, the Balham CAB handled more than 10,000 inquiries and will now have to find other ways to serve the area."

That is just one example of what has happened as a result of the deliberate policy of "no poll tax". Alongside such cutbacks in provision for local people, we have seen the complete stoppage of grants to Pensioners Link. To his credit, the hon. Member for Nottingham, South referred to old-age pensioners who are experiencing enormous problems. Throughout the country, large numbers of pensioners look to pensioners' organisations such as Pensioners Links. They have little money and rely on Government or council grants, which have now been stopped in Wandsworth.

Wandsworth Disabled Group, which no hon. Member would suggest should stand on its own two feet and raise its own money, has had its money stopped. As the hon. Member for Fulham said, we live in a multiracial society that exists in great harmony. Like many theatre groups, the Tara arts theatre group in my constituency was struggling. Its funding was stopped. What happened? It had to close. The list goes on and on.

I agree that housing is of crucial importance. Hundreds —I repeat, hundreds—of council properties in Wandsworth are boarded up and waiting to be sold, yet every day my postbag is filled with letters from people who have grown up in the borough but cannot find anywhere to live. People wanting somewhere to live will come to my advice service tonight. All of us who hold weekend advice services experience that. Those people are wasting their time, even if they are on the council house waiting list because they will not get much hope or help from Wandsworth council. By contrast, a person with money or one who can get a mortgage has no housing problem whatever. Such a person does not even have to live in the borough of Wandsworth to buy a council property.

The hon. Member for Nottingham, South described the reactions of people suffering housing problems. We all know that they say, "Who do I turn to? I have lived in the area all my life. I do not have the resources to buy my own property or get a mortgage. I certainly do not have the kind of money that would allow me to go to an estate agent and rent property. I look to the council." All around them they see properties that are boarded up and they ask why they cannot be offered one. The simple answer is that Wandsworth council's priority is to get rid of council housing as quickly as possible. That is most certainly anti-social behaviour. We all know what happens.

Youngsters say, "To hell with this. I won't stand it any more", and leave home. That creates stress and friction within the family. Youngsters end up sleeping rough, and sadly, some wind up in trouble.

I am involved with Wandsworth council in a major issue—the closure of an elderly people's home called Milton Close in Earlsfield. It has 30 residents. I read in the *Wandsworth Borough News* that the home was possibly to be closed. As every Member would—the hon. Member for Nottingham, South outlined our responsibilities—I got in touch with the residents. I told them that I had read about the possible closure but had not been informed by the council that it might happen and asked whether there had been consultation. Back came the letters—I have them in my office if any hon. Member wants to see them—saying, "There has been no consultation with us. We do not know what is going on. We are extremely worried. We have lived in the area for a long time. If the home is closed will we still be allowed to live here?" They were worried. I wrote to the director of social services, outlining the sort of feedback that I had received from the residents and asking what sort of consultation there had been with them. Last week I got a letter from him saying that now that the social services committee had decided to close the home, the council would enter into negotiations with the residents to see what they would like to do. That is anti-social behaviour. All of us would argue that to achieve good industrial relations—that broadens the issue slightly—good human relations and good relations with the council, everyone concerned must be involved early on. Wandsworth council most certainly has not done that. Its behaviour is certainly anti-social.

Schools in Wandsworth are facing amalgamation. Two of the schools so threatened are in my constituency and the other is on the other side of the road in the constituency of the hon. Member for Battersea (Mr. Bowis). Several hundred youngsters who attend those schools live in my constituency. I have been inundated with letters from local parents who are completely opposed to what is being threatened for the schools to which they chose to send their youngsters. On Wednesday evening I attended a public meeting to hear the council's proposals on the amalgamation of Swaffield and Allfarthing road schools. Several hundred parents attended the meeting. Both schools are popular. Everyone who spoke was completely opposed to the proposals presented by the chairman of the education committee.

This week the *Balham and Tooting Guardian*, which is a good paper with wide coverage, carries a letter from a lady who lives in the Battersea constituency. The headline is:

"What will become of the children?"

She is just one of the residents, of whom, as the hon. Member for Nottingham, South rightly pointed out, we should take note. I am sure that the hon. Gentleman meant that to apply to all levels of government because he certainly referred to local authorities. The letter states:

"To merge Allfarthing and Swaffield Schools would be a disaster for children."

With reference to herself and her husband, she continues:

"We were lucky to obtain a place at Swaffield School and can see our child making good progress as a result of the school's professionalism . . . The plans to close two well respected schools make a farce of the Tory party's policy of increased parental choice. Who knows what standard of education these proposals will bring or how many children's education will be blighted by this plan or even how many children will be unable to obtain a place in the proposed merged school?"

I am prepared to be generous to Wandsworth council. These are supposed to be genuine consultations. At Milton Close there were no consultations. The overwhelming number of parents now understand that Wandsworth council is stripping the assets of its schools.

Mr. Carrington: The hon. Gentleman and I represent similar parts of London. The profiles of Wandsworth and of Hammersmith and Fulham are demographically similar. He will know that the process of amalgamation of schools which he describes as being so resisted in Wandsworth is exactly the same as that in Labour-controlled Hammersmith and Fulham where it is being opposed in exactly the same way by parents, often with my support.

The hon. Gentleman cannot claim that Wandsworth is asset-stripping the schools unless he also claims that Hammersmith and Fulham council is asset-stripping its schools—which is nonsense. I hope that we can now get away from this party-political badinage and back to a more sensible debate about what is going on in our society.

Mr. Cox: That is a valid point, but the hon. Gentleman spoils it when he suggests that we get away from this sort of political attack. The hon. Member for Epping Forest (Mr. Norris), who has an outer-London constituency, thrives on this sort of political fight. Given the opportunity, he would be indulging in it today. That is what this Chamber is all about.

The big difference between Wandsworth and Hammersmith and Fulham is that the latter council does not have the asset-stripping track record of Wandsworth council. That is what worries the parents of Wandsworth so much—they have seen what else Wandsworth council has done and they made their fears clearly known at Wednesday's meeting to the chairman of the education committee, when they told him that they did not believe him. They have written to me to say that they are Conservative voters but that they do not believe what Wandsworth council tells them.

The motion also refers to unemployment, so it is worth looking at Wandsworth's unemployment. It has the ninth highest unemployment among London's 32 boroughs. The official figures published on 9 May showed that 12,879 people were unemployed in the borough of Wandsworth. In response to a question from me, the Employment Service in a letter dated 17 June stated that in my constituency, in the supposedly wonderful borough of Wandsworth, 4,788 people were out of work and there were only 104 vacancies in the local job centre.

Earlier there was quite an exchange between my hon. Friend the Member for Kingston upon Hull, West (Mr. Randall) and the hon. Member for Fulham about a minimum wage. I shall not get involved in that argument as time is flying by, but, whether we talk in terms of a minimum wage or, as the Secretary of State for Employment does, about how many hours a week people should work, the crucial problem to which the Government are unwilling to face up concerns people who cannot even get a job. What are the Government doing about them? What I have said about Wandsworth's unemployment can be said of any of the London boroughs —some have even higher unemployment.

I accept much of the wording of the motion tabled by the hon. Member for Nottingham, South. So does the Labour party. Some Labour authorities have taken

[Mr. Cox]

actions that we certainly do not support: indeed, we condemn them. I make no bones about that. But we should not draw attention to Liverpool, Lambeth and Hackney, as the motion does, without showing the other side of the local government coin—Tory-run authorities.

To their credit, there are already councillors in Wandsworth who have had enough of the behaviour of the leader of the Conservative group and his policies of cuts, cuts and more cuts. No longer are they prepared to be part of all that because they have seen what it does to services. I agree with the hon. Member for Nottingham, South that councillors seek to serve their communities—how right he was. These councillors' political views are different from mine—we belong to different parties—but it is to their credit that at long last they have told the leader of the council that he is destroying the fabric of society for the vast majority of people who live in the borough. I wish them well, not because I want to cause problems within the gorup—that has nothing to do with me—but because I want good services to be provided by councillors and councils for the people who live in their areas. The record of Wandsworth council, with its "no poll tax", has been an utter disgrace for the people who have lived in Wandsworth for many years.

12.25 pm

Mr. Hugo Summerson (Walthamstow): It is a great pleasure to follow the hon. Member for Tooting (Mr. Cox). He and I share an interest in greyhound racing. We also share an interest in the problems of urban areas, although he would not expect me to agree with his remarks about Wandsworth.

I apologise to my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) for not being here at the start of his speech this morning. I got out of bed at the right time to be here for 9.30, but on my journey I found that the Angel station was closed—I do not know why. Applying a little lateral thinking, I got on a bus and went down to King's Cross. There I was on the platform waiting for a Victoria line train when suddenly a voice announced that the station was being closed and everyone on the platform had to leave. Just at that moment, a train arrived but its doors did not open and it went on its way with a lot of frustrated people inside trying to get out and a lot of frustrated people on the platform trying to get in.

I mention this only to give a pat on the back to the station managers at King's Cross: there was no panic, all the automatic gates were open and staff were on hand to usher people out. I just hope and pray that nothing terrible was going on at King's Cross this morning. It may be that someone dropped a piece of litter on to the track which was then set on fire by a spark. Such an action is in itself anti-social.

I congratulate my hon. Friend the Member for Nottingham, South on the wording of his motion. As soon as I saw it I let out a cry of joy because it would allow me to ride all my favourite hobby horses again—starting with the numbering of premises. Before you, Madam Deputy Speaker, rule me out of order, I contend that it is very anti-social of those who own shops and offices not to number them.

If one wants to visit a particular shop in, for example, Victoria street or Holborn—or any other street that seems to stretch for miles, particularly on a hot day—one may identify from the telephone directory that it is at No. 351, and set out to find that address. One does not know at which end of the street it is to be found, or whether it is in the middle of the street. One may find No. 15, but then one has to discover which way the numbers run, and walk another 100 yds before arriving at No. 20. That is even more unhelpful, because one does not know whether the premises are numbered consecutively, or whether odd numbers run all the way down one side of the street and even numbers down the other and whether in a clockwise direction or an anti-clockwise direction.

My next point concerns burglar alarms—a subject in which I have long taken an interest. People who are in the habit of turning on their burglar alarms when they go away for the weekend are, in effect, expecting all their neighbours to listen out for the alarm if it goes off. It is their neighbours who will be driven crazy by the noise of the burglar alarm if it goes off on Friday night and continues sounding for the whole weekend. Here I refer not only to alarms on residential property but shops and other commercial premises. Burglar alarms are supposed to ring for only 20 minutes before they automatically cut off, but in all too many cases, that does not happen. On 9 May 1989, when I sought to introduce my Burglar Alarms (Control) Bill, I stated:

> "I have discussed the matter with the Metropolitan police and the House will be as horrified as I was to learn that according to their reckoning about 98·4 per cent. of times when they are called to deal with burglar alarms it is a false alarm."—[*Official Report*, 9 May 1989; Vol. 152, c. 724.]

No wonder no one takes any interest these days when a burglar alarm goes off—everyone automatically assumes that it is a false alarm. The manufacturers of burglar alarms over the years have a great deal to answer for.

I move on to the internal combustion engine——

Madam Deputy Speaker (Miss Betty Boothroyd) *rose*——

Mr. Summerson: I will certainly relate my remarks to the motion, Madam Deputy Speaker. The internal combustion engine, by its very nature is extremely noisy.

Mr. Randall: Does the hon. Gentleman have one?

Mr. Summerson: I will come to that. It need not be noisy, according to the way the vehicle is driven. People like the hon. Member for Kingston upon Hull, West (Mr. Randall) and myself take a responsible attitude when driving our motor cars—I in my 22-year-old MG, and the hon. Gentleman in his Rolls-Royce. We set off from traffic lights calmly and gently, so as not to waste fuel or make a noise, but many people think it fun to roar down quiet residential streets as fast as they can, making a terrible racket. It may well be fun for them to upset and disturb others, but it is not fun for those whom they disturb and those who suffer the resulting pollution.

It is very anti-social to allow one's car or other vehicle excessively to pollute the atmosphere. People ought to maintain their vehicles properly, to ensure that their engines give out as little pollution as possible. The day will surely come, albeit in some decades' time, when the people in our cities will look back with amazement and wonder how we could ever have permitted the internal combustion engine to be used in cities, in view of the noise and pollution caused by its use. The pollution attacks buildings

and the fumes emitted from the exhaust systems of vehicles that are powered by the internal combustion engine are extremely bad for our health.

To move on—it will be obvious that I am hopping from one subject to another without any real connection between them—it is surely also anti-social to waste water. After all, water is one of our most precious natural resources. That is the kind of phrase that politicians love to trot out because it sounds so good. In fact, it means that we are short of water. More and more people are using more and more of it. There is little connection in the minds of those living in urban areas between the water that comes out of the tap and the source of that water. There are many who do not realise that rivers are drying up because of excessive extraction.

Mr. Randall: I am fascinated by the hon. Gentleman's argument. There are many who are extremely concerned, especially in Kent, that we have had a great deal of rain and yet we still do not have adequate water supplies. It seems that we need to build more reservoirs. The problem is not that we use too much water but that we do not save enough of it. So much of it goes straight into the sea. We should invest in more reservoirs to ensure that we have adequate water supplies.

Mr. Summerson: We already have massive natural reservoirs in the form of aquifers, but we cannot continue pumping aquifers at a rate which extracts more water than can be replenished. If the hon. Gentleman told some of the people of Kent, "We want to cover large parts of your county with reservoirs" he would receive a pretty dusty response. The answer is to conserve water. People should realise what a precious resource it is and use it accordingly.

Turning to dogs, I am a long-term supporter of a national dog registration scheme. I know that I am at odds with the Government on this, but I believe that such a scheme is needed. Those who own dogs which upset the neighbours because of their mess and noise would be less inclined to be responsible for such nuisances if they knew that their names appeared on a register and that they were indissolubly linked with the ownership of such a dog. I am a great dog lover and I would love to keep a dog, but as I live in London I do not think that it would be fair on the dog. I realise, however, that many people find great value in the companionship provided by a dog. I believe also that most people want to see the introduction of a national dog registration scheme and all the benefits that would flow from it.

Much has been said today about noisy neighbours, and especially about the mix of people living in certain areas. Leucha road in my constituency has long been inhabited by elderly people, and that is how those people want to keep it. Recently, however, the council decided to move young people into the road, and I have received many complaints from the traditional residents as a result. They complain about the noise, the internal combustion engine, and the fact that some of those young people turn up at 2 or 3 o'clock in the morning on motor bikes, revving the engines and shouting. Those young people obviously enjoy noisy music, often late at night, but it disturbs the elderly people.

When I complained to the council, I received a pompous and stuffy reply saying that the council did not discriminate. That is a truly astounding argument. The council should have consulted the elderly people in Leucha road and asked what they thought about young people with entirely different interests and lifestyles being moved into their area.

I wish next to discuss buildings and their structure and fabric. My hon. Friend the Member for Fulham (Mr. Carrington) spoke about thin partitions and about two-storey houses being converted into separate flats. That can be a real problem because those houses were not originally designed and built to be occupied as two separate units.

Mr. Carrington: It is not a major point, but I should mention that until 1925 or 1930 the demography of London was such that many of the houses that we fondly imagine were in single occupation were, in fact, intentionally in multi-occupation from the time they were built.

Mr. Summerson: That may be true, but people's current expectations are rather higher. If they buy a converted flat and then find that they are constantly disturbed by the everyday activities of their neighbours, there is something wrong. Perhaps that could be solved by strengthening the building regulations to ensure that when a house is converted into a number of self-contained units, the sound-proofing on a horizontal plane between the units is more stringent, which would make the noise transmission between the units much less.

Until now, I have assiduously avoided party politics, but I now intend to bring them into my speech—so Opposition Members can switch off if they want. Because the London borough of Waltham Forest made little effort to collect the community charge last year, it now has a shortfall, so it is imposing a £50·29 surcharge on my constituents in this financial year. There is nothing especially new about a shortfall—there were shortfalls with the rating system, although not so great—but what sticks in my throat and in the throats of my constituents is the fact that the leader of the council and four other Labour councillors made it quite clear that they did not intend to pay the community charge—what an example to set for the rest of the people in that borough. Those elected councillors represent the borough. People look up to them because they run the affairs of the borough, yet they announced their intention to break the law and not to pay the community charge. Many people in the London borough of Waltham Forest must have decided that if their leaders were defying the law, they could do the same, so it is hardly surprising that there was a considerable shortfall on collection of the community charge in the last financial year. Many people have written to me complaining bitterly because they are being expected to pay for those who did not pay last year.

Mr. Alan Meale (Mansfield): How many constituents wrote to the hon. Gentleman saying that they thought that the community charge was unfair?

Mr. Summerson: Most of my constituents agreed entirely with the principle of the community charge. Wherever I went in my constituency, people told me that they agreed entirely with the idea that everyone should contribute something towards the cost of local authority services, but they did not agree with the disgraceful level of £438 at which it was set by the Labour council. In the council elections last year, my party made it clear that we could run the borough on the basis of a community charge

[Mr. Summerson]

set £75 lower. It was left to the Government to rescue the people of the London borough of Waltham Forest, but now the council has imposed this disgraceful surcharge of £50·29.

Mr. Meale: We are discussing anti-social behaviour. What part of the council budget would the hon. Gentleman cut, and what effect does he think that that would have on anti-social behaviour in the Walthamstow area?

Mr. Summerson: The hon. Gentleman has given me a marvellous opportunity, for which I am grateful.

Mr. Carrington: What an invitation.

Mr. Summerson: Indeed. I could stand here for the next three hours telling the hon. Member for Mansfield (Mr. Meale) what I would do. First, I would cut the women's unit. The leader of that unit is paid a salary equivalent to that of a Member of Parliament, for which my constituents have to pay, although they get no benefit from it at all. Since the council took office in 1986, it has taken on 1,000 extra bureaucrats. When my constituents complain to me about the high level of the poll tax, I point that fact out to them and ask them whether they think that they are getting any extra benefit from those 1,000 extra bureaucrats. The answer is no. It is just fat, and they do no good.

I commend sections 89 to 91 of the Environmental Protection Act 1990, which were introduced to ensure that local authorities live up to their responsibility to keep the roads in their areas clean and well swept. Many local authorities, particularly Labour ones, do not attach a great deal of importance to keeping the streets clean. The heading of section 91 is:

"Summary proceedings by persons aggrieved by litter."

It ensures that people who want to do something about the fact that their local authority is not keeping the streets clean can take some action and get something done about it.

I wish to move on swiftly to the subject of housing action trusts and tower blocks. I have a particular—I was going to say "peculiar", but perhaps I had better stick to particular—hatred and loathing of tower blocks. They are the most horrible things. Which of the architects who designed them or who came up with the concept of tower blocks, talking a lot of rubbish about streets in the sky and cities in the air, has ever actually lived in one of those monstrosities? The sooner all tower blocks are pulled down, the better—I am sure that tower blocks breed unemployment, hopelessness, despair and anti-social behaviour.

There is a possibility that a housing action trust will be created in the London borough of Waltham Forest. If the tenants agree to it, it will remove the three worst tower blocks on the worst estate in my constituency. I hope that the tenants will vote to set up a housing action trust and that it will result in those tower blocks being removed and the tenants living in more traditional housing—by which I mean proper, human, humane housing—and no longer stuck miles up in the air away from their friends and amid the breakdown of the social fabric.

Mr. Meale: Like Jeffrey Archer?

Mr. Summerson: The hon. Gentleman anticipates me. I was about to say that, of course, there are tower blocks in which people are happy to live. One has only to look at the Barbican to see that some people can be happy living in tower blocks, but there is all the difference in the world between a tower block in the Barbican and a tower block on the Boundary road estate in my constituency.

Many of the problems that people bring to me are due to yet another failure by the local authority. If it did its job properly, there would be many fewer complaints from my constituents and everyone would be a great deal happier. That is why I support the second part of the motion, which deplores the conduct of Labour local authorities. I deplore the conduct in far too many areas of the Labour-controlled London borough of Waltham Forest. I hope that the measures that the Government have introduced, especially the Environmental Protection Act 1990 and housing action trusts, will make a start on solving some of the problems and that the amount of anti-social behaviour will fall, and rapidly.

12.52 pm

Mr. Stuart Randall (Kingston upon Hull, West): I begin by congratulating the hon. Member for Nottingham, South (Mr. Brandon-Bravo) on doing so well in the ballot and introducing to the House a motion on anti-social behaviour. However, I must say that the motion has changed in the past 24 hours. We expected to debate noise, problems in tower blocks and other more specific matters, but the motion before us is rather loony. It does no credit to the Conservative party or even to the hon. Gentleman. We have had an interesting debate, but the motion clearly demonstrates that the Conservative party is in a state of utter panic and is sinking without trace as we move towards the general election.

The opening comments of the hon. Member for Nottingham, South were interesting, especially his notion of compulsorily removing people who behave anti-socially to licensed alternative council property and, if they persist with their anti-social behaviour, of throwing them on to streets. The hon. Gentleman's use of the word "tough" showed that he believes that they should be dealt with firmly.

Labour believes that many of the people who, unfortunately, could be caught by such a policy need care and help. The hon. Gentleman said that mentally ill people would not be so treated, but it would have been unfair not to have said that. However, his definitions were not sharp enough. We sense that the Conservative party would support people who need help and who are a top priority being thrown on to the streets. That is reminiscent of what happened after the 1979 election, when Ministers advocated the short, sharp shock and when Conservative Members spoke of hanging and flogging in debates on capital punishment.

I am not happy about the first line of the motion because it is frivolous. Parts of the motion are sound, but the end is nonsense. The first line mentions anti-social behaviour. In essence, that is behaviour contrary to that which is generally recognised as being required so that we can live together in a civilised way. In the past decade, the Government's policies have been based on the notion that there is no such thing as living together. The consequences of that ideology is that the Conservative party is regarded

as uncaring. It supports the ultra-rich at the expense of poor people and it encourages greed, selfishness, and the notion of "I'm all right, Jack".

A good example of that was the yuppie phase of the mid to late 1980s, which encouraged greed, materialism and the showing-off of big cars. Interestingly, that coincided with the increase in the number of beggars on our streets. That conservatism has created a society which is economically and socially unfair. The rich have unquestionably become richer and the poor have become poorer. The traditional British ideas of fair play and decency which permeated the Conservative party have been driven away by the new breed of Tories. As a consequence, Britain is less civilised.

A good example of that is the way in which the Government have allowed directors of newly privatised industries such as gas, electricity, British Telecom and water to grab massive pay rises. The Conservative party does not seem to understand the resentment that that is causing, especially among people who are unemployed or on the verge of unemployment. There is a rottenness—a stench—emanating from the Government. No wonder the British people are turning their backs on them. The Opposition believe that the social fabric of Britain has been severely damaged by the Conservatives which in turn has contributed to the anti-social behaviour referred to in the motion. That is the difference between the two sides of the House.

Under the Conservatives, Britain has become more divided and more polarised; Labour party policy is just the opposite. We believe that society is about living together in a civilised way, removing the inequalities of opportunity, developing talent and creating a genuinely freer society. Labour party members are socialists and proud of it. The word "socialism" comes from the Latin word "socius" and means being a companion, ally and partner, and acting together. Those are wonderful qualities which must be the basis of civilised behaviour. That is diametrically opposed to what the Conservative Government have practised during the past 12 years. What are the consequences? There has certainly been a growth of anti-social behaviour. Hon. Members who represent about 60,000 people know that that is true, because they are all in touch with their constituencies.

Under the Conservatives, we have had the highest crime figures ever recorded in British history. It is worrying that many of those crimes are of the nastier type involving horrific violence and sexual abuse. Why do people resort to crime? I know that I am interpreting statistics, but the Opposition believe that unemployment contributes to drug-taking, which can turn into crime. There have been various papers on and statistical analyses of the subject. Some of our research shows that the inter-relationships between unemployment and crime in the past decade are complex. I do not believe that sufficient work has been done to determine the precise reason. Many factors impinge on one another. We believe that the social fabric of Britain would be better if the massively increased unemployment levels were reduced.

Mr. Forth: I detect that the hon. Gentleman might be backing away from his earlier stance. If he is suggesting that there is a causal link between unemployment and crime, does he accept that that is an insult to most unemployed people to which he would not want to be a party? If that is so, will he explain why, regrettably, crime in this country, as in many others, has risen in the past decade, wheras employment has gone up and down? Therefore, how can there be any relationship between them?

Mr. Randall: I thought that I had qualified my suggestion. I followed the Minister's logic, which I have heard before. It has been used many times in the House. I was saying that the behavioural problems relating to this country's social fabric were more complex than the simplistic bits of logic given by the Minister. I take the Minister's point, but the Opposition believe that unemployment can cause crime. I gave the specific example of drug-taking. Some pretty good research has shown that there is a relationship between drug-taking, crime and anti-social behaviour. The problem is more complicated than it appears.

It would be far better if our country did not have such a high level of unemployment, but we are in yet another recession under the Government. Perhaps the Minister can tell us when he expects unemployment to come down to even 1·5 million people. I am sure that he will mention that issue.

Another important part of the social fabric is the need for decent housing for all. My hon. Friend the Member for Tooting (Mr. Cox) made an eloquent speech on that subject and the hon. Member for Walthamstow (Mr. Summerson) also mentioned it. However, that housing must be provided at rents that people can afford. In certain parts of London, we believe that the Conservative party has carried out a ruthless programme of social engineering to ensure that people on lower incomes, who are likely to be Labour supporters, are driven out of the areas in which they have traditionally lived. Such places have become yuppie-ised. My hon. Friend the Member for Tooting said that Walthamstow council—*[Interruption.]*—operates a policy to get rid of council housing. That is social engineering. I note that the hon. Member for Nottingham, South is grinning with glee thinking, "My goodness. My majority is going to go up even further." Such social engineering demonstrates the anti-social behaviour that has been committed by the Government and local authorities that connive with them.

Mr. Carrington: The reason why my hon. Friend the Member for Walthamstow (Mr. Summerson) and I laughed was the hon. Gentleman's Freudian slip when he referred to the hon. Member for Tooting (Mr. Cox) criticising the borough of Walthamstow. We entirely agree with that and we admire the hon. Gentleman's conversion to our cause.

Mr. Randall: The motion was changed so late that I did not start to prepare my speech until 10 o'clock last night. That is the reason for my mistake. I am delighted that the hon. Gentleman should intervene to correct the record. It is the policy of Wandsworth council to get rid of council housing. That anti-social behaviour and engineering of constituencies is uncivilised and it puts party politics before the well-being of people.

Mr. Barry Porter: I am interested in the issue of yuppification. Perhaps the hon. Gentleman could reveal to the nation where he lives.

Mr. Randall: It is clear where I live. We have been told for security reasons not to give our address, but I live in a

[Mr. Randall]

place called Trinity court, off Fish street in Hull. The hon. Gentleman will find me listed in the Hull telephone directory.

One consequence of pressing local authorities so that they are unable to provide housing and accommodation at a decent rent is a growing resentment, despair and fury at local authority behaviour.

Another factor that has caused much resentment is the way in which our education system has been damaged. It does not take a PhD to appreciate that if one does not provide a broad education for personal development there is a greater probability of anti-social behaviour. The more youngsters are given an opportunity for education, the better for society. The Labour party has traditionally regarded education as perhaps the most important factor in creating individual freedom. Strength and power emanate from education and we believe that if we are to have a genuinely free and fair society, the education system must be no less than excellent and must be available to all.

As Conservative Members have attacked me in housing terms, perhaps I should point out that all my children have gone through state education. I hope that I do not sound pompous when I say that yesterday my son-in-law got his honours degree. So Simon Lomax is now a doctor and my daughter is a doctor. We have two doctors in the family and I feel very healthy. I hope that I shall be forgiven for showing off my pride in that way.

I feel passionately about education. It is vital to give youngsters the chance of a good education. When I used to visit state schools with my children I sometimes felt almost a sense of resentment at the way in which the walls of corridors had not been painted for a decade, and where there were leaking roofs and outside toilets. To act in that way is to treat children almost with contempt. Youngsters must feel pride in their schools, or they can turn to vandalism, which is a manifestation of anti-social behaviour. Youngsters tend to say, "Why should I bother to do my bit if the authorities, including the local authorities, fail to do theirs?" Local authorities have been hampered by Government policy. We must set young people a good example.

One of the most tragic and perhaps the most visible failures of the Conservatives in protecting the social fabric of Britain has been in the growth of poverty and homelessness. I feel ashamed that we should have tens of thousands of people, many of them young, living on the streets of our cities. We should hang our heads in shame at society having degenerated in that way in the past decade.

Many of those people are there through no fault of their own. On my way to my constituency I walk through Euston and King's Cross stations—I also frequently go through Waterloo station—and talk to some of the youngsters. They welcome my interest. They are glad that somebody is taking an interest in them. Often they are a decent bunch of kids who are there through no fault of their own. I resent our country being damaged in that way and such a state of affairs being allowed to exist. Nobody seems to care about them. Everybody seems to be rushing along attending to their own business. The compassion that used to exist in Britain, of which we were proud, seems to have disappeared.

Many of those desperate and forgotten people have recourse to drugs. A few weeks ago I visited an organisation called DART—the drugs and alcohol resource and treatment team—in my constituency. The leaders of the group told me that some of the youngsters who had received treatment there had been taking drugs that cost £800 a week to finance. It is remarkable that many of those young people have been spending £800 a week on drugs for a considerable time, but it is less surprising that their drug habits are financed by crime and anti-social behaviour. Amazingly, they never seem to be caught.

The Government's taxation and social policies are largely responsible for creating poverty and homelessness, which have such devastating consequences on British society. The Government must at least accept some of the responsibility for the ensuing anti-social behaviour.

I referred earlier to the record levels of crime under this Conservative Administration. In absolute terms and as a percentage of the population, Britain puts more people in prison than any other European country. The cost of running our prison service is about £1 billion a year. People are simply pushed into prison where they are often given no treatment, therapy or employment training opportunities. They simply come out some time later and the level of recidivism is very high. If those people are not a threat to public safety, one wonders why we are spending £1 billion a year for criminals to come out and commit the same crimes. Some are even worse after spending time in prison.

The Labour party believes that that is a manifestation of the Government's policies during the past decade. They allow crimes to take place and then bang people in prison. In some parts of the country the judiciary put people into regimes that can be of value, but the system is so patchy that that does not always happen. By contrast, the Labour party advocates that the emphasis must be on crime prevention rather than dealing with crime after it has happened. I realise that the Government are trying to change in that way.

Mr. Barry Porter: Will the hon. Gentleman give way?

Mr. Randall: I shall give way to the hon. Gentleman after my next point.

The Government spend only some £250,000 on crime prevention, which is not adequate. Clearly, they have not put it high on the priority list. They have simply produced a glossy brochure, which is why the statistics are so bad.

Mr. Porter: I speak not as a member of the Conservative party but as a former solicitor in the criminal courts. It may surprise the hon. Gentleman to know that I agree with what he says, but I do not know the answer.

It takes a great deal of personal effort to get into prison. The run-of-the-mill chap who starts off in a juvenile court can expect to have seven or eight convictions before he is taken away from society. The hon. Gentleman is right that the rate of recidivism is high, so putting people into prison does not seem to cure the problem. I want to know what we should do, because, although past Labour and Conservative Governments have tried community service orders, short sharp shocks and supervision orders, the rate of crime continues to rise. The hon. Gentleman was perfectly entitled to say that the problems occur because of the Conservative Government, but he is entirely wrong. If he is correct, why is crime rising in countries with Social

Democratic Governments and Governments of no particular party? It has to do not with party politics but with society's attitude. I agree with the hon. Gentleman that putting people into prison for relatively minor offences is not correct and we should reconsider it.

Mr. Randall: I am interested to hear what the hon. Gentleman has to say. He can speak with great authority having practised in that area of the law. I accept that the Government have changed, but during the past decade we were throwing people into prison for fine defaults. People were thrown into prison for trivial offences, which is why the numbers are so great.

The new emphasis must be on crime prevention. We must encourage all the agencies involved in crime-related matters, particularly the local authorities that have been cut out so far, social services departments, voluntary organisations, neighbourhood watch and the police. All must work together positively to prevent crime. Some measures are simple. We can relocate a bus stop from down the road to just outside a pub so that those who have had a drop too much get straight on to a bus and go home. If the bus stop is elsewhere, they might wander round the streets and kick in windows. That may sound trivial, but it is important. If we put some lighting in what we in Hull call tenfoots, or back alleyways, we can prevent women from being attacked. Those little measures are important. Local authorities have much to offer in that regard, but the Government have prevented them from participating. That is a negative approach and a reason why crime prevention has not been as effective as it should have been.

Mr. Summerson: The hon. Gentleman is right about lighting. As it happens, I am wearing my British parliamentary lighting group tie. He is right to emphasise the importance of crime prevention and he mentioned neighbourhood watch and the role of police and local authorities. Will he, therefore, explain to the House why many Labour-controlled local authorities have obstructed the establishment of neighbourhood watch schemes?

Mr. Randall: The hon. Gentleman's case could have stood up in the early 1980s, but not now. Even in the last Parliament, it was said that Labour was anti-police, yet interestingly at the last Association of Chief Police Officers conference there was no clapping following Lord Waddington's speech, but almost a standing ovation for my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley). That is just one, perhaps small, manifestation of the way in which the Labour party is held in such high esteem by the police these days. We are moving in the right direction.

There is terrific scope for making remarkable reductions in anti-social and criminal behaviour, but it must come about through co-operation such as I have described. The role of local authorities is crucial.

The Conservatives give the impression of being anti-local government. They have centralised powers and prevented local authorities from making the decisions and providing the services that they wish.

Self-discipline within families is a factor which influences levels of anti-social behaviour, but the key factor is to improve the social fabric of British society which has been so disastrously damaged by nearly 12 years of Conservative rule. The new Labour Government will create a more cohesive society which will be economically and socially just. We do not want people living in cardboard boxes on the streets. That symbolises the ethos of Conservatism. We want to eliminate poverty and to improve job prospects and prosperity. We want decent education and health care for all. We want all families to have decent housing and to be relieved of horrific and record levels of crime. It is these aspects which will improve the social fabric of Britain and which we believe are the prerequisites for reducing anti-social behaviour.

1.24 pm

The Parliamentary Under-Secretary of State for Employment (Mr. Eric Forth): This has been a fascinating debate, as these Friday occasions often are. I, too, pay tribute to my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) for selecting this imaginative motion.

In a sense, this has been a debate with problems but no solutions. That is perhaps not surprising, given the subject matter. I select as evidence of that examples from two Opposition Members who have been here throughout the day. The right hon. Member for Swansea, West (Mr. Williams), speaking about many different sorts of cases, said that he did not know what to do about them. He also pointed out that my hon. Friend the Member for Nottingham, South had not offered many solutions to the problems that he identified.

The hon. Member for Kingston upon Hull, West (Mr. Randall) plumbed the depths of superficiality when he said, in a startling phrase which we shall all remember for a long time, that it would be better to have a country with no unemployment. As a Minister in the Department of Employment I may say that that came as an inspiration to me; it is a phrase which will be burnt into my memory for a long time to come. If the hon. Gentleman is prepared to go beyond that profound analysis and offer us a solution one of these days, I shall be the first to listen to him.

The hon. Member for Kingston upon Hull, West also seemed obsessed by what he called yuppies. I do not know whether he thought that young poeple who are upwardly mobile are a good or a bad thing. I have always thought that young people seeking to better themselves are a rather good thing. If the Labour party is now against young people bettering themselves, the sooner we hear more about that the better——

Mr. Randall: Of course we are not against yuppies. We are not against anyone. We believe in creating a more cohesive society. We are complaining about the social engineering that has been effected by Conservative councils in conjunction with a Conservative Government so as to ensure that certain parliamentary seats, especially in the south of England, are safe. We resent that because it hurts people. The Government are putting parliamentary politics before the people of London.

Mr. Forth: This is getting richer and richer. We are moving from a statesmanlike debate to the rough and tumble of party exchanges—in which I am always a reluctant participant. I shall, however, allow myself to be drawn in on just this one occasion. The hon. Gentleman talks about social engineering. He is a member of a party which devised the comprehensive system of education which has almost destroyed our education system over the past two decades, solely in the cause of wrongheaded social engineering. So I take the hon. Gentleman's accusation ill from him. The right hon. Member for

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Swansea, West will remember, too, that it was the Labour party, under Lord Callaghan, which gerrymandered parliamentary boundaries. So accusations from Opposition Members about social engineering are a disgrace, and I refute them.

Mr. Alan Williams: The hon. Gentleman was stretching the point about comprehensive education a bit far. Edward Boyle was the relevant Secretary of State and Labour councils certainly supported the policy, but so did a great many Conservative councils. If the Conservatives had thought the policy wrong, they were for a great many years in a position to stop it happening.

Mr. Forth: I do not want to get drawn into a debate on education, since there are many other points to cover today. It was the hon. Member for Kingston upon Hull, West who mentioned social engineering and I was simply trying to answer his point.

On the whole, this has been a serious and thoughtful debate about the real problems that all Members of Parliament encounter every time we meet our constituents on social occasions or in our advice bureaux.

My hon. Friend the Member for Nottingham, South graphically described situations that we all recognise, in relation to the problems that arise from noise, nuisance, harassment, and other difficulties with neighbours. They are among the most intractable problems that confront Members of Parliament and local authority officers. It is widely acknowledged that local authorities have a key role in trying to ensure that tenants can enjoy their homes in peace.

Perhaps it was not sufficiently acknowledged by today's contributions that owner-occupiers and private and public tenants and their families are covered by laws designed to allow them to enjoy their homes in peace. One of the most important is the Protection from Eviction Act 1977, which we amended in the Housing Act 1988, and which was designed to protect residential occupiers from being harassed. It is often assumed that harassment is an act perpetrated principally by the rogue private landlord against his tenant, but it is a more wide-ranging offence.

If a landlord or his agent, or someone who may or may not be connected with him, indulges in any behaviour that is designed to undermine the occupier's security, he could be guilty of harassment. It is a criminal offence to harass a residential occupier and one which attracts fines of up to £2,000 and up to six months' imprisonment. We amended the Act only three years ago to enable the courts to award to a private tenant who is illegally evicted damages based on the profit made by the landlord from the illegal eviction. Those new provisions have already proved very successful. The courts have awarded damages of £34,000 and £46,000 in recent cases.

That Act and the changes that we made to it emphasise the basic rights of the occupier to undisturbed occupation, whatever the precise nature of his tenure. My right hon. and hon. Friends in the Department of the Environment have on many occasions made clear their commitment to that right, and to the need for landlords to gain possession of their property through the courts if they want to repossess it.

Many of today's contributions dwelt on the question of noise—including those of my hon. Friends the Members for Nottingham, South, for Fulham (Mr. Carrington) and for Walthamstow (Mr. Summerson). Noise is a major cause of irritation between neighbours, and it is one to which the construction of many modern properties contributes. It affects residents of blocks of flats, terraced houses, semi-detached properties, and even those who live in open, rural areas as much as those in densely populated urban areas.

The technology for creating noise has developed much faster than the technology for preventing it—if that exists. Many modern machines and entertainment systems, for example, generate noise at levels that were inconceivable and intolerable not that long ago.

My hon. Friend's motion refers to environmental health legislation. The Environmental Protection Act 1990 consolidated and updated the law on statutory nuisances, including noise, and clarified the duty of local authorities to investigate complaints, to such an extent that if a council is satisfied that a statutory nuisance exists, it must serve an abatement notice on the person responsible or on the owner or occupier of the premises, and can enforce that notice through the magistrates court.

Alternatively, any individual who is aggrieved by the existence of a statutory nuisance may complain directly to the magistrates court, provided that he also notifies the person against whom he is bringing proceedings. The court can make a nuisance order if it is satisfied that a statutory nuisance exists.

The streamlined procedures introduced by the 1990 Act make it easier for councils and individual occupiers to take action, but that was not the end of the story. The noise review working party was established, and the report that it published last October contained a wide range of recommendations. My right hon. Friend the Secretary of State for the Environment has already accepted some of them and to the extent that it was possible for him to act on them in the framework of the Environmental Protection Bill as it went through the House, he did so. The other recommendations are being seriously considered and the Department has already published an initial response.

The review covered all types of noise, many of which have not been referred to today, and perhaps the most important in relation to the motion was the section on neighbourhood noise. That source of noise has always generated the most complaints and the volume of complaints, if I might use that expression, has trebled over the past 10 years. One of the sources of noise to attract most attention in recent months—it has been mentioned several times during the debate—is private parties. Indeed, it was noisy parties that were partly responsible for our setting up the rather appropriately if not quaintly named noise review working party. It was just about possible with the sort of noisy parties that took place a decade ago to console oneself while it was going on that the party must come to an end eventually. However, the noise levels that are now being experienced tend to be in a different league from those of 10 years ago, and some people often feel that they are losing their sleep and their sanity.

Neighbours can be furious that local authority officers and the police can arrive at the scene of a party and apparently be powerless to stop it in its tracks. The officers may face serveral obstacles. For example, making a noise is not in itself a criminal offence. Perhaps the party-giver cannot be identified, and it may be that the noise-maker cannot be arrested. The noise review report devotes a

considerable amount of space to this issue, and includes recommendations about new offences that are being considered seriously and urgently.

I have said that noise made by neighbours generates the most complaints. In some ways, it is the most intractable problem, because individual freedoms are involved as well as straightforward nuisance. It must be sensible for neighbours to try to sort out problems among themselves before involving the local authority and the law. With that in mind, the Department of the Environment has financed the recently launched first pilot neighbourhood noise awareness scheme in the Forest Hill area of Lewisham. The idea is that a local group of residents, of all tenures, come together and prepare their own leaflet suggesting ways in which they can restrict the impact of noisy activities.

The leaflet produced at Forest Hill contains advice on noise levels, noise and annoyance, illegal activities, guidance on what to do if disturbed by noise and a community code recommending how noise can be reduced, with a list of do's and don't's. Anyone who is suffering and cannot secure an improvement by a direct approach can drop a note to the local authority and the complaint will be followed up.

The keynote of the scheme is that the initiative lies with the residents, and that attempts are made to nip trouble in the bud. Those are the same themes that I mentioned earlier. Though the Department of the Environment is reviewing possible legislation, I think that we must recognise that the law is not the total answer. There must always be resident involvement and early co-ordinated action. As I think the right hon. Member for Swansea, West said in this and another context, we need not more laws but more common sense in many instances.

A significant problem was brought graphically to the attention of the House by my hon. Friend the Member for Nottingham, South. It was mentioned also by my hon. Friend the Member for Fulham. There are residents who are forced to deal with people who, through no fault of their own, are not able to exercise what I have recently described as common sense. In extreme cases, the lack of common sense in the sense that I use the term can be a form of mental disorder. That condition may be so extreme that the question arises whether the sufferer should be detained in hospital under the Mental Health Act 1983. My hon. Friend the Member for Nottingham, South mentioned a case of this sort in which he has been involved. The operation of the 1983 Act is a matter for my right hon. Friend the Secretary of State for Health and is not the responsibility of the Department that I represent. I shall, however, attempt to give a brief explanation on behalf of my right hon. Friend of the way in which the Act operates.

Broadly speaking, the Act provides that a person may be detained in hospital if he or she is suffering from mental disorder as defined by the Act. "Mental disorder" for the purposes of the Act means mental illness, arrested or incomplete development of mind, psychopathic disorder and any other disorder or disability of mind. "Severe mental impairment" means a state of arrested or incomplete development of mind, which includes severe impairment of intelligence and social function, and is associated with abnormally aggressive or seriously irresponsible conduct. The Act further defines mental impairment and psychopathic disorder.

It must also be necessary that the person should be detained in the interests of his or her own health or safety, or for the protection of others. The mental disorder must be of a nature or degree that makes admission to hospital, as opposed to other possible options, appropriate.

Having said all that, I should add that detention is always a severe restriction of personal liberty. Therefore, the operation of the Act relies on the clinical judgment of doctors and other professional staff, who must satisfy themselves that all the criteria that I have mentioned apply. A person may not be detained simply because he or she is a nuisance. When the Act was introduced, Parliament went to great lengths to ensure that it safeguarded the interests of the patient or his or her family, and that of the community at large. It is, of course, a very difficult matter to ensure in every case the balance of interests that the Act was specifically designed to achieve.

I am assured that, in most instances, the Act appears to be working well, but some difficulties may arise in the interpretation of its provisions and there may of course be genuine differences of opinion in exercising clinical judgment. The Department of Health published a code of practice in May last year, which is intended to help to resolve some of the problems. The code is for the guidance of registered medical practitioners, managers and staff of hospitals and mental nursing homes, and approved social workers, in relation to the admission of patients to hospitals and mental nursing homes under the Act. It is for the guidance of registered medical practitioners and members of other professions in relation to the medical treatment of patients suffering from a mental disorder.

That Act, of course, operates against the background of the wider policy that mentally ill people should be looked after as far as possible in the community. However, it is a prerequisite of this policy that mental illness hospitals should not be closed before alternative, locally-based services are available—and that principle was restated in the community care White Paper published in 1989. The development of local services is aimed primarily not at closing hospitals, but at providing services to meet the diverse needs of the mentally ill. Health authorities' closure plans relate mainly to the traditional mental hospitals—the sort of places that are too old, too large or too remote to form part of a modern service providing care and treatment with the minimum of formality and delay.

Having said that, I add that we recognise that the development of local community services has been patchy. Recently—from 1 April this year—we introduced a specific mental illness grant for local authorities, and we have provided £21 million from central funds in the current year. My right hon. Friend has also introduced the care programme approach, which offers a systematic approach to the care of people referred to the specialised mental illness services.

Tremendous amounts of money and effort are being devoted to helping with the problems of mentally ill people, but only a small proportion of them will or should be subject to detention under the Mental Health Act. That does not mean that the Act needs to be reviewed, but it does mean that there will be cases, such as the one described by my hon. Friend, where the community will be expected to cope in the best way that it can with what I might describe as oddnesses of behaviour. That does not put people above the law. They may engage in behaviour

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affecting their neighbours, which may occasionally be criminal, and they will be subject to the criminal law like everybody else.

Where cases of assault are involved, prosecutions can be brought under the Public Order Act 1986 and the Offences Against the Person Act 1861. The Powers of Criminal Courts Act 1973 enable victims to seek compensation. Those whose behaviour is difficult may, if they are local authority tenants, also pose management problems for their landlords.

We must accept that good management practices by the landlords are essential. I hope that my hon. Friend will accept that, in such cases, it is essential that the Government provide the framework—which I believe they have—that local authorities play their role responsibly—which, by and large, they try to do—and that the social services departments act, as they so often do, as the long stop or safety net. However, there may still be—and it may always be the case—individuals who are difficult to deal with under those provisions, and who will simply continue to test the patience of us all, including my hon. Friend.

My hon. Friend the Member for Fulham raised the question of a national minimum wage. That is an important element in the debate, if only because the hon. Member for Kingston upon Hull, West mentioned unemployment levels—although he had to alter tack later in his comments. It is worth exploring the question of a national minimum wage because the Labour party has tried to have both the penny and the bun. It is coming perilously close to its old trick of pretending—as the hon. Member for Tooting (Mr. Cox) said about another matter, and which I shall rephrase a little to take account of my different origins and accent—"You can't get anything for nothing." The House should clearly understand exactly what is meant by a national minumum wage. The Labour party has suggested that lots and lots of people can get more pay, but that it will not cost anybody anything. All that we need to do is wave a legislative wand, pass a law and, magically, a lot of people will get more pay. Presumably, that is the idea behind a statutory minimum wage.

It is worth having a look at what all that might mean. We have to go to the Labour party's political document, which was rather misleadingly entitled, "Opportunity Britain". In it, the Labour party promised to introduce a national legal minimum wage starting at the level of 50 per cent. of men's median earnings and that, over time, it would increase as a proportion of earnings to a point where no one was paid less than two thirds of the male median hourly rate.

In fairness, I should say that the hon. Member for Sedgefield (Mr. Blair), who speaks for the Opposition on these matters, is now trying to resile from this. In a letter to *The Independent* yesterday, he said that, as long ago as 12 June, he had made it clear that when Labour says "everyone", that does not mean everyone, because it does not include young trainees, whoever they are—he does not define them. According to the same letter, he did not for the "first time" say that teenagers should not be covered. There is an element of doubt as to just who would be covered. It is no longer "everyone", because some categories are being excluded.

Whether this is the first, second or third time that it is being said does not matter for this purpose. It is up to Labour Members to clarify what they mean. Given the importance of the issue, it is vital that we understand fully what Labour means by a "statutory national minimum wage". Our estimate is that if it is applied at anything like the levels that the Labour party is talking about, even with the initial rate of 50 per cent., it will cost at least 750,000 jobs, and possibly as many as 2 million jobs if we go to the minimum of what is proposed. The hon. Member for Kingston upon Hull, West expressed sincerely his concern about the effects of unemployment on the social fabric, but for his party, in almost the same breath, to subscribe to a policy that may be well intentioned but would have the inevitable effect of raising unemployment by unimaginable levels is grossly irresponsible.

Labour Members will have to face up to this point and answer it. They cannot argue that people should be given a certain level of pay as of right, regardless of productivity, performance or the ability of employers to afford it, and then complain about the undesirable and evil effects of unemployment on society. That is inconsistent, irresponsible and unfair. The sooner that Labour Members come clean on this, the better it will be for all of us.

It is worse than that, because the mechanism of the system that Labour is proposing will give rise to the "chasing of the tail" phenomenon. If a statutory minimum wage level is related to a median and then raised, and then differentials are introduced, which in turn will raise the median further, inevitably the minimum must be raised. With such a process, before we knew where we were, we would be caught in a vicious upward spiral whereby the minimum chased the median and vice versa. We would be locked into a process that inevitably meant rampant inflation and further job losses.

How all of this fits with a party which is allegedly concerned about the levels of unemployment is beyond me. It has not prevented Labour Members from taking part in the debate on the motion of my hon. Friend the Member for Nottingham, South, on anti-social behaviour, and talking glibly about the difficulties of society, and importing unemployment into it. Given their policies, that is an odd way to go about things.

What do the trade union leaders, who are allegedly supporters of the Labour party—perhaps it is the other way round—say about a national minimum wage? Mr. Bill Jordan of the Amalgamated Engineering Union has made it clear that he, on behalf of his members, would demand full restoration of differentials. His union would oppose any "squeeze on differentials". He has said:

"if the price of a national minimum wage is wage restraint for higher paid members, then our answer would be no."

Gavin Laird has said:

"no way are we going to agree to a standstill of craft differentials."

Roger Lyons, the leader of the Manufacturing Science Finance union has said that any idea that the unions could be persuaded to offer wage restraint under a Labour Government is deranged. Eric Hammond, general secretary of the Electrical, Electronic, Telecommunications and Plumbing Union has said:

"we will oppose any restraint on differentials by any government and we will do all in our power"—

that power is considerable—

"to increase the reward for skills, qualifications and productivity, not just because it is in the interests of our members, but more importantly, because it is in the interest of our economy and country".

What could be clearer? A series of senior labour leaders have come out and said that whatever any Government sought to do on a national minimum wage, they would step in with their union power and demand a restoration of the differentials that they expect for their skilled workers.

The first result of the proposal for a national minimum wage mentioned by my hon. Friend the Member for Nottingham, South in the motion would be the prospect of mass unemployment. The second result would be action to support the restoration of differentials. That, in turn, would lead to an increase in pay levels which, in turn, would lead to a further necessity to increase the minimum wage. What policy could be more damaging or irresponsible or have a worse effect on Britain's employment level and economic strength? That is a question which Opposition Members must answer. We are still waiting for an answer.

The next aspect of a national minimum wage was touched on by Opposition Members. The first myth that they propagate is the problem of low pay and that people are increasingly poorly paid in the British economy. It is an absurd analysis. As we all know, throughout the 1980s the general standard of living in Britain has risen. People on all pay levels have enjoyed higher pay, a point which my hon. Friend the Member for Fulham made very well. To suggest that there is a group of disadvantaged people at the bottom of the pile is absurd. The facts simply do not bear that out.

The second myth that is often propounded by Opposition Members is that the widening of the spread of earnings denies the fact that lower-paid people have improved their lot. They have indeed. Since 1979 average male earnings have increased by over 28 per cent. and average female earnings have increased by over 36 per cent. in real terms. That is ahead of any inflation level at any time, whereas in the years up to 1979 the figures were only a fraction of the increases since then. Lower-paid occupations have by no means received the lowest increase since 1979. The average level of pay for those in the bottom 10 per cent. of male earners has increased. The increases have taken place across the board and across the spectrum.

The third myth that must be dealt with is that those on low earnings are a fixed group of people who are condemned for ever to be in low-paid work. That is not so. Many, indeed most, of the low paid and young have only recently entered or returned to the labour market. As their experience increases, they tend to move up the earnings scale. The position of young people in the employment market is already beginning to change in the light of significant reductions in the number of school leavers. Employers are increasingly offering favourable pay and conditions of employment simply to recruit young people.

My Department's new earnings survey, which is based on the pay of a sample of individuals provides some striking evidence. The pay of a group of people identified in 1979 has been tracked over time. About half of them no longer appear in the survey, perhaps because they have left the labour force to retire or bring up children. They may have become self-employed or have been unemployed at the time of the later survey. But we can compare the earnings of the remainder. We can compare the pay of the same individuals in 1979 with their earnings 10 years later.

The figures show that over 70 per cent. of full-time workers in the lowest tenth of earnings in 1979 had moved up into a higher income group by 1989. Almost a quarter of them had moved into the top half of the incomes distribution. There is a particularly strong upward movement among new entrants and re-entrants to the labour market. Perhaps those are some of the yuppies to whom the hon. Member for Kingston upon Hull, West took such exception earlier and then retracted—*[Interruption.]* I wish it to be recorded in *Hansard* that he is now muttering about social engineering. If the hon. Gentleman is saying that people moving from their lower income groups of 10 years ago to higher income groups is social engineering, he has a sick impression of self-improvement.

Mr. Randall: That is nonsense. I have moved up and I commend it. We are talking about the way in which some London boroughs have removed older housing, but failed to replace it with housing to rent that people on low incomes can afford. As a consequence, people have been driven from the areas where they were brought up. That causes much distress, splits up families and has a detrimental effect on the social fabric. We know what the motives are.

Mr. Forth: The hon. Gentleman makes a different point from the one with which I was dealing. Examination of our exchanges will show that he is trying to duck the question. I am talking about the opportunities for self-improvement. In our society, which allows and encourages self-improvement, people are able to raise themselves from lower earnings groups to higher earnings groups.

Mr. Randall: Of course. This is obvious.

Mr. Forth: I am glad that, after further reflection, the hon. Gentleman seems not to disapprove of that. Perhaps if he thinks further, he will come round to our point of view that a national statutory minimum wage will cause higher unemployment and disadvantage the people whom he claims to represent.

The next myth is that low pay and poverty are one and the same thing and that all low-paid people are poor. That has never been true, and is not now. Households, typically, have income from several sources and, more often than not, from more than one earner; young people still living at home and married women who work part-time contribute to living standards in the home and normally provide only part of the household income. Low earners, typically, are in those groups. Only 8 per cent. of the lowest tenth of full-time earners are in the poorest tenth of the population. The majority are in the top half of income distribution, with 5 per cent. in the richest tenth. It is absurd to count as impoverished by low pay a managing director's wife who chooses to earn £50 a week working part time in a local bookshop. Yet such people are often included in low-pay statistics by people who argue that there is a low-pay problem and that low pay and poverty are inevitably bedfellows.

The major factor in low income is not low pay but unemployment. The facts could not be clearer: 62 per cent. of people live in households headed by a full-time worker, and only 9 per cent. in one headed by an unemployed

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person. In the poorest tenth of the population, only 23 per cent. live in households headed by a full-time worker, but 37 per cent. live in unemployed households. Having a job —even a lower-paid job—is always better than being unemployed. Most poor people are not low paid. Poverty has other causes, including old age, disability, unemployment, large families and lone parents. We must constantly be aware of those factors. We are, but Opposition Members are not.

The hon. Member for Tooting made great play of the fact that, at the last count, 12,879 people are out of work in the borough of Wandsworth. No one can be proud of that figure, and I would not claim to be. I shall pick two years at random. In June 1983, 14,420 people were out of work in Wandsworth. In June 1987—I cannot imagine why I alighted on these dates, but they came handily to me —14,459 people were out of work in Wandsworth. Despite recent increases in unemployment in Wandsworth, the number of people without jobs is still significantly lower than in June 1983 and June 1987. I now know why I picked those dates; they were when the Conservatives won large parliamentary majorities in general elections. No doubt the hon. Gentleman will want to reflect on that when he considers the impact of politics on Wandsworth or on the country as a whole.

Mr. Cox: That is a pathetic answer. Does the Minister think that when his comments are read by unemployed people in Wandsworth, that will enhance the great image that the new Prime Minister is seeking to present and the notion of a citizens' charter? All the Minister can do is to tell us to look at what the figures were on two previous occasions. The fact is that now, in June 1991, there are people out of work with absolutely no hope of getting jobs. That is what the Minister should be concerned with, not going back to the figures of several years ago.

Mr. Forth: I am glad that the hon. Gentleman made that point, because I shall now respond to it. I was going to anyway, but I shall do so now even more happily. He raised an interesting and relevant point and asked what the Government were doing about those who had the misfortune to lose their jobs or had difficulty finding jobs in Tooting or anywhere else. I shall now give him an answer.

Every newly unemployed person now receives an in-depth advisory interview, during which all the opportunities for getting back to work are discussed— *[Interruption.]* I hope that the hon. Member for Tooting is not giggling.

Mr. Cox: I am no more giggling now than the Minister was giggling when I was making my speech about the problems in Wandsworth. I shall listen to the Minister with great interest, and I hope that he tells me and the unemployed people in Wandsworth what the proposal will bring, because that is what we want to know.

Mr. Forth: I do not claim to be a creator of jobs. I hope to avoid destroying jobs and have spent some time explaining how the Labour party has the potential to destroy jobs. That is not the business that the Government are in; they are in the business of creating an environment that not only allows jobs to be developed—mainly by the private sector—but, more importantly, gives the maximum support, through the services provided by the Department's Employment Service, to those who need it in the locality.

First, we ensure that the unemployed are given an understanding interview in order to establish their circumstances and potential for work. We also try to arrange that the same adviser is constantly with newly unemployed people to ensure that their problems are fully understood and dealt with on a continuous basis.

We have introduced special advisory interviews that are available after 13 weeks of unemployment for people whose skills are in demand locally. Extra help is given to the long-term unemployed who do not take up places in employment training, either through job clubs, which have proved a great success, or other offers. Intensive help with job-search from trained advisers is now available over several weeks for those who have the misfortune to be out of work for two years.

In addition, in March my right hon. and learned Friend the Secretary of State for Employment announced an extra £55 million of funding for the Employment Service to ensure that standards of customer service to the unemployed are maintained and, where possible, improved and to provide extra support for people who cannot find work in the first few weeks of unemployment. Some 25 per cent. of people who lose their jobs are off the register again within a month, and 50 per cent. are off it within three months. That illustrates very well the fact that, fortunately for all of us, the unemployed are not now and never have been a static group of people with no hope. The unemployment register changes by up to 300,000 people every month because although, regrettably people lose their jobs, fortunately they find other ones—some of them do so very quickly.

Our aim in the Department of Employment is to do our best to ensure that the process continues as rapidly as possible, but we have not rested there. My right hon. and learned Friend the Secretary of State for Employment, announced another set of measures only last week. As unemployment has been increasing, it has become apparent that the most effective help that we can give some unemployed people is work experience to keep their skills up to date. The main element of the further measures announced last week was a new programme called Employment Action. That will provide work experience on local projects for 60,000 unemployed people in a full year. It will be targeted on those who have been unemployed for six months or more, particularly those living in our inner cities.

The training and enterprise councils, which are starting to become operational in London, will be a major contributor to that programme's process. Equally, the number of places available on ET has been increased so that an extra 15,000 people can this year learn new skills to help them find a job.

Through the measures that I have described, job clubs and other policies, the Department of Employment is taking positive action to address the exact difficulties highlighted by the hon. Member for Tooting. I hope that he did not regard the way in which I gave the figures as complacent—I wanted to set them in context. It is vital that we not only continue to take the problem seriously, but do everything we can to help people find work.

In the time available I have tried to resond to the important points raised in the excellent motion tabled by

my hon. Friend the Member for Nottingham, South. I have tried to place the problem in context and, given my Department, I have tried to spend some time on the employment aspects of the issue. I did so largely in response to the points made by the hon. Member for Kingston upon Hull, West to show him the error of his ways.

I hope that the Labour party will reconsider its potentially disastrous policies. I hope that it appreciates that the policies that I have outlined are positive and helpful. I hope that my hon. Friend the Member for Nottingham, South will agree that the response right across different Departments to the problems raised by his motion has been a positive one, to which he can give his support.

2.5 pm

Mr. Alan Meale (Mansfield): I take great pleasure in being here today. When I read the first part of the motion I jumped on a train from the midlands and came down straight away. That first part is excellent and it could have been written by Labour party Front-Bench spokesmen. I part company with Conservative Members on the second part of the motion. As I listened to the Minister's speech it became clear why that second part had been added. It was done so that a party-political point could be made, but that detracts from the problem that has been set down for discussion.

It was a bit misleading of the Minister to come to the House to try to put the blame for high unemployment on a future Labour Government. He said that the consequences of a Labour Government would be mass unemployment, but we have mass unemployment now. There are millions of people unemployed without taking into account those thousands who have been taken off the register through calculation methods and Government policies. To blame today's mass unemployment on a Labour Government of the future is absolute nonsense.

Twelve years of Tory rule has given us mass unemployment, which is getting worse day by day because the Government continue to follow the wrong economic policies. The Government have forced up interest rates to such a level that every working day many businesses are going bankrupt. The owners of those firms supported the Conservative party in previous elections, but they are now going out of business because of that support.

I pay credit to the hon. Member for Nottingham, South (Mr. Brandon-Bravo) for tabling the motion which has enabled us to debate this important subject. I intend to be brief because I know that other hon. Members on the Conservative Benches wish to participate, albeit briefly.

The first part of the motion says that one way in which to solve anti-social behaviour is to pursue

"sound long-term employment measures".

I agree. The problem is that for many years the Government have pursued short-term employment measures and some of our major industries have suffered because of that. The hon. Gentleman comes from my area, the east midlands, where some major industries have been devastated. More than 150,000 jobs have been lost in coal mining, tens of thousands of jobs have gone in steel making and an equal number have been lost in the railways and in other public service sectors.

The hon. Member for Nottingham, South was right to talk about the need to examine the way in which we give priority to housing and use the housing stock. The best way to tackle the housing problem in my part of the world would be for the Government to adopt a different attitude towards public housing. I welcome some of the actions that the Government have taken, for example, in encouraging new house builders, such as housing associations, to establish housing areas in which people can participate in the management of their homes.

In my constituency, and in that of the hon. Member for Nottingham, South, a massive amount of public housing is going down the tubes because of Government policy. Nearly 5,000 council properties have been sold in my area. I am in favour of tenants of council houses who wish to buy being able to do so, but the Government must not insist on retaining legislation that prevents local authorities from using the money obtained from the sale of council houses to build more property to house people who are in the same position as the original tenants who bought their homes. If councils cannot build new property, the problem continues to grow. In my area, millions of pounds are being held in the coffers of authorities and cannot be touched.

There are 868 registered homeless people in my constituency. They could be housed if the Government allowed authorities to construct more houses. It is no answer to say that there are many empty properties in the Mansfield district council area which could be given to the homeless, because there are 9,226 people on the waiting list, 2,700 of them with special needs, some of them terminally ill, some disabled, some severely disabled and many of them pensioners. With an average ratio of 40 empty properties a week, we cannot keep pace with the level of homelessness.

It is a bit rich for the Government to say that they are doing well on the environmental health front. Air pollution inspectors now operate under the auspices of local district authorities and there are inspectorates at the regional level. They have been cut to the bone and the point has been reached when all they can do is drive from one disaster to the next. Do the Government really claim to be sorting out that problem?

The hon. Member for Nottingham, South was right to refer to mental health. It is a scandal for any Government, of whatever political persuasion, to introduce policies that dump the mentally ill back on to the community without the necessary support facilities being provided. It is a disgrace to close hospitals and push the mentally ill on to society when social services departments in shire county council areas cannot cope because of lack of resources. I am aware of the problems that have been created in Nottingham because of the Government's policies for the mentally ill. There are similar problems in my constituency.

It is right that some people who have been in mental hospitals should be returned to the community, but to do that willy nilly without providing extra resources for management is disgraceful.

I congratulate the hon. Member for Nottingham, South on this debate because we should have discussed the problem much sooner. However, the problems that have been expressed clearly on both sides of the Chamber must be dealt with by those in charge. The only way to do so is to provide the resources and be determined to sort out the matter.

2.15 pm

Mr. Jack Aspinwall (Wansdyke): I am grateful to the hon. Member for Mansfield (Mr. Meale) for his consideration. I congratulate my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) on initiating this important motion, which has given me the opportunity to present an example of anti-social behaviour which has caused much distress and heartache to many households in my constituency in the past few weeks. My constituents have had neighbours imposed on them—I refer to the influx of nearly 3,000 hippies, who have descended on the peaceful rural communities of Avon county and other west country areas, creating mayhem and havoc.

I strongly support helping those who, through no fault of their own, get into financial and social difficulty. I have always tried to be as helpful and reasonable as possible, as have the local councils and agencies in Avon county. However, the experience that many of my constituents have endured has been unbearable.

There have been intrusions on at least 15 privately owned sites. A large number of people have descended illegally in a wide variety of vehicles. Some are families with children, and packs of dogs including rottweilers and bull terriers are running uncontrolled about the sites. Intimidation of ordinary people, who wish peaceably to enjoy their homes, has caused anger and nearly led to violence.

The operation of moving hippies into an area has not happened by chance but is a highly organised event. Land is identified by scouting groups who test local reaction and can apparently find sites, the ownership of which is in dispute, or which belong to the Labour and Liberal Democrat controlled Avon county council. Some of those hippies are sophisticated and legally knowledgeable, with modern aids such as mobile telephones, CB radios, fax machines and a wide network for the distribution of leaflets and other material. Their arrival at sites is not by chance. The operation is well planned and carried out in such a way that it is extremely hard for the law to be enforced.

Carlingcott—a lovely, peaceful village inhabited by decent, ordinary people—was chosen because there was an ownership dispute over two nearby fields and probate had not yet been granted in an estate, which gave no firm definition to enable legal proceedings or proceedings by the police to commence.

Avon county council has a chosen policy not to take proceedings against hippies who settle on council land because the county council has not complied with the Caravan Sites Act 1968, which behoves them to provide suitable sites. Avon county council has been a soft touch in the hippy world. It is a flagrant breach of duty to the vast majority of the people of Avon not to attempt to prevent the current problems, which continue to worsen.

I have received many letters containing heartbreaking stories from people who do not deserve the problems imposed on them partly because of the council's doctrinaire view. When I visited a hippy site last weekend and asked whether itinerants would be prepared to settle on a well-prepared site with running water and sanitary conditions, they laughed openly. How can the county council ignore the wishes of the vast majority of people for whom it has a duty of care?

The financial implications of the intrusion of hippies are enormous. To contain a site of 2,000 hippies and nearly 400 vehicles, with all the problems involved, costs more than £60,000 in police time alone for a weekend's cover. Other parts of the community have to suffer reduced manning levels to enable a proper police presence to be available in case of an outbreak of violence.

I wish to place on record my thanks to the Avon and Somerset constabulary who deal with the problems arising from the presence of the hippies. Sometimes there is a misunderstanding among those who suffer from the effects of the hippies and the police do not seem to respond rapidly to a situation. I will tell the House of the difficulties encountered in an operation of the complexity and magnitude of that in the Wansdyke constituency, on Charmy Down, Peasedown St. John and other sites.

A common allegation is that vehicles are untaxed, uninsured and unroadworthy. I am strongly assured by the police that all the vehicles in the county are checked thoroughly for ownership proof, insurance, tax and roadworthiness. If vehicles are found to be unroadworthy and if the law is breached, arrests are made under the Police and Criminal Evidence Act 1984. The police can use section 39 of the Pubic Order Act 1986 to remove people from sites. The Act provides them with discretionary powers to order trespassers to leave land in certain circumstances. If trespassers knowingly fail to obey such an order, they commit a criminal offence. Trespass is a most complicated matter which usually rests with the civil courts and is certainly not a criminal offence. There is the additional problem of huge numbers of people congregated together. I wonder whether the wisdom of confrontation would prove beneficial to the community in the end.

The police can make arrests under section 39. I ask the House to imagine 2,000 men, women and children, as well as dogs and so on, the men being arrested, the degree of force that would have to be used, and the women and children being left on the site and becoming the subject of local social services and education departments and everything that the public expect, followed by the likelihood that the arrested persons could plead not guilty, be bailed and returned to the site. The police have no powers whatever to move the vehicles. In such circumstances, striking the balance between the freedom of the individual and the well-being of the community loses some of its meaning. There must be a way of solving this difficult problem which is creating further anti-social behaviour.

It is well know that a major source of income is the benefits cheques which are collected from the local social security office. Perhaps sanctions would help. For example, the payment of resources could be stopped until certain conditions are observed, such as residency or registration as being able and willing to work.

I have seen various types of hippies. During my visit last weekend to the Peasedown St. John site I met some young people who were reasonable, clean, interesting and could have been the sons and daughters of any family in the land. I asked them why they had come to the hippy site. They said that they had heard through the grapevine that there was to be a pop festival and that they were going to enjoy themselves. I might add that the media sometimes lose the balance between providing news and dealing with community interests. Widely publicised through television, radio and the press, the Peasedown site became

national news. It was easy to tell from the programmes exactly how to get to the site, which added to existing problems.

We must find places that are sufficiently remote and away from the general population where sites can be prepared, perhaps on a seasonal basis, with adequate toilet facilities, water, and perhaps even electricity, so that young people can attend pop festivals with little or no interference to ordinary people. It is not beyond the bounds of possibility that the noise baffles used at major airports could be adapted to prevent objectionable noise over wide areas. Noise is another form of anti-social pollution on hippy sites and it is extremely difficult to control it.

The environmental health officers erected noise detection meters, but the legislation is ponderous and it would have been extremely dangerous for a small number of police officers and environmental health officers to enter a site. Even if they were able to serve abatement notices, nothing in the legislation empowers them to deal quickly with noise pollution. It is difficult to overestimate the effects on small villages in which people live peaceably in their homes of incessant beating of drums and loud music disturbing the peace night and day. The effects on ordinary people—on elderly people, children and shiftworkers—are unacceptable.

Anti-social behaviour has many effects on society and it is always the law-abiding people who suffer. The added problems caused by drugs, excessive alcohol, noise, uncleanliness and unlawfulness and by damage to persons and property all take their toll on sites such as those that I have described. It is every citizen's right peaceably to enjoy his life and home. Anti-social behaviour imposed on others by itinerants is wholly unacceptable. I welcome today's motion, which has enabled me to express these views.

2.26 pm

Mr. Steve Norris (Epping Forest): I know that my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) made his speech long merely because he was awaiting my arrival in the Chamber and I apologise for not hearing all of it. I shall toss my notes aside and truncate remarks which could have filled one and a quarter hours so as to fit them into three and a three quarter minutes.

We should be in no doubt about why the Fabian Society rightly concluded that a national minimum wage would cost nearly 1 million jobs or why the Government concluded that it would cost almost 2 million jobs. The reason has perhaps not emerged from today's debate, but I can give practical examples of how it works.

I well remember in my old constituency of Oxford, East going to see a lady who had decided to convert her front room into a hairdressing salon so that she could practise a profession that she had learnt before she married and had a family, and so that she could give employment to a couple of her friends—and, more importantly, offer a service to people in the area which they could never have afforded at some of the larger shops. They wanted to enjoy having their hair done by neighbours in a friendly atmosphere.

Along came a man from the wages council saying, "I am terribly sorry, my dear, but you cannot possibly do that—you are not paying your neighbours enough." "How do you mean?" she asked—"I do not draw as much as you are asking me to pay these ladies out of the business myself; I am doing it for fun because I can do it here at home and because my neighbours can earn themselves a little money. We are not doing it to make the difference between life and death. We simply want to afford one or two luxuries in life." "I am sorry," he said, "That is no business of mine—You either pay these ladies the money, or you close down." So she closed down, thereby losing out herself and disadvantaging her neighbours who had helped her in the shop for a bit of pin money and all the people on the estate who used to enjoy a good value-for-money service.

We have heard a great many assertions about how hundreds of thousands of jobs will be lost, but there is no secret about the sort of example that I have cited. It is terribly sad; I have every sympathy with those who believe that minimum wages are a standard to be borne by those who care about the poor, but it is necessary to think through the argument. Doing that makes one realise that poverty is best alleviated by creating real job opportunities. We should remember that more than a million people have jobs now who did not have jobs when the Government came to office.

Secondly, nothing is more likely to create a fear of crime and to worry and frighten elderly people than the sight of sacks of rotting rubbish left in the streets, of broken glass, of windows boarded up, of graffiti and vandalism. As we know from research—this is not a bland assertion—those signs of a lawless, anarchic society are exactly those which make an elderly person fearful of leaving their own home and a prisoner within it. That is the result when a local authority such as Liverpool, Lambeth or Hackney loses control—and that is how anti-social behaviour can be genuinely defined. That appalling neglect is the record of those Labour authorities, and I hope that the electorate of Walton at least will take account of it when they vote on 4 July.

I congratulate my hon. Friend the Member for Nottingham, South on the way in which he framed his motion——

It being half-past Two o'clock, the debate stood adjourned.

Mr. Tony Benn (Chesterfield): On a point of order, Madam Deputy Speaker. The sixth item to be considered on today's Order Paper, the Commonwealth of Britain Bill, has against it the words,

"Queen's Consent to be signified."

I have a letter from the Home Secretary indicating that the Queen has given her consent to the Bill, and I wonder whether it would be in order for that consent to be indicated by a Privy Councillor before the Bill is put before the House for consideration.

Madam Deputy Speaker (Miss Betty Boothroyd): I note the right hon. Gentleman's point, but we have not reached that item.

Orders of the Day

Private Members' Bills

HARE COURSING BILL

Not amended (in the Standing Committee).

Order for consideration read.

Hon. Members: Object.

Madam Deputy Speaker (Miss Betty Boothroyd): Objection taken. Consideration what day?

Mr. Allen McKay (Barnsley, West and Penistone): With the permission of the hon. Member in charge of the Bill, Friday 5 July.

Consideration deferred till Friday 5 July.

RIVER SAFETY BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

MARINE ACCIDENT INVESTIGATIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

COMMONWEALTH OF BRITAIN BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 19 July.

Mr. Tony Benn (Chesterfield): On a point of order, Madam Deputy Speaker. Earlier, I raised the question of the Queen's consent having been signified before the Bill was put to the House. There is present in the Chamber a Privy Councillor authorised to give the consent.

Madam Deputy Speaker: The objection was raised before that point was reached.

EDUCATION PROVISION BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Objection taken. Second Reading what day?

Mr. Alan Meale (Mansfield): With the agreement of the hon. Member in charge of the Bill, Friday 5 July.

Second Reading deferred till Friday 5 July.

SEXUAL OFFENCES (AMENDMENT) ETC. BILL

Order for Second Reading read.

Madam Deputy Speaker: Not moved.

PET ANIMALS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

GAMING (BINGO) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

NATIONAL AUDIT (SCOTLAND) BILL

Order for Second Reading read.

Madam Deputy Speaker: Not moved.

TRAINING AND ENTERPRISE COUNCILS BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Objection taken. Second Reading what day?

Mr. Allen McKay: With the permission of the hon. Member in charge of the Bill, Friday 5 July.

Second Reading deferred till Friday 5 July.

FORESTRY COMMISSION BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Objection taken. Second Reading what day?

Mr. Allen McKay: With the permission of the hon. Member in charge of the Bill, Friday 5 July.

Second Reading deferred till Friday 5 July.

TRADE DESCRIPTIONS (ANIMAL TESTING) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 5 July.

PARISH COUNCILS (ACCESS TO INFORMATION) BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Objection taken. Second Reading what day?

Mr. Allen McKay: With the agreement of the hon. Member in charge of the Bill, Friday 5 July.

Second Reading deferred till Friday 5 July.

COAL IMPORTS BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Objection taken. Second Reading what day?

Mr. Allen McKay: With the agreement of the hon. Member in charge of the Bill, Friday 5 July.
Second Reading deferred till Friday 5 July.

HOSPITAL SCHOOLS IN LONDON BILL

Order for Second Reading read.

Madam Deputy Speaker: Not moved.

ELIMINATION OF POVERTY IN RETIREMENT BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 5 July.

HEALTH CARE OF PRISONERS BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 5 July.

EMPLOYMENT OF CHILDREN ACT 1973 (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Objection taken. Second Reading what day?

Mr. Allen McKay: With the agreement of the hon . Member in charge of the Bill, Friday 5 July.
Second Reading deferred till Friday 5 July.

BRITISH RACING COMMISSION BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 5 July.

FOOTBALL SPECTATORS BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 5 July.

GREYHOUND BETTING LEVY BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 5 July.

VAGRANCY (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.
Second Reading deferred till Friday 5 July.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL *[LORDS]*

Order for Second Reading read.
To be read a Second time on Monday 1 July.

DEER BILL *[LORDS]*

Order for Second Reading read.
To be read a Second time on Monday 1 July.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.),

PUBLIC HEALTH

That the Food Protection (Emergency Prohibitions) (Paralytic Shellfish Poisoning) (No. 2) Order 1991 (S.I., 1991, No. 1295), dated 29th May 1991, a copy of which was laid before this House on 4th June, be approved.—*[Mr. Nicholas Baker.]*

Question agreed to.

Nepal

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

2.34 pm

Mr. Neil Thorne (Ilford, South): In 1816 the pact of Segavli was signed because the British East India Company had been trying to push the boundaries north of India. It met some fierce resistance from Nepal. As a consequence, it was found impossible to proceed any further. Therefore, the pact was signed, which defined the boundaries between India and Nepal. It provided also for the recruitment of soldiers into the British Army. That was 175 years ago. Since then, many Nepalese have served in various Gurkha regiments. About 500,000 men served between 1939 and 1945, and of those 52,000 were either killed or wounded. Thirteen Gurkhas won the Victoria Cross for valour and 13 officers attached to Gurkha regiments were also awarded that supreme honour. No more than 8,000 Nepalese soldiers are now serving in the Gurkhas in the British Army. There are more serving in the Indian Gurkha army, which was created on independence in 1947.

The Select Committee on Defence decided that after Hong Kong was handed over in 1997 it would be important to establish exactly what the future of the Gurkhas would be. The Committee carried out an inquiry and issued a report. The report was responded to in May 1989 by the then Secretary of State for Defence, who gave an undertaking that no fewer than 4,000 Gurkhas would remain within the British Army.

It is important that the relationship should continue and I am sure that the then Secretary of State's promise will be maintained and upheld despite any proposals that are contained in "Options for Change". The salaries and pensions of Gurkha soldiers make a considerable contribution towards the income of the Nepalese people and after such distinguished service by Gurkha soldiers I am sure that the aid will be allowed to continue in that way.

In Nepal there was an hereditary prime ministership that continued for over 100 years. That came to an end with a revolution in 1953 which was led by King Tribhuvan. He then became King in his own right and the monarchy assumed control. Prime Ministers were then appointed from the membership of the Panchayat. That continued under King Mahendra until he was succeeded by the present King Birendra. In 1980 there was some debate about whether a different form of democratic control should ensue. It was decided, however, as a result of a referendum in 1980, that the Panchayat system was the system that the majority of the population wished to remain. That continued for 10 years until the beginning of last year, when there was a certain amount of dissatisfaction with the then system and various people and factions wanted the introduction of a multi-party system.

The King decided, on his own initiative, to overcome the objections and he introduced a multi-party democratic system and gave 14 months to allow it to be developed before general elections were to be held. That decision was entirely of his own making. It was a courageous decision because only 10 years previously a referendum had decided on a different system. The King felt that the majority of his people wanted to move to a multi-party system and, contrary to what many members of the international press corps would have us believe, he instituted it himself.

The elections were held on 12 May. At the invitation of the Foreign and Commonwealth Office, I was one of three observers that it had been invited to appoint. The hon. Member for Tooting (Mr. Cox) and my hon. Friend the Member for South Dorset (Mr. Bruce) were also invited to attend so that we could see for ourselves whether those elections—the first to be held on a multi-party basis for a long time—were free and fair.

There were 64 international observers, divided into 21 teams. We were distributed throughout the country and the different teams—comprising groups of three or four—had different experiences. However, when we all came together again in Kathmandu after polling had been completed, we discovered that there had been only 57 irregularities in the 1,200 polling districts—a commendable figure. Those 57 districts were repolled the following day. When irregularities were found they were corrected the following day, so it was decided that the elections had been free and fair. We all felt that a good exercise had been conducted.

The elections resulted in an overall majority being obtained by the Nepal Congress party. Indeed, Prime Minister Girija Prashad Koirala has now taken up his post and is running the democratic Government that has been created. The Prime Minister has thanked the King for his action in instituting the election and for ensuring that it was carried out, to the best of his ability, in a free and fair way.

We obviously required considerable support during the campaign and I am glad to say that the British contingent provided a large number of Land-Rovers to facilitate the easy movement throughout the country of many of the teams. In fact, his excellency Timothy George—the British ambassador in Kathmandu—is getting on extremely well with all sections of the community from the King down, and as far as we can ascertain from our observations he is doing an extremely good job and is spoken of extremely well. He and the present Nepalese ambassador, Major General Bharat Kesher Simha, have a large role in maintaining and ensuring that the friendship that has developed over the past 175 years continues.

The country is not very well endowed with many of the mineral resources that so many other regions of the world enjoy, especially the middle east and Africa. It has an extremely large quantity of water, which is especially suitable for the generation of hydro-electric power. It also has the most charming population imaginable, so it is a good part of the world to visit, both to see the magnificent scenery and to be among its charming people. Tourism is expensive in that it needs a lot of infrastructure. To make it popular, it requires the many facilities to which westernised tourists are accustomed, the lack of which means that they will go to other parts of the world.

There are many things that we can and should be doing to ensure that this new democracy is given every possible opportunity. We can assist, for example with roads and other communications. The terrain is rugged, and heavy rains and monsoons have a devastating effect on roads, and are liable to wash them away quickly down the steep terrain. Therefore, roads require a lot of maintenance. We are particularly well placed to give advice and assistance on road building.

We can be of great assistance in the building of hydroelectric systems and of ways to distribute the power to encourage its use both in Nepal and elsewhere in Asia. We could be doing an awful lot in reafforestation. Sadly, during the trade and transit dispute between India and Nepal two or three years ago, the supply of kerosene, for heating and use in cooking, to the peasants in the villages dried up. As a result, they had to cut down vast areas of woodlands so that they had wood for cooking fuel. This has had not only a serious effect on the Nepalese economy and on soil erosion, but a knock-on effect in that, if the waters are not held back by forests and allowed to proceed in an orderly fashion on to the plains of Bangladesh, flooding occurs. Reafforestation is high on the agenda, as we can do much to assist both Nepal and Bangladesh.

In the negotiations between India and Nepal to bring about an amicable trade and transit agreement, I have to thank my hon. Friend the Member for Westminster, North (Sir J. Wheeler), who is present today, and who helped me in getting through to the Indian authorities the message that this delay was causing damage. I am delighted that trade is now easier, but that damage must be made good. We should use every possible opportunity to put right the matter as quickly as possible.

We can help in many little ways. I noticed that the Nepalese have closely followed our parliamentary system. While we were there, we went to visit the facilities that are being constructed. They are busy building their second chamber. I hope that we can give the Nepalese Parliament a gift, such as a Speaker's chair, permanently to remind both the British and the Nepalese of our long-lasting friendship. There are so many ways in which we could help. We have an obligation because we have a long friendship with Nepal. We have been asked for very little in the past in return for the vast amount of blood that has been spilt on our behalf among Nepalese. It is up to us to go out to them rather than to wait for them to come to us for assistance.

Britain was the first to have a diplomatic mission in Kathmandu and it was to London that Nepal's first mission came when it started to become interested in international affairs. In view of our special position, we should do as much as we can to ensure that our thanks are properly and adequately expressed.

2.50 pm

Mr. Tom Cox (Tooting): It is a great pleasure to follow the hon. Member for Ilford, South (Mr. Thorne). I was one of the observers who were privileged to go to Nepal and witness the elections. It gave one the opportunity not only to have an insight into a beautiful country but to get to know some charming, hard-working and talented people. The area of Nepal that I visited was Pokhoral, which is famous for its mountains and trekking. I found that the election was undoubtedly freely contested, with a few very small infringements. There is no doubt that the election in Nepal can take its place with genuine elections anywhere in the world.

In the area that I visited, I saw men and women standing for hours in line waiting for their turn to vote. I saw elderly and disabled people carried on the backs of men along mountain tracks often for several miles so that they could have the opportunity to vote. That showed clearly how much the people of Nepal welcomed the opportunity to take part in the election and how much they support democracy.

As the hon. Member for Ilford, South said, the result of the election has done two things which we can only welcome. First, it has produced a Government who have a strong enough majority to provide decisive government. Secondly, it has produced a strong enough Opposition to ensure that the voice of those who do not always agree with the Government can be heard. I am sure that we all agree that that is good for democracy.

As the hon. Member for Ilford, South said, it is now the time for us to consider what help we can give. There is great respect in Britain for Nepal. Again, the hon. Gentleman touched on that. Sadly, many people here will never have the opportunity to go to Nepal but they most certainly look with pride to the role that the Gurkha troops have played for many years in the British Army.

It is against that background that any policy of help and involvement that the Minister may be able to tell us about today will receive great support. Of course, the nature of that help is a matter for discussions between the Nepalese and British Governments. In view of what I saw in the area of Nepal that I visited, I hope that two issues will be considered. The hon. Member for Ilford, South mentioned the development of a road and transport infrastructure in Nepal. The other equally important issue is the need to develop an education system.

I visited many schools in the area of Nepal where I stayed. One has to say that they were very basic. But when we met the children and young people and talked to them we saw their great enthusiasm to find out where we came from and know something about us. That is a clear sign of their ability and desire to learn.

I hope that, coupled with help in developing the education system, we will offer to the Nepalese Government the facilities that we have in Britain to provide further and higher education opportunities in farming, the health service and transport. I am sure that there are talented young men and women in Nepal who would welcome the opportunity to develop their education and knowledge through the services and skills that we have in Britain.

It is delightful to see the Minister in her place and to know that she will reply to the debate. All hon. Members have high regard for her. Even if she says, "I cannot help you", we know that she is one of the few Ministers who listens to what we say and, if possible, acts on it.

It is a pleasure to take part in the debate and I hope that the Minister will tell us what help the Overseas Development Administration will be able to give Nepal.

2.55 pm

The Minister for Overseas Development (Mrs. Lynda Chalker): May I say how grateful I am to my hon. Friend the Member for Ilford, South (Mr. Thorne) for giving us this opportunity to discuss aid to Nepal and to the hon. Member for Tooting (Mr. Cox) for his exceptionally kind remarks? Both hon. Members' knowledge of Nepal is highly respected not only in London but Kathmandu.

It is entirely right that the House should be considering our relationship with Nepal at a time when it has joined us in enjoying a directly elected parliamentary assembly. That change is all the more commendable for being mainly peaceful and well-organised, as both hon. Members said.

[Mrs. Lynda Chalker]

All those involved deserve the highest praise for the manner in which they worked together towards the common objective. Their success is reflected in the general and peaceful support for the new constitution and in the completion of the elections on 12 May.

My hon. Friend the Member for Ilford, South asked whether the House would give a gift to the Parliament of Nepal. That is a matter for Mr. Speaker and the House authorities, but I am sure that he will read what my hon. Friend said.

The House has played a role in supporting the democratic process in Nepal and will continue to do so. My hon. Friend the Member for Ilford, South and the hon. Member for Tooting attended the election as observers. It was interesting and helpful to hear their views on recent developments.

You may know, Madam Deputy Speaker, that Mr. Speaker has kindly agreed to make available to the new assembly two of the much coveted places on the House's course for parliamentary secretariats, and the Principal Clerk of the Table Office will visit Nepal shortly. That is a good start in the relationship between the two Parliaments.

The aid programme played a part in the elections. The Overseas Development Administration refurbished Government Land-Rovers to make them roadworthy for electoral duties. We donated books and texts to the library of the new assembly. Such moral and practical support is much appreciated, even more so when it comes from the House.

My hon. Friend the Member for Ilford, South and the hon. Member for Tooting asked about the future. They may have read in the press that on Tuesday I announced that in the next year Britain would commit £50 million from its bilateral aid programme for direct support for good government in developing countries. I hope and expect that that will include new commitments in Nepal, within the areas indicated for the aid such as the modernisation of central and local government, assistance to the legislature and training for police, customs and civil servants. Our aid to Nepal will reflect our wish not only to help the democratic process but to further the close and substantive relationship that we have.

Sir John Wheeler (Westminster, North): My right hon. Friend will know of my interest in the police. Is it possible for the Overseas Development Administration to consider a bursary to allow a senior police officer from Nepal to attend the overseas staff course at the police college?

Mrs. Chalker: I shall certainly consider that matter, but I cannot comment off the top of my head. It will depend entirely on what the Nepalese Government want to spend their resources, but I can assure my hon. Friend that we shall certainly look at that issue.

Our support for Nepal is shown by the aid we are giving it. When all the returns are completed, we expect our aid disbursement for the past financial year to be about £19 million—about £1 per head of population in Nepal. That reflects our response to the particular difficulties, which, as my hon. Friend the Member for Ilford, South and the hon. Member for Tooting have said, faced Nepal during the trade and transit dispute with India. Happily that is now behind us and the underlying trend in our aid has been strongly upwards during the past three years. The doubling of our aid since 1987-88 is a good sign of the growing relationship between the two countries.

Today's debate has reinforced my intention to seek early discussions with the new Nepalese Government. I expect to have a substantial aid programme in Nepal in the coming years. We need to discuss that, once the new Nepalese Government have had an opportunity to determine their policies. I hope to propose to the new Government that we should hold aid talks at official level in the early autumn. It will then be my joy, I hope, to visit Nepal early next year.

One of the reasons why Nepal has so greatly warranted British support has been because, despite being one of the poorest countries, it has shown a willingness to tackle its own problems which is an example to many other countries. It has adopted a policy of structural adjustment under the aegis of the World bank and the International Monetary Fund. It has not been committed to that programme for very long, but the project is already yielding sufficient benefits to show the people of Nepal that it will be worth while. Nepal could not have overcome the difficulties and hardships of the trade and transit dispute if it had not started from a firm economic base. Undoubtedly, those sound economic policies have increased donor confidence, including our own. That is extremely important in a country where 60 per cent. of the development budget is aid funded.

Some 7 million to 8 million of the 19 million population of Nepal live in absolute poverty, by which we mean that their income is insufficient to afford what we would normally regard as a minimum amount of food. The overwhelming majority of those people are subsistence farmers, which is why we have made a long-term commitment to help farmers in the hill regions which are particularly disadvantaged. Our hill research stations at Lumle and Pakhribas have adopted a farmer-oriented approach and are widely seen as the antidote to top-down planning, while our Kosi hills project has made encouraging progress, not least in the management of local communities of the diminishing forest resources.

Unfortunately, the progress that has been made in agriculture and in the economy more generally is being eroded by rapid population growth. The population has doubled in the past 30 years and is projected to double again over the next 25. Therefore, we believe that it is important that we have an effective programme to provide facilities for voluntary family planning, which I hope will be a priority for the new Government—one in which we will be glad to help them.

My hon. Friend the Member for Ilford, South spoke about hydroelectric power. I believe that it is important for Nepal, but it is also important that we take particular care, when helping Nepal, to ensure that all its projects are environmentally sound. We shall work with Nepal in that way if that is its wish, but we must be alert not to worsen the great environmental traumas that beset that part of the world.

We help by running the Dharan hospital through the aid programme and in many other ways. We have an aid package of £3 million to help that project. We supply technical co-operation officers and Voluntary Service Overseas medical officers. We hope to build new wards for that hospital to help the Nepalese people. That is one way in which we have continued to help Nepalese people since the hospital came into our care 18 months ago—it was

previously the Gurkha hospital. I can assure my hon. Friend that, in many other ways, we shall ensure that the Gurkha hospital continues to be of value to Nepal, but that is an issue for my right hon. Friend the Secretary of State for Defence.

I agree very much with my hon. Friend that support for forestry in Nepal will be vital, not just for that country, but for India and Bangladesh. The conservation and regeneration of forests is vital to the region. It is good that we have agreed that the forests will be managed and used by local communities in Nepal and we shall help with the establishment——

The motion having been made after half-past Two o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at four minutes past Three o'clock.

Written Answers to Questions

Monday 17 June 1991

TRANSPORT

British Rail (Investment)

Mr. Fearn: To ask the Secretary of State for Transport if he will make a further statement on British Rail investment for 1991-92, updating the information given in his answer to the right hon. Member for Southend, West (Mr. Channon) of 22 February, *Official Report*, column *306*.

Mr. Freeman: Since 22 February we have approved the following further specific British Rail investment schemes:

Network SouthEast

59 coaches for Paddington line express services.

86 coaches for south London and north Kent inner suburban services.

Research and Development Grants

Mr. Fearn: To ask the Secretary of State for Transport how many *(a)* applications and *(b)* grants have been made under section 57 of the Transport Act 1968.

Mr. Freeman: Two and one respectively.

Mr. Fearn: To ask the Secretary of State for Transport if private organisations looking into railway reopenings are eligible for grants under section 57 of the Transport Act 1968.

Mr. Freeman: Yes.

Buses

Ms. Ruddock: To ask the Secretary of State for Transport how many new double-decker, single-decker, minibuses and midibuses, respectively, have been bought by London Buses Limited in each year since 1985.

Mr. Freeman: The information is as follows:

	1985	*1986*	*1987*	*1988*	*1989*	*1990*
Double-deck	335	200	60	5	36	34
Single-deck						20
Minibuses	3					
Midibuses	—	48	101	89	203	371
Total	338	248	161	94	239	425

Ms. Ruddock: To ask the Secretary of State for Transport if he will list in tabular form for each year since 1985, the number of double-decker, single-decker, minibuses and midibuses, respectively, owned by London Buses Limited that were *(a)* under four years old, *(b)* four to eight years old, *(c)* eight to 12 years old, *(d)* 12 to 15 years old and *(e)* over 15 years.

Mr. Freeman: Information in this form is not available for minibuses. For other bus types, the information is as follows:

Year and type	*Age range (years)* 0-4	4-8	8-12	12-15	15+	*Total fleet*
1985						
Double-deck	1,551	674	331	—	1,939	4,495
Single-deck		441	34	—	—	475
Midibuses	8	—	—	—	—	8
1986						
Double-deck	1,323	1,197	346	—	1,640	4,506
Single-deck		69	381	—	—	450
Midibuses	27	—	—	—	—	27
1987						
Double-deck	1,121	1,680	385	—	1,227	4,413
Single-deck	—	69	414	—	—	483
Midibuses	56	2	—	—	—	58
1988						
Double-deck	755	1,539	1,055	50	918	4,317
Single-deck	—	69	416	—	—	485
Midibuses	168	2	—	—	—	170
1989						
Double-deck	461	1,551	1,337	50	813	4,212
Single-deck	7	—	362	80	—	449
Midibuses	370	2	—	—	—	372

Year and type	Age range (years) 0–4	4–8	8–12	12–15	15+	Total fleet
1990						
Double-deck	270	1,323	1,399	394	784	4,170
Single-deck	12	—	250	54	—	316
Midibuses	486	20	—	—	—	506

London Underground

Mr. Cox: To ask the Secretary of State for Transport what is the agreed expenditure for investment in the Northern Line of London Underground which will take place over the next three years.

Mr. Freeman: Only major investment projects which are called in are agreed by Ministers. We have approved the reconstruction of Angel station, at a total cost of £72 million, which will be completed in that period. The hon. Member should approach London Underground for details of other investment on the Northern line. None of it has been called in for approval.

Bus Companies (Prosecutions)

Ms. Ruddock: To ask the Secretary of State for Transport how many prosecutions have been brought against bus companies for *(a)* drivers' hours violations and *(b)* vehicle standards violations in each year since 1985.

Mr. Freeman: Since 1985 the Department of Transport enforcement staff have brought the following prosecutions against bus companies for drivers' hours violation:

	Number
1985-86	786
1986-87	369
1987-88	492
1988-89	814
1989-90	116

Prosecutions for drivers' hours and roadworthiness offences are also undertaken by the police, but the statistics are not broken down between individual categories of vehicles.

The vehicle inspectorate undertakes roadside checks of passenger carrying vehicles and prohibitions are placed on vehicles which are found to be unroadworthy, banning the further use of the vehicles on a public road until faults have been rectified. The number of checks and rate of prohibitions since 1985 are:

	Vehicles checked	Prohibition rate per cent.
1985-86	12,575	10·7
1986-87	17,767	10·3
1987-88	19,649	11·8
1988-89	17,747	11·6
1989-90	19,495	11·9

NATIONAL FINANCE

Hospitality Fund

Mr. Redmond: To ask the Chancellor of the Exchequer if he will list the expenditure covered by his Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Mrs. Gillian Shephard: The information requested is as follows:

Year	£
1989-90	55,169
1990-91	67,012
[1]1991-92	14,014

[1]To date.

Civil Servants (Retirements)

Mr. Michael Spicer: To ask the Chancellor of the Exchequer what has been the annual number of retirements by civil servants under rule 3.10a of the principal civil service pension scheme since that rule became effective on 1 April 1987.

Mrs. Gillian Shephard: It is estimated that the number of non-industrial members of the home civil service who have retired early with actuarially reduced pension and lump sum benefits is as follows:

Year	Number
1987-88	632
1988-89	486
1989-90	362

Complete figures for 1990-91 are not yet available.

Video Recordings

Mr. Redmond: To ask the Chancellor of the Exchequer if he will list the titles of the video recordings purchased by his Department during the financial year 1990-91 and 1991-92 to date.

Mrs. Gillian Shephard: The titles of the video recordings purchased during 1990-91 are listed in the table. No recordings have been purchased in 1991-92 to date.

Video recordings purchased in 1990-91

Constructive Criticism
Positive Time Skills
Next Steps—First Agencies
Let's Be Fair
Better Customer Care/The People Factor
Pests on the Menu
Exceptional Customer Service—Volumes 1 and 2
The Way Ahead

Public Sector Pay

Sir David Steel: To ask the Chancellor of the Exchequer if he will consider establishing an independent arbitration tribunal to decide on pay award disputes between the Government and the National Union of Civil and Public Servants and other unions representing civil and public employees.

Mr. Norman Lamont: The terms of the long term pay agreement between the Treasury and the NUCPS allow, subject to the agreement of both parties, for differences to be referred to the Civil Service Arbitration Tribunal—CSAT. Other long-term pay agreements between the Treasury and other unions representing non-industrial civil servants contain similar provisions.

The CSAT, which is an independent tribunal established under the provisions of the civil service arbitration agreement, consists of an independent chairman and one member drawn from a panel of persons appointed by the Secretary of State for Employment as representing the Minister for the Civil Service and one member drawn from a panel of persons appointed by the Secretary of State for Employment as representing the trade union side of the national Whitley council.

Small Businesses

Mr. David Porter: To ask the Chancellor of the Exchequer what is the range and scope of his current inquiries into the effect of actions by banks on small businesses; and if he will make a statement.

Mr. Norman Lamont: Officials from Her Majesty's Treasury and the Bank of England are looking at the banks' interest rates and charges to businesses, and the way that lending policies are being applied.

National Farmers Union

Dr. David Clark: To ask the Chancellor of the Exchequer how many ministerial meetings have been held with the National Farmers Union between 1 May 1990 and 30 April 1991; what matters were discussed; and if he will make a statement.

Mr. Maples: No ministerial meetings were held between Treasury Ministers and the National Farmers Union between those dates.

Interest Rates

Mr. Marlow: To ask the Chancellor of the Exchequer if he will take action to prevent the establishment of a cartel of clearing banks with regard to the interest rate margins afforded to small businesses.

Mr. Norman Lamont *[holding answer 6 June 1991]:* As is well known, the Treasury and the Bank of England are looking at the concerns that have been raised about the interest rates charged to small businesses. If anyone has any evidence of collusion between the banks, they should submit it to the Office of Fair Trading, which will of course consider it.

Building Societies

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer if he will place a copy of his clause 50 explanatory chart in the Library, after adding a bar for each year to illustrate the financial year for which each annual tax payment satisfied the Revenue.

Mr. Maples *[holding answer 13 June 1991]:* I have placed in the Library a copy of the explanatory chart referred to in the Standing Committee debate on clause 50.

EDUCATION AND SCIENCE

Hampton Schools

Mr. Jessel: To ask the Secretary of State for Education and Science (1) if he will ask Her Majesty's inspectorate of schools to investigate the long-term consequences of the offer in 1987 by Richmond-upon-Thames borough council of 30 more places to children aged five at Hampton infants school than there was room for and the extent to which the undertaking by the headteacher an employee of the local education authority that this group of children would be funded for all their infant and junior years has been adhered to;

(2) what assessment he has made of the impact of the introduction of local management of schools at Hampton school, particularly relating to the funding of a fourth full-time teacher for the remaining children admitted to Hampton junior school in 1987.

Mr. Fallon: I understand that for the September 1987 intake Richmond education authority decided that 120 places should be offered at the Hampton infant school rather than the normal 90. The authority also gave an undertaking that additional teaching, welfare and capitation resources would be made available to meet the needs of the children in that year group; and that no other children at the school would be disadvantaged because of the larger numbers being admitted.

I also understand that the authority is of the view that it has honoured these undertakings by providing additional accommodation at the Hampton infant and junior schools and at the Hampton Hill school; and that it has also provided the additional teaching and welfare resources it promised. Since April 1990, the school has been operating under the authority's scheme for the local management of schools.

Under LMS, the Hampton junior school receives a budget based mainly on the number and age of its pupils. It therefore receives additional funding for the extra pupils who were admitted to Hampton infant school in 1987 and who have since transferred to Hampton junior school. This is also the case for those children from that year group who subsequently transferred to the Hampton Hill school.

Within the national statutory framework and subject to the conditions in their LEA's scheme, it is a school's governing body which determines how to make best use of their funding to meet the particular educational needs and priorities of the school. Accordingly, it is for the governors of Hampton junior school to determine the level of staffing and the need for a fourth full-time teacher for this particular age group cohort.

Local Management of Schools

Mr. Jessel: To ask the Secretary of State for Education and Science what effect the introduction of local management of schools has on the ability of local education authorities to fulfil undertakings given to provide extra funding for an additional teacher for a cohort of pupils which is more numerous than the other cohorts in the school, due to an original error by the local education authority in allocating children to the school in a particular year; and if he will make a statement.

Mr. Fallon: Under LMS, funds are allocated to schools through a formula on a clear and objective basis. This means that the funding available is distributed fairly: similar schools receive similar budgets which will depend mainly on the numbers and ages of the pupils. As LMS funds pupils, a school with a cohort of pupils which is larger than its other cohorts will receive additional funding on the basis of those extra pupils.

Children Act 1989

Mr. Bernie Grant: To ask the Secretary of State for Education and Science what advice he has offered through his Department to local education authorities about the implementation of the Children Act 1989; and if he will make a statement.

Mr. Fallon: The Department, in consultation with the Department of Health, is issuing comprehensive guidance on the implementation of the Act, all of which is going to local education authorities. Copies will be placed in the Library. Advice of particular interest to LEAs is contained in the Department's circulars 2/91 and 3/91, about the approval of independent schools to admit children with statements of special educational need and the approval of special schools, and in the document "Family Support, Day Care and Educational Provision for Young Children". Guidance on the operation of education supervision orders will be published shortly.

Agricultural and Food Research Council

Dr. David Clark: To ask the Secretary of State for Education and Science if he will list the total numbers for staff employed at each of the AFRC institutes since 1980 and his estimates up until 1993; and, in each case, which are *(a)* scientists and *(b)* non-scientist; and if he will make a statement.

Mr. Alan Howarth: Agricultural and Food Research Council-funded institutes were restructured during the period 1985 to 1987. For ease of reference, the figures for staff in post are shown on the basis of the present institutes of research.

The figures for actual numbers employed at 1 April in the relevant years to 1990 and an estimate for 1991 are shown in tables 1 and 2.

Science group staff

	1980	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991 (est)*
IACR	803	783	789	774	750	680	557	523	480	477	449	433
IAH	328	311	314	310	299	307	252	283	282	264	292	283
IAPGR	343	330	338	327	326	345	331	270	254	266	337	321
IER	131	129	138	129	124	122	133	123	97	115	115	103
IFR	380	394	420	434	451	447	496	473	450	435	381	245
IGER	431	432	441	425	435	442	388	378	381	364	308	285
IHR	443	430	440	438	452	425	353	323	326	318	(295)	(260)
IPSR	266	282	278	274	282	279	309	373	274	271	234	234
Total	3,125	3,091	3,158	3,111	3,119	3,047	2,819	2,746	2,544	2,510	2,116	1,904

Non scientific staff

	1980	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991 (est)*
IACR	401	402	411	390	368	323	273	253	229	233	251	246
IAH	451	448	443	440	401	359	321	281	268	237	228	227
IAPGR	338	331	330	326	288	275	258	234	224	219	222	208
IER	240	246	263	257	252	254	237	214	208	205	194	163
IFR	284	290	290	284	284	223	213	211	198	192	171	131
IGER	324	315	329	324	316	302	291	266	260	253	224	209
IHR	359	364	362	361	339	325	304	286	265	269	(269)	(245)
IPSR	159	166	164	160	153	145	140	137	90	93	92	92
Total	2,556	2,562	2,592	2,542	2,401	2,206	2,037	1,182	1,742	1,701	1,382 (1,651)	1,276 (1,521)

Notes:

1. Abbreviations:
IACR—Institute of Arable Crops Research.
IAH—Institute of Animal Health.
IAPGR—Institute of Animal Physiology and Genetics Research.
IER—Institute of Engineering Research.
IFR—Institute of Food Research.
IGER—Institute of Grassland and Environmental Research.
IHR—Institute of Horticultural Research.
IPSR—Institute of Plant Science Research.
2. IHR became part of the British Society for Horticultural Research (BSHR) on 1 April 1990. The BSHR has recently been renamed as Horticulture Research International (HRI). The figures in brackets show the number of AFRC staff seconded to HRI.
3. The figures for IACR for 1980-84 include the former Letcombe Laboratory and the Weed Research Organisation, which closed in 1985

and 1986 respectively. They also include the former Soil Survey and Land Resource Centre, which was transferred to the Cranfield Institute of Technology in 1986-87.
4. The figures for IPSR for 1980-86 include that part of the former Plant Breeding Institute which was purchased by Unilever plc in 1986-87.

The number of staff employed on 1 April 1992 and 1 April 1993 will depend on a number of factors, including the funding available to the AFRC through the science budget and the extent of commissions from the Ministry of Agriculture, Fisheries and Food and external funded research. The present estimate is that the number of scientific staff employed at the AFRC at its institutes and Horticulture Research International will be about 1,935 and the number of non-scientific staff will be about 1,300 on each date. No breakdown of anticipated staffing levels at each AFRC institute is available. These figures are expected to remain constant into 1993-94.

PRIME MINISTER

Foundation for Sports and the Arts

Mr. Alton: To ask the Prime Minister if he will make a statement about progress towards the establishment of a Foundation for Sport and the Arts.

The Prime Minister: I am pleased to say that the three members of the Pools Promoters Association have now confirmed that they will set up the Foundation for Sport and the Arts. I understand that the pools promoters are now working hard to finalise the trust deed under which the foundation will operate, and will soon be appointing the first trustees. The way is now clear for the Government to make the reduction in pool betting duty announced by my right hon. Friend the Chancellor of the Exchequer in his Budget speech and new clauses to the Finance Bill have been tabled.

Holy Loch

Mrs. Ray Michie: To ask the Prime Minister what agreements there are between the United States of America and United Kingdom Governments concerning the establishment and use of the United States base at Holy Loch.

The Prime Minister: Details of the agreements between the United Kingdom and United States Governments for the use of the Holy Loch by the United States Navy are confidential between the two Governments.

ENVIRONMENT

Hostel Deficit Grant

Mr. Tom Clarke: To ask the Secretary of State for the Environment how much was paid out in hostel deficit grant to housing associations in England in the last five years for which figures are available; and how many units of accommodation were covered by hostel deficit grant in each of the last five years.

Mr. Nigel Griffiths: To ask the Secretary of State for the Environment what was the total number of units of accommodation provided for from hostel deficit grant in each of the past five years.

Mr. Yeo: Hostel deficit grant payments to housing associations in England in each of the last five years were as follows:

	£'000
1986-87	6,628
1987-88	9,457
1988-89	19,005
1989-90	28,494
1990-91	38,500

Information relating to the number of units of accommodation covered by hostel deficit grant payments in each of these years is not available, but currently there are approximately 37,000 bed spaces in respect of which housing associations are able to claim hostel deficit grant.

Local Government Finance

Mr. Blunkett: To ask the Secretary of State for the Environment if he will list the Statutory Instruments on local government finance he intends to publish prior to the summer adjournment; and if he will make a statement.

Mr. Portillo: The Department will be laying before Parliament the following statutory instruments before the summer adjournment:

The Non-Domestic Rating (Transitional Period) (Further provision) Regulations

These will make amendments to the transitional arrangements for non-domestic rating in respect of statutory changes of occupier.

The Non-Domestic Rating (Payment of Interest) (Amendment) Regulations

These will amend the rules governing the payment of interest in respect of overpayments arising as a result of alterations to the non-domestic rating list.

Repeals and Consequential Amendments Order

This will make a number of repeals and amendments to previous Acts, especially the Local Government Act 1972.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will place copies in the Library of the responses he has received on his consultation paper on local government finance; and if he will list in the *Official Report* all those organisations which have expressed opposition to his proposal for seven property bands.

Mr. Portillo: It is the Department's policy to place in the Library a list of all those who have responded to consultation. Copies of the responses themselves are normally deposited in the Department's library, and made available for inspection. We are currently studying the representations which have been received.

Mr. Blunkett: To ask the Secretary of State for the Environment if he will make a statement before the summer adjournment on the results of his consultation exercise on local government finance.

Mr. Portillo: We are currently studying the representations which have been received. The next steps will be made clear in due course.

Mr. Blunkett: To ask the Secretary of State for the Environment when he plans to make an announcement on his proposed outline financial settlement for local authorities for 1992-93.

Mr. Portillo: When he is ready to do so.

Mr. Viggers: To ask the Secretary of State for the Environment what advice he offers to local authorities on the legal processes necessary to enforce the payment of community charges.

Mr. Key: The Local Government Finance Act 1988 widened the methods available to local authorities, compared with domestic rates, to recover community charges if a chargepayer does not respond to a reminder, summons or the issue of a liability order. Authorities may now attach the chargepayer's earnings, obtain deductions from income support or distrain and sell goods. Authorities can also, of course, come to an arrangement with the chargepayer for paying off his debt. If these methods fail to produce payment of the debt, an authority can apply for a warrant for committal to prison. If the court decides that a chargepayer's failure to pay was due to wilful refusal or culpable neglect it can impose a prison sentence of up to three months. My Department has issued a practice note and a series of letters which give guidance on all aspects of the operation of the community charge enforcement system.

Local Government Commission

Mr. Blunkett: To ask the Secretary of State for the Environment when he plans to establish the local government commission; and if he will make a statement.

Mr. Portillo: We are currently consulting on our proposal to establish a new local government commission. We intend to introduce legislation to establish the commission in the next Session of Parliament.

Power Station, Isle of Man

Mr. Carr: To ask the Secretary of State for the Environment if he will make it his policy to undertake an assessment of the potential environmental effects on mainland Britain of the proposed power station sited in the River Neb valley, Isle of Man; and if he will make a statement.

Mr. Baldry: I am advised that the proposed power station at Peel in the Isle of Man is small in size—40 MW—and will replace an existing power station on an adjacent site. I am further advised that the Manx Electricity Authority has taken Her Majesty's inspectorate of pollution's published guidance into account in formulating its proposals and that there is expected to be an overall environmental improvement.

Drinking Water

Mr. Redmond: To ask the Secretary of State for the Environment if he will list the current water treatment plants in England and Wales producing drinking water, whose aluminium content is above the European Community limits; and by how much each treatment plant is in excess of these limits.

Mr. Baldry: The information is not held centrally. Summary information on aluminium in water supplies throughout England and Wales during 1990 is being collated and will appear in the report of the chief inspector of the drinking water inspectorate, to be published in July.

Local Government (Sick Days)

Mr. Ralph Howell: To ask the Secretary of State for the Environment how many days were lost through sickness in local government in the last available year, and what is the number of statutory sick days allowed in each sector.

Mr. Key: My Department does not collect information on time off through sickness in local government. The terms and conditions of employment of local authority staff, including time off through sickness, are, by section 112 of the Local Government Act 1972, a question to be settled by each local authority.

Video Recordings

Mr. Redmond: To ask the Secretary of State for the Environment if he will list the titles of the video recordings purchased by his Department during the financial year 1990-91 and 1991-92 to date.

Mr. Heseltine: My Department does not keep central records of such purchases and the information could be collected only at disproportionate cost.

House Building

Ms. Gordon: To ask the Secretary of State for the Environment if he will give the figures for house building in 1990 for each local authority, breaking down the figures into private, local authority, housing association and new town units.

Mr. Yeo: The figures requested are shown in Table 1(a) of "Local Housing Statistics: England and Wales", No. 97—April 1991—a copy of which is in the Library.

Homelessness

Mr. Redmond: To ask the Secretary of State for the Environment if he will publish statistics listing the number of homeless applicants and the number of people housed under the homeless persons legislation by each local authority in England and Wales in each of the last five years for which statistics are available.

Mr. Yeo: The available information relates to the number of households on whom inquiries have been completed by local authorities under the homelessness legislation and, of these, the number accepted and found accommodation. This is already published.

The reported figures for individual local authorities appear quarterly in "Local Housing Statistics: England and Wales". Annual totals for 1986, 1987, 1988 and 1989 are given in table 9(b) of volume Nos. 82, 86, 90 and 94, respectively. The 1990 totals are not yet published but figures for the four quarters separately are in table 9(a) of No. 94 and in table 9 of Nos. 95 to 97 of the same publication. Copies are in the Library.

Public Appointments

Mr. Redmond: To ask the Secretary of State for the Environment if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. Heseltine: Information about full-time and part-time public appointments and levels of remuneration

for the past five years for which my Department was responsible is given in the annual HMSO publication "Public Bodies" and "Public Appointments: A Handbook for Women's Organisations". Copies of these publications are held in the Library of the House.

Environmental Action Guide

Mr. Simon Hughes: To ask the Secretary of State for the Environment when he intends to produce the "Environmental Action Guide"; and if he will make a statement.

Mr. Yeo: The "Environmental Action Guide" is now being printed and should be published by HMSO, on behalf of the Department of the Environment, in July. Copies will be placed in the Library. The more detailed advisory notes on specific technical and management topics will follow as soon as possible.

Hospitality Fund

Mr. Redmond: To ask the Secretary of State for the Environment if he will list the expenditure covered by his Department's hospitality fund for the financial year *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Mr. Heseltine: Within my Department responsibility for expenditure on hospitality is delegated to senior managers, subject to detailed rules. No central record is kept of the individual items. Total expenditure for my Department, including the Property Services Agency services, the Building Research Establishment agency, the Historic Royal Palaces agency and the Queen Elizabeth II Conference Centre agency, is as follows:

	£
1989-90	83,500
1990-91	[1]145,000
1991-92	[2]20,000

[1] Provisional.
[2] To date.

Local Government Review

Mr. Redmond: To ask the Secretary of State for the Environment what action would be necessary for a parish or town council in England to be dissolved.

Mr. Key: A parish or town council in England can only be dissolved while the parish or town remains as a local government area, if there are fewer than 150 local government electors in the parish or town. In such cases the district council, on the application of the parish meeting, may by order dissolve the council.

A district council may review a parish or town and propose that its area should cease to form part of any parish. Such a proposal, if endorsed by the Local Government Boundary Commission and implemented by an order of the Secretary of State, would result in the end of the parish or town as a local government area, and with it the end of the parish or town council.

Tribunals

Mr. Redmond: To ask the Secretary of State for the Environment what consideration he has given for a new title of the present valuation and community charge tribunals once the new council tax comes into effect; if he will be issuing new guidance notes; and if he will make a statement.

Mr. Key: The Government's consideration of the council tax appeal arrangements will include the matters mentioned by the hon. Member.

Community Charge (Students)

Mr. Beggs: To ask the Secretary of State for the Environment whether students normally resident in Northern Ireland but who spend approximately nine months of term time attending university in England, Scotland or Wales are required to pay community charge for July, August and September, when residing in their parents' homes in Northern Ireland.

Mr. Key: Full-time students in England, Scotland and Wales are treated as having their sole or main residence at the place where they are resident for the purpose of undertaking the course. They are therefore liable to pay the community charge at their term time address from the day the course commences until the day it ceases, including vacations.

Housing Statistics

Mr. Soley: To ask the Secretary of State for the Environment (1) how many *(a)* self-contained units and *(b)* bed spaces in housing association rehabilitation schemes received initial project approval for housing association grant in each of the years 1988-89, 1989-90, 1990-91 and are planned for 1991-92 excluding re-improvements to existing properties owned by housing associations or local authorities for (1) Greater London, (2) inner London and (3) each London borough;

(2) how many units or bed spaces in housing association rehabilitation schemes received project approval under the Housing Corporation's new programme for rent in each of the years 1988-89, 1989-90 and 1990-91 and are planned for 1991-92 excluding re-improvements to existing housing association properties for *(a)* Greater London, *(b)* inner London and *(c)* each London borough distinguishing between self-contained units and bed spaces.

Sir George Young: These are matters for the Housing Corporation. I have therefore asked the corporation to respond to the hon. Member direct. The subsequent reply will be placed in the Libraries of the House.

Cavity Wall Insulation

Mr. Win Griffiths: To ask the Secretary of State for the Environment if he will bring forward proposals for improved standards of thermal insulation in building regulations in respect of cavity wall insulation; and if he will revise the approved document entitled "Conservation of Fuel and Power" so as to require U values to be calculated on a more realistic basis.

Mr. Yeo: The Building Research Establishment is carrying out a study to see how the higher standards for the conservation of fuel and power in the building regulations, which came into force last year, are working in practice. The results of this study, together with other work, will be used as a basis for considering how the standards in the building regulations can be further strengthened.

I have received from Eurisol a copy of its report of an investigation into the heat loss through certain cavity wall constructions. I have asked the Building Research Establishment to examine the report, and its supporting evidence, and advise on any implications for the building regulations.

Aggregates

Mr. Tim Smith: To ask the Secretary of State for the Environment if he will state the length of time that will be available for public consultation on the draft of a revised mineral plan guidance note 6.

Mr. Yeo: It is not the intention to publish draft guidelines for consultation until the end of this year at the earliest. A decision will be taken at that time over the time length for public consultation but it is expected to be three months.

Press and Public Relations

Mr. Dobson: To ask the Secretary of State for the Environment what was the total expenditure by his Department on press and public relations, including staff and running costs, in 1979-80 and in each following year; and what is his estimate for 1990-91 and budget for 1991-92.

Mr. Heseltine: Further to the answers which I gave to the hon. Member on 25 and 30 April, *Official Report*, column *492*, and column *137*, respectively, the latest estimate of outturn for 1990-91 is £7·7 million and the current budget for 1991-92 is £6·8 million; the latter figure excludes Property Services Agency services and the Queen Elizabeth II conference centre where budgets have not yet been finalised.

Drought Precautions

Mr. Anthony Coombs: To ask the Secretary of State for the Environment what measures have been taken to secure water supplies in the event of a hot, dry summer; and if he will make a statement.

Mr. Baldry: While skilful resource management and average rainfall last winter restored the levels of most surface water reservoirs, the cumulative effect of two hot, dry summers, and three relatively dry winters has severely reduced the levels of water stored underground in aquifers. In parts of the south-east and east, some groundwater levels are at the lowest recorded for the time of year.

The prime responsibility for ensuring the adequacy of water supplies rests with the water companies, under the Water Act 1989. But the National Rivers Authority is responsible for abstraction licenses and for ensuring that water resources are used judiciously. I have therefore been consulting Lord Crickhowell, chairman of the National Rivers Authority, about the measures that have been taken to secure water supplies should we see a return to hot, dry weather this summer. This statement reflects these consultations.

Contingency planning to overcome potential difficulties has been carried out, drawing on experience gained over the past two years. Supported by the Government, the NRA has placed particular emphasis on the need for close liaison with the water undertakers and other interested parties, such as the National Farmers Union. A number of ad hoc groups are also in place for assessing the situation and developing plans to alleviate possible difficulties. In accordance with the contingency plans developed in this way, appropriate measures are being phased in as the situation demands.

Among the first steps aimed at conserving resources has been the widespread use of publicity campaigns to alert the general pubic, industry and agriculture to possible shortages of water. Such campaigns have been promoted both by the NRA and water supply undertakers through the press, radio, television and also the distribution of leaflets, public meetings and visits to schools. These campaigns are planned to continue throughout the summer in areas at risk and are generally aimed at increasing awareness of the situation and encouraging the wise use of water.

Plans to use water resources to best effect are being implemented as necessary by reducing abstractions from sources that are running low, such as aquifers in the south-east, while increasing supplies drawn from rivers and reservoirs. Where appropriate, existing pipeline links have been supplemented by advancing the construction of those planned for the future or by laying temporary pipes. Also, in some cases water companies and the NRA have applied to my right hon. Friend for drought orders authorising increased abstractions or reduced discharges, which has helped to refill reservoirs during the winter and secure additional resources for the summer, and water companies in some areas have been able to develop new bore holes or recommission previously abandoned sources.

To reduce demand, water companies have introduced hosepipe or sprinkler bans in the affected areas and these have been shown to produce worthwhile savings. A sprinkler can use in one hour as much water as an average family in one day, or even more; indeed, when demand is high in summer, bans are sometimes necessary because distribution systems cannot cope.

In collaboration with the NRA, and in consultation with NFU and others, the Ministry of Agriculture, Fisheries and Food has sought improvements in the way that water is applied to crops and the manner in which restrictions should best be imposed. The result is a leaflet on good irrigation practice. Apart from the potential savings in the use of water, the guidance provides for early warning by the NRA of the need to impose restrictions on spray irrigation. It is now being applied in the NRA's Anglian region.

In the longer term, the NRA is making plans to ensure that resources are developed to meet demand into the next century. As a first step, the NRA has published a preliminary survey of the prospects for public water supplies to the year 2011, in a report entitled "Demand and Resources of Water Undertakers in England and Wales", copies of which are available in the Library.

In addition, the NRA is investigating options for the strategic development of water resources including major new water transfer schemes. It is taking a fresh look at options hitherto considered uneconomic, such as a national grid and desalination, and expects to publish initial results this autumn. These results will then contribute to the NRA's development of a broad national development strategy to meet expected demand from all sources.

Mineral Workings

Mr. Win Griffiths: To ask the Secretary of State for the Environment (1) what steps he proposes to take to protect the environment, in addition to any schemes of working that may be agreed by local planning authorities, in those areas where (i) a dormant Interim Development Order—IDO—permission is re-activated following registration or (ii) mineral working continues to take place under active IDO permissions, in the period before the introduction of any changes to the powers of local authorities established under the Town and Country Planning (Minerals) Act 1981 as a result of the current review of that Act;

(2) when he will publish the findings of the working group currently undertaking the review of local authorities' powers under the Town and Country Planning (Minerals) Act 1981;

(3) what steps he proposes to take to compensate property owners who suffer blight as a result of discovering they live in or adjacent to prospective mineral workings following registration of IDO permissions;

(4) what plans he has to include environmental and amenity organisations in the working group currently undertaking the review of local authorities' powers under the Town and Country Planning (Minerals) Act 1981; and if he will make a statement;

(5) if he will list the members of the working group currently undertaking the review of local authorities' powers under the Town and Country Planning (Minerals) Act 1981, and if he will state the basis on which members were appointed.

Mr. Yeo: The amendments that the Government introduced in the Planning and Compensation Bill at Report stage on 16 May to deal with IDOs, provide that a dormant IDO permission cannot be reactivated until a scheme of operating and restoration conditions has been approved by the mineral planning authority. In any other case, such a scheme must be submitted for the mineral planning authority's approval within 12 months of the permission being registered.

These amendments will ensure that in a relatively short period of time the details of all valid IDO permissions will be known, that the permissions are brought up to acceptable standards and that dormant sites cannot be reactivated without warning or proper conditions.

It would not be appropriate to make provision for compensation for property owners who find themselves living adjacent to mineral working sites. However, the proposals in the Planning and Compensation Bill will ensure that all sites operate to acceptable standards. Statutory blight provisions only apply where there is a formal indication that land may need to be acquired by a body possessing compulsory powers. Where nuisance arises from development carried out under statutory powers, legislation is in place to compensate affected landowners for depreciation. Where land is affected by nuisance from private development, it is open to any owner to take action against those causing the nuisance or for him to seek damages through the courts.

The amendments we have introduced to deal with IDOs do not preclude the mineral planning authority from taking action under their existing powers, introduced by the Town and Country Planning (Minerals) Act 1981. The Government have announced that they are reviewing these powers and this review is being undertaken by officials with the assistance of a small informal working group comprising three representatives of the County Planning Officers Society and three representatives of the minerals industry. The review, which is already under way, is examining the technical details of the provisions. The Government have no plans to change the membership of the working group. However, interested bodies are welcome to submit representations, and any proposed changes arising from the review will be the subject of full public consultation, including environmental and amenity groups, before decisions are taken. I hope that this consultation exercise will take place next year.

Heveningham Hall

Mr. Dalyell: To ask the Secretary of State for the Environment what conclusions he has drawn from his recent visit to Heveningham hall.

Mr. Yeo *[holding answer 14 June 1991]*: My right hon. Friend visited Heveningham hall on 2 June. His impression was that, while much remains to be done, good progress has been made with the restoration work recently. English Heritage will continue to monitor the situation and keep us informed.

AGRICULTURE, FISHERIES AND FOOD

Bovine Offal

Mr. Hague: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the spreading on land of protein material derived from specified bovine offal.

Mr. Gummer: The specified offals may not be used in human or animal feed, and therefore normal commercial outlets have disappeared for the small quantity of material resulting when these offals are rendered—some 25,000 to 30,000 tonnes per year, out of the rendering industry's total annual output of some 400,000 tonnes of protein material.

The Government asked the Tyrrell committee to advise on its possible use as a fertiliser. The committee's view was that it should not be used. The risk of the agent being present or transmitted was remote, but it was better to be super-safe. There were alternative means of disposal—burning, burial or use as fuel. So on balance it would be wise not to use material derived from specified offal as fertiliser.

It is therefore intended to make an order under the Animal Health Act to require that the protein material obtained from specified bovine offal should be disposed of either on licenced landfill sites, by incineration, or by such other means as may be licensed by the agriculture Departments.

Public Appointments

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. Curry: The readily available information about the appointments for which the Department is responsible, all

of which are part time, is given in "Public Appointments: A Handbook for Women's Organisations" and annually in "Public Bodies", copies of which are in the Library.

Oil-seed Rape

Mr. Hardy: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the market for the expected harvest of the oil-seed rape crop this year; and what estimates he has made of the likelihood of a surplus.

Mr. Curry: There is crushing capacity for some 1·5 million tonnes of rape seed in the United Kingdom, and significant quantities of rape seed are also incorporated directly into animal feed. There is an export market for United Kingdom rape seed elsewhere in the European Community. It is too early to predict how the market for the 1991 crop will develop.

Mr. Hardy: To ask the Minister of Agriculture, Fisheries and Food what evidence there is that the production of oil-seed rape is injurious to the health of humans or to the ecological interest of the immediate locality.

Mr. Curry: In common with other agriculturally grown or naturally occurring vegetation, the pollen of oil-seed rape may affect some species, including human beings. However, I am not aware of any conclusive scientific evidence that this crop is injurious to the ecology of the immediate locality. Matters concerning human health are for my right hon. Friend the Secretary of State for Health. Like any other crop, cross-pollinisation can occur and it is quite normal to protect crops by zoning where purity is needed.

Mr. Hardy: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the area devoted to the cultivation of oil-seed rape this year; and what was the area so used in 1990 and 1989.

Mr. Curry: The information sought is as follows:

1991: 450,000 hectares (estimate)
1990: 390,000 hectares
1989: 321,000 hectares.

Surpluses

Mr. Latham: To ask the Minister of Agriculture, Fisheries and Food whether he will make a statement on the current level of surplus produce in British intervention stores; and what proposals he has for disposing of them.

Mr. Curry: Tables showing EC and United Kingdom intervention stock levels are deposited in the Library of the House each month. Any disposal of intervention stocks has to be approved by the European Commission and a number of schemes are currently operating for the commodities held in United Kingdom stores.

Common Agricultural Policy

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will give figures for the common agricultural policy budget for each year since 1985, including the amount set for 1992, giving figures separately for *(a)* the guarantee section and *(b)* the guidance section.

Mr. Curry: The information requested is given in the table:

Year	*Guarantee section*[1]		*Guidance section*		*Other CAP expenditure*[2]		*Total expenditure on the CAP*[1]	
	mecu	*£ million*	*mecu*	*£ million*	*mecu*	*£ million*	*mecu*	*£ million*
1985	19,728	11,601	690	406	52	31	20,470	12,037
1986	22,119	14,330	727	471	47	30	22,893	14,831
1987	22,950	16,508	863	621	32	23	23,845	17,152
1988	27,640	18,749	1,142	775	58	39	28,840	19,564
1989	25,849	16,925	1,349	883	49	32	27,247	17,840
1990	26,426	18,416	1,825	1,272	77	54	28,328	19,742
1991	33,326	23,225	2,011	1,401	363	253	35,701	24,879
1992	36,470	25,416	2,704	1,884	364	254	39,538	27,554

[1] Figures for 1991 and 1992 include 1,000 mecu monetary reserve (£697 million).
[2] Other agricultural expenditure comprises mainly 50 per cent. of set-aside (since 1989) and income aids (since 1991).

Sources:
1985 to 1990: Outturn figures.
1991: Budget.
1992: Preliminary draft budget.

Thames Estuary (Marine Aggregates)

Mr. Moate: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from the Kent and Essex sea fisheries committee and other fishing interests about proposals for an increase in extraction of marine aggregates in the shallow coastal waters of the Thames estuary; and if he will make a statement.

Mr. Curry: The Kent and Essex sea fisheries committee and other fishing interests have expressed concern that an increase in extraction of marine aggregate from the outer Thames estuary would harm fisheries.

The Government's policy is that licences will be granted for extraction of aggregate only where this is possible without unacceptable damage to sea fisheries and the marine environment. The fishing industry will be fully consulted on any application. The Ministry will ensure that any application for a licence will be given a careful scientific scrutiny to ensure the protection of fisheries.

Agricultural and Food Research Council

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the amounts spent by his Department on the Agricultural and Food Research Council for each year since 1979 in *(a)* cash and *(b)* real terms.

Mr. Gummer: MAFF commissions with the Agricultural and Food Research Council since 1979-80, in both cash and real terms, are as set out in the table.

Year	cash £ million	[1] real terms (1979-80 = 100)
1979-80	30·4	100.0
1980-81	37·4	104·3
1981-82	44·3	114·8
1982-83	48·6	117·4
1983-84	51·3	118·1
1984-85	52·8	114·8
1985-86	51·8	107·6
1986-87	47·9	96·7
1987-88	44·2	84·5
1988-89	46·4	82·6
1989-90	46·0	76·3
1990-91	45·6	69·7

[1] Using the GDP deflator.

Blue Ear Pig Disease

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many of his veterinarians have been drafted into *(a)* the Lincoln veterinary centre and *(b)* other areas, as a result of blue ear disease; and if he will make a statement.

Mr. Gummer: One veterinarian spent two days on detached duty at the Lincoln veterinary investigation centre and veterinarians have spent a total of 38 man days on detached duty in other areas as a result of blue ear pig disease.

HOME DEPARTMENT

"The Feldberg Inquiry"

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what reasons his Department's inspectors gave for persuading Professor Feldberg to use rabbits rather than cats for the experiments detailed in the Medical Research Council report "The Feldberg Inquiry".

Mrs. Rumbold: Section 5(6) of the Animals (Scientific Procedures) Act 1986 requires special justification for the use of cats, dogs, primates and equidae. Following implementation of the Act, it became standard practice for inspectors to require research workers who were using cats to change, whenever possible, to alternative species. As a result, during the summer of 1989, when Professor Feldberg's research reached a stage when his use of cats was no longer considered essential, the inspector urged Professor Feldberg to change to rabbits, so that his authority to work on cats could be withdrawn.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how the experiments detailed in Medical Research Council report "The Feldberg Inquiry" were justified under section 5(4) of the Animals (Scientific Procedures) Act 1986.

Mrs. Rumbold: In September 1989, Professor Feldberg sought the inspector's permission for a change to his project licence in connection with research he was undertaking into the regulation of blood sugar. He wished to replace a procedure involving the injection of drugs into the brain with one which he considered could produce a similar effect but involved the heating of the abdomen of the rabbit.

Contrary to the comments made in the Medical Research Council's report, the licence amendment would not have been granted unless the adverse effects had been weighed against the potential benefit of the work, as required by section 5 of the Animals (Scientific Procedures) Act 1986. The change proposed involved replacing a procedure with a less invasive technique. The inspector's judgment that the proposed change to Professor Feldberg's work was justifiable was an opinion confirmed some months later by two of the three independent experts consulted by the Medical Research Council.

Fox Hunts

Mr. Redmond: To ask the Secretary of State for the Home Department (1) if he will seek a report from the chief constable of *(a)* South Yorkshire and *(b)* West Yorkshire on the total number of police involved in policing fox hunts during the last 12 months; and if he will give the cost involved;

(2) if he will seek a report from the chief constable of *(a)* South Yorkshire and *(b)* West Yorkshire listing the number of occasions during the last 12 months, when police video cameras were used to film hunt protesters, showing the locations where they were used.

Mr. Peter Lloyd: The policing of hunts and the deployment of officers are operational matters entirely for the discretion of the chief officer. I understand that, over the past year, a total of about 25 officers from South Yorkshire Police have at various times attended fox hunts to deal with disorder. The costs involved are not readily available and could not be determined at disproportionate cost. West Yorkshire police has not deployed officers specifically to police fox hunts. Neither force has used video cameras at fox hunts on any occasion.

Public Appointments

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. Kenneth Baker: The readily available information about the appointments of which my Department was responsible in the past five years, including salary details, is given in "Public Bodies" which is published annually and in "Public Appointments: A Handbook for Women's Organisations" which also gives information as to when appointments fall for renewal. Copies of both publications are in the Library.

Animal Experiments

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he accepts the Medical Research Council's recommendations that *(a)* the establishment of Home Office inspectors needs to be increased, and *(b)* their role to be re-examined with a view to their being more involved in the monitoring of the treatment of animals during experiments.

Mrs. Rumbold: I refer the hon. Member to my reply of 11 March 1991 to a question from the hon. Member for Glasgow, Pollok (Mr. Dunnachie) at column *335*.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many non-purpose bred animals were supplied to the Charing Cross and Westminster medical schools within the last year; by whom they were supplied; and for what specific experiments they were supplied.

Mrs. Rumbold: It is not normally our practice to provide such detailed information about individual scientific procedure establishments, but I have the agreement of the medical school to say that no such animals were supplied within the last year.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what measures he plans to take in order to detect contraventions of the Animals (Scientific Procedures) Act 1986 by personal and project licence holders.

Mrs. Rumbold: The controls to ensure the proper conduct of animal procedures within scientific user establishments operate at a number of levels. Certificate holders for establishments designated under section 6 of the Animals (Scientific Procedures) Act 1986 are answerable to my right hon. Friend for ensuring that the requirements of the Act are fully observed. In addition, the management of research projects and the control of the application of procedures to animals are achieved through conditions attached to project and personal licences. In many cases, project licences are discussed with inspectors and advice is given before a formal application is made. Project licence holders and personal licensees are answerable to certificate holders and to the Home Office.

Infringements of the Act, or of licences issued under it, come to light generally during visits made by inspectors, when they observe procedures being carried out, discuss the progress of the research and examine the records which are required to be kept. Most visits by inspectors are unannounced.

The appendix to the "Statistics of Scientific Procedures on Living Animals, Great Britain", gives the number of infringements dealt with each year, together with details of the action taken.

Deaths in Custody

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list by ethnic group, and by year for the last 10 years, the number of deaths that have occurred whilst a person was held in *(a)* prison and *(b)* police custody.

Mrs. Rumbold: The total number of deaths in prison in each year since 1981 and the number of deaths by ethnic origin since 1989 are shown in table A. Information on ethnic origin for earlier years could be provided only at disproportionate cost. The total number of deaths in police custody in each year since 1981 is shown in table B. Information on ethnic origin is not available.

Table A: Number of deaths in prison by year and by ethnic origin 1 January 1981-14 June 1991

Year	White	West Indian	Indian	Pakistani	African	Arab	Mixed	Total
1981	—	—	—	—	—	—	—	58
1982	—	—	—	—	—	—	—	61
1983	—	—	—	—	—	—	—	64
1984	—	—	—	—	—	—	—	65
1985	—	—	—	—	—	—	—	59
1986	—	—	—	—	—	—	—	58
1987	—	—	—	—	—	—	—	80
1988	—	—	—	—	—	—	—	80
1989	71	3	3	1	—	1	—	[1]80
1990	82	3	—	1	1	—	—	87
1991[2]	27	2	—	—	—	2	1	32

[1] Ethnic origin not recorded for one prisoner.
[2] To 14 June.

Table B: Deaths in police custody or otherwise with the police 1 January 1981-14 June 1991

Year	Metropolitan Police	Other forces (England and Wales)	Total
1981	27	22	49
1982	27	28	55
1983	18	25	43
1984	15	19	34
1985	14	23	37
1986	15	26	41
1987	28	26	54
1988	30	38	68
1989	37	36	73
1990	20	41	61
1991[1]	8	16	24

[1] To June 14.

Prisoners

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department what proportion of prisoners have ever been in care.

Mrs. Rumbold: The information requested is not recorded centrally.

Police (Sick Leave)

Mr. Soames: To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of the Sussex constabulary on the number of hours lost through sick leave by the Sussex police; and if he will make a statement.

Mr. Peter Lloyd: In the calendar year 1990, the Sussex police recorded a total of 30,163 days sick leave—based on an eight-hour day. This amounts to 4·4 per cent. of available working days or an average of 10·1 days per officer. Both figures are below the national average.

Accounts of positive action being taken by the Sussex police to control and monitor sick absence appear in the chief constable's report for 1990 and in a report by Her Majesty's inspectorate of constabulary on the force inspection undertaken in November last year. Copies of these are available in the Library. A further interim inspection is due to take place in November 1991. My right hon. Friend does not propose to call for a separate report.

Mr. Ralph Howell: To ask the Secretary of State for the Home Department what is the number of days lost through sickness by the police for the last available year, and the number of statutory sick days allowed in each section.

Mr. Peter Lloyd: In the calendar year 1990 an average of 11·6 days per officer were lost through sickness in provincial forces and 12·5 days in the Metropolitan police. In line with general legislation, regulation 34 of the Police Regulations 1987 (as amended) provides for officers to take seven days self-certificated leave per year. This is at the discretion of the police authority. Thereafter, a doctor's certificate is required.

Red Cross Report (Detainees)

Mr. Chris Smith: To ask the Secretary of State for the Home Department if, further to the reply to the hon. Member for Islington, South and Finsbury on 7 June, he intends to make any changes to the conditions under which detainees would be held in future in the light of the comments made in the Red Cross report.

Mrs. Rumbold: Any exceptional detention arrangements which might be necessary in a future emergency would be considered in the light of the circumstances prevailing at the time.

Criminal Convictions

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department what proportion of males aged 15, 20, 25 and 30 years, respectively, have had a serious criminal conviction.

Mr. John Patten: The information is in the table. This information has been produced from a series of cohort studies of persons born in 1953, 1958 and 1963, published in Home Office statistical bulletin 32/89.

Males born in 1953, 1958 and 1963 and convicted of a Standard List[1] offence.

Convicted before age	*Percentage Year of birth*		
	1953	*1958*	*1963*
15	11	11	10
20	23	25	25
25	29	31	[2] ..
30	33	[2] ..	[2] ..

[1] All indictable offences plus aggravated assault, assault on a constable and cruelty to a child.
[2] Not available.

Community Charge

Mr. Martin Redmond (Don Valley): To ask the Secretary of State for the Home Department how many cases have been heard and found proved for non-payment of *(a)* the community charge and *(b)* the uniform business rate at magistrates' courts in (i) Doncaster, (ii) Kensington and Chelsea and (iii) Wandsworth for the latest date he has available; and if he will show in his Answer what percentage of the population this represents.

Mr. John Patten: The information requested is set out in the table.

	Community Charge		*Uniform business rate*
		per cent.	
Doncaster	9,429	4·3	21
Kensington and Chelsea	8,830	8·3	423
Wandsworth	19,342	9·8	751

The percentages of the population these figures represent, as shown in brackets, are based on the number of persons entered on the relevant community charge registers. The figures for Kensington and Chelsea and Wandsworth cover the period 1 April 1990 to 12 June 1991 while those for Doncaster cover the period 1 April 1990 to 31 March 1991.

Local Radio

Mr. Salmond: To ask the Secretary of State for the Home Department what is his policy on the indirect ownership of independent local radio stations by local authorities.

Mr. Peter Lloyd: Under the provisions of schedule 2 to the Broadcasting Act 1990, local authorities, and any body corporate in which a local authority is a participant with more than 5 per cent. interest, are disqualified from holding an independent local radio licence.

Mr. Salmond: To ask the Secretary of State for the Home Department how many local authorities have investments in holding companies with shares in independent local radio stations.

Mr. Peter Lloyd: It is for the Radio Authority, and not the Government, to enforce the provisions in the Broadcasting Act 1990 relating to ownership of independent local radio stations. It is, therefore, a matter for the authority to monitor investment by local authorities in such stations.

Police Training

Mr. Shersby: To ask the Secretary of State for the Home Department what consideration he has given to the training needs of the police in relation to the provisions of the Road Traffic Bill; and what guidance he expects to give on this new legislation.

Mr. Peter Lloyd: The Home Office will be issuing guidance to chief officers of police on the provisions of the legislation. The guidance is being prepared in consultation with the Association of Chief Police Officers and training needs will be identified in that process.

Wolds Remand Prison

Mr. Sheerman: To ask the Secretary of State for the Home Department how many companies have been invited to tender for the Wolds remand prison contract.

Mrs. Rumbold: Nine.

Local Government Finance

Mr. Cohen: To ask the Secretary of State for the Home Department how many cases for the non-payment of poll tax are awaiting trial at Crown courts.

Mr. John Patten: None. Community charge enforcement proceedings in England and Wales are conducted in the magistrates courts and the Crown court has no jurisdiction.

Sunday Trading

Mr. David Porter: To ask the Secretary of State for the Home Department if he will make a statement on the advice he is giving to local authorities regarding enforcing Sunday trading provisions before the House of Lords' appeal on the European defence is determined.

Mrs. Rumbold: We have not generally considered it either appropriate or necessary to issue guidance to local authorities about enforcement of the law on Sunday trading. The recent decision of the House of Lords to adjourn its consideration of the appeal against the decision of the High Court in the cases of Stoke-on-Trent and Norwich city councils *v.* B&Q plc in order to seek further clarification of certain aspects of the law from the European Court of Justice has not caused us to alter this stance.

Asylum Seekers

Mr. Marlow: To ask the Secretary of State for the Home Department if he will make a statement on the available statistical information in the origin of asylum seekers and the change in pattern over recent months and years.

Mr. John Patten *[holding answer 7 June 1991]:* Information for 1991 is only available for the number of principal applicants excluding dependants. The number of such applications by the main nationalities since 1988 is given in the table.

Principal applications for asylum in the United Kingdom, by nationality

	1988	[1] *1989*	[1][2] *1990*	[1][4] *1991*
Number of principal applicatiokns excluding dependants				
Zaire	150	470	860	2,580
Angola	40	210	630	2,320
Sri Lanka	400	1,780	3,250	1,770
Pakistan	330	230	1,240	1,240
Uganda	410	1,230	1,580	1,000
Ghana	170	320	530	1,000
Turkey	330	2,350	800	960
Somalia	300	1,850	1,480	850
India	290	600	1,360	740
Ethiopia	230	550	1,640	720
Lebanon	150	180	1,080	550
Togo Ivory Coast	—	10	n.a.	400
Iraq	160	210	940	380
Iran	390	330	340	220
Other African nationalities	230	320	550	[3]850
Other non-African nationalities	510	730	1,230	1,420
Nationality not yet recorded	—	—	4,500	—
Total—all nationalities	3,950	11,200	22,000	17,000
Total number of applicants including dependants[4]	5,570	16,400	30,000	n.a.

[1] Provisional and estimated figures.
[2] The 1990 estimates for specific nationalities are likely to understate because of delays in recording, particularly for African cases. The estimate of cases not yet recorded, and the 1990 total, may also understate.
[3] Figures may understate.
[4] Includes dependants applying with the principal applicant, and those, to date, arriving subsequently but before the principal application was decided.
[5] January to April.

Fighting Dogs

Mr. David Young: To ask the Secretary of State for the Home Department what specific action he proposes to safeguard the public from breeds of fighting dogs, including the pit bull terrier; and if he will consider banning the importation, breeding and sale of these breeds in the United Kingdom.

Mrs. Rumbold *[holding answer 20 May 1991]:* As the hon. Member will know, the Government have recently introduced the Dangerous Dogs Bill aimed at the control of fighting dogs like the pit bull terrier and Japanese tosa and their eventual elimination from this country. An import ban on these dogs took effect from midnight on 21 May.

FOREIGN AND COMMONWEALTH AFFAIRS

Civil Servants

Mr. Dewar: To ask the Secretary of State for Foreign and Commonwealth Affairs how many civil servants from each Government Department are currently working in the office of the United Kingdom permanent representative to the European Community.

Mr. Lennox-Boyd: The number of civil servants from each Government Department currently working in the office of the United Kingdom permanent representative to the European Community at Brussels is:

	Number
Foreign and Commonwealth Office	[1]45
Department of Trade and Industry	6
Ministry of Agriculture, Fisheries and Food	5
Her Majesty's Treasury	2
Her Majesty's Customs and Excise	2
Department of Employment	2
Scottish Office	1
Overseas Development Administration	1
Department of Transport	1
Northern Ireland Civil Service	1
Bank of England	1

[1] including all support staff.

Africa

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make it his policy to request the United Nations Secretary General to re-establish the office for emergency operations in Africa.

Mr. Lennox-Boyd: The office for emergency operations in Africa provided excellent inter-agency co-ordination from 1984 to 1986. Since its experiences are reflected in current United Nations working practices, re-establishing it now does not automatically guarantee improved co-ordination. My right hon. Friend the Secretary of State and the German Foreign Minister launched a joint initiative on 9 June to improve and support the way the United Nations responds to humanitarian disasters and emergencies including those in Africa.

Libya

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his response to the recent proposals to the Foreign Secretary of Libya for the improvement of relations with the United Kingdom; and if he will make a statement.

Mr. Douglas Hogg: We have no plans to respond to these proposals. There is a wide gap between us and the Libyans over conditions that will allow for an improvement in relations.

Gibraltar

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy regarding the frontiers of the European Community as far as it relates to Gibraltar.

Mr. Garel-Jones: Gibraltar is part of the Community by virtue of article 227(4). Gibraltar's frontier with Spain is therefore an internal EC frontier for all purposes except as regards free trade in goods where Community rules do not apply because Gibraltar is not part of the Community customs territory.

Hong Kong

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what areas of interest he has in the future Hong Kong airport that are not matters for the Hong Kong Government.

Mr. Lennox-Boyd: The British Government's interest in Hong Kong's new airport is to assist in doing everything possible to make it a success and thereby promote Hong Kong's stability and prosperity.

Vietnamese Boat People

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the United Nations High Commissioner for Refugees recommendations for camp conditions which *(a)* have and *(b)* have not been adopted for each of the camps in which Vietnamese boat people are currently detained.

Mr. Lennox-Boyd *[holding answer 14 June 1991]*: The UNHCR's recommendations on food, nutrition and water standards have been adopted, or in some cases exceeded, in all detention centres in Hong Kong. The recent influx of new arrivals has made UNHCR recommendations for toilet provisions and space standards difficult to achieve in all camps.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the statistics kept regarding the boat people detained in the camps in Hong Kong.

Mr. Lennox-Boyd *[holding answer 14 June 1991]*: The Hong Kong Government maintain basic statistics on the total number of Vietnamese in the camps in Hong Kong, the number of men and women over 16 and the ages of those who are determined not to be refugees or who wait screening. Statistics that require further research and processing of information are not readily available.

ATTORNEY-GENERAL

Serious Fraud Office

34. **Mr. Skinner:** To ask the Attorney-General if he will make a statement on the work of the Serious Fraud Office.

The Attorney-General: Since its inception the Serious Fraud Office has brought 54 cases involving 123 defendants to trial, 85 of whom—over two thirds—were convicted. In 1990-91 the average duration between acceptance of a case for investigation by SFO and its committal or transfer to the Crown court was 11·8 months. I believe that we are making good progress in reducing the time taken to deal with such cases.

Confessions

35. **Mr. Grocott:** To ask the Attorney-General what weight the Crown prosecution service gives to uncorroborated confessions obtained in police custody.

The Attorney-General: The code for Crown prosecutors requires that the prosecution be satisfied that confession evidence has been properly obtained and has not been obtained by oppressive behaviour. A prosecution may be brought on the basis of an uncorroborated confession provided that the Crown prosecutor is satisfied that it was properly obtained and that there is a realistic prospect of a conviction.

Medical Negligence

Mr. Michael: To ask the Attorney-General what assessment he has made of impending changes in the legal aid system on access to legal redress for patients in Wales who believe they have suffered through medical negligence.

The Attorney-General: The safety net proposal which is canvassed in the Lord Chancellor's recent consultation paper on eligibility for civil legal aid would extend legal aid to those who may currently be ineligible but who face high costs. It could be of particular help to litigants in medical negligence cases in which costs may be high.

Judge Pickles

Mr. Rathbone: To ask the Attorney-General whether the Lord Chancellor has obtained a recording or a transcript of Judge Pickles' comments on the application of the law on a BBC TV programme on Tuesday 11 June; and if he will make a statement.

The Attorney-General: The Lord Chancellor has seen reports of the judge's comments. The judge is to retire at the end of the month and the Lord Chancellor therefore proposes to make no further comment.

OVERSEAS DEVELOPMENT

Myanmar

39. **Mr. Hind:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to increase overseas aid to Myanmar; and if he will make a statement.

Mrs. Chalker: All aid to the Burmese Government was suspended in a joint decision by the EC Twelve following the repression of dissent in 1988. Other major donors acted similarly. We have no plans to resume aid until there is an improvement in the human rights position in Burma and significant movement towards democracy.

Environmental Pollution

41. **Dr. Kim Howells:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place between the Minister for Overseas Development and her European counterparts to tackle environmental pollution in central and eastern Europe.

Mrs. Chalker: None. My right hon. Friend the Secretary of State for the Environment and his Ministers have held many discussions with EC colleagues on environmental improvement. We have already been able to help both through multilateral channels like the EC PHARE programme and the British know-how fund which has so far funded nine environment projects.

Development Aid

43. **Mr. Salmond:** To ask the Secretary of State for Foreign and Commonwealth Affairs what changes he envisages in the level or orientation of United Kingdom development aid in the next five years; and if he will make a statement.

Mrs. Chalker: Planned expenditure on the aid programme is set out in the FCO departmental report Cmnd. 1502. In allocating our aid, increased attention is being given to supporting good government, including economic reform, alleviating poverty, protecting the environment, and population programmes.

British Aid for the Kurds

44. **Mr. Harry Barnes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the level of mutual assistance between his Department and the voluntary organisation British aid for the Kurds.

Mrs. Chalker: British aid for the Kurds has been successful. The ODA has extended considerable help, including the provision of transport for relief goods which it has collected.

Aid

45. **Mr. Hain:** to ask the Secretary of State for Foreign and Commonwealth Affairs if he will give the breakdown for the latest year for which figures are available of the proportion of overseas aid as a percentage of gross domestic product allocated to Africa, Asia, Latin America and the remaining areas of the world.

Mrs. Chalker: In 1989 the proportion of United Kingdom gross national product devoted to official development assistance was 0·31 per cent. There is no geographical breakdown for the destination of official development assistance. In 1988, the latest year for which figures are available, the geographical distribution of gross public expenditure on aid including our contributions through multilateral agencies, was as follows: Africa 44 per cent.; Asia 31 per cent.; Latin America 4 per cent.; other 8 per cent.; unallocated 13 per cent.

Medical Aid (The Gulf)

Mr. Dalyell: to ask the Secretary of State for Foreign and Commonwealth Affairs what medical aid has been given to combat typhoid, cholera, hepatitis and water-borne diseases in southern Iraq and Kuwait.

Mrs. Chalker: The United Nations agencies and the Red Cross and Red Crescent have begun health programmes in Iraq as well as in neighbouring countries. Britain has contributed US$16 million to the UN appeal for the region launched last month and £2·5 million to the International Committee of the Red Cross.

Liberian Refugees

Sir David Steel: to ask the Secretary of State for Foreign and Commonwealth Affairs what assistance Her Majesty's Government are currently giving to Sierra Leone, in particular to help with the influx of Liberian refugees.

Mrs. Chalker: I refer the right hon. Gentleman to the reply I gave on 12 June to the hon. Member for Cynon Valley (Mrs. Clwyd).

Somaliland Republic

Mr. Cartwright: to ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government are taking to provide humanitarian aid and assistance to the people in the area of the self-declared Somaliland republic.

Mrs. Chalker: We do not recognise the "Somaliland Republic". We want to help Somalis in need wherever they

are in the country, but insecurity hampers the relief effort. So far this year we have made available £2 million and 8,000 tonnes of food directly to Somalia.

NORTHERN IRELAND

Consultancy Contracts

Mr. McAllion: To ask the Secretary of State for Northern Ireland what was the total amount spent by his Department in the 1990-91 financial year on management and computer consultancy contracts, excluding hardware and software purchases; and if he will list each management or computer consultancy contract awarded by his Department in 1990-91, giving in each case the name of the consultancy firm, the subject of the assignment and, if appropriate, the executive agency for whom the contract was carried out.

Dr. Mawhinney: The total amount spent by the Northern Ireland Office and Northern Ireland Departments in the financial year 1990-91 was £5,350,401. Due to way in which data are stored, it has not been possible to provide the "subject of assignment" details in respect of each consultancy beyond the name of the client company involved; to attempt to do so in every case would involve disproportionate cost.

Firm	*Subject of assignment*
B. G. Adams	Reconviction study.
A. M. and T.	ISS Ltd.
Aims Ireland	Strategic Studies. Implementation of SSADM.
Airstream Finance	Aircraft Sales Financing.
G. Alexander	Preparation of 30 maps for criminology society.
Anderson Advertising Ltd	NI Trade Directory.
Aviation Business Consultants	CEM. Aircraft Furnishing.
W. S. Atkins Control Engineering	Review of markets for solar heating devices. Support for HRM Project Technical Advice on New Computer System - Roads Service.
BDO Binder Hamlyn	Delta Enfield Cables. Isocardia and Isomeria. Killyhevlin Hotel. Baronscourt Inn. Fort Lodge Hotel.
Nigel Beacom	Ballievey Bleaching.
BIS Beacom International	Catholic Family Care Society (NI).
BIS Beacom	Use of Oracle in NIO. Racal Chubb Feasibility Study.
Drs. Bennets, Lowe and Kinsgman	Technical appraisal of 3 DED/TBNI Science and Technology applications.
S. Birley	Networking by business support agencies in NI.
Leslie Black	Octopus Sportswear. Sperrin Metal Products. Maydown Precision. John Cleland.
Clive Boot	Perfecseal.
Bradford Hospital Trusts	HSS Trusts.
Richard Brightwell	Aims Ireland Ltd.
British Ceramics Research	Technical appraisal of tableware production.
British Society of Criminology	Donation towards criminology conference.
Sandy Brown Associates	Insurance companies relocation study follow up research.
Alastair Browne	International Leathers. Ballymena Construction. Glenbrook Foods.
Burson Marsteller	Business co-operation visit to Singapore arrangements. Consultancy mission to Pittsburgh.
Business and Economic Initiative(s) Ltd	Development of purchasing links with Irish Republic. Evaluation of Construction Board-managed JTP.
Chris Byrne	R. A. Irwin.
CASPE Healthcare Knowledge Systems Ltd	Training in Medical Information Systems Coding Procedure.
CCTA	General advice and consultation relating to computer projects and methodology.
CIPFA CSL Group Ltd	Management Accounting Advice for Roads Service. Advice in connection with the use of the new financial package in Roads Service.
CM Computers	Computerisation of PSTC Office Function.
CSL NI	To assist Rating Division to establish the changes required to meet the responsibility of Agency Accounting in the Rate Collection Agency.
Frank Caddy	Clarence Clothing. Brockhaven Ltd. Bespoke Shirt Co. Ltd.
W. J. Cairns	Landscape consultancy.
Alastair Campbell	R. A. Irwin.
Dr. R. Campbell	Infant Mortality Study.
R. J. Campbell and Din Ghani	MARI/DED awareness, targeting and tendering support on EC R and D programmes.

Firm	*Subject of assignment*
Capita Muir Addy	Financial System Strategy. Charging System. Superannuation Tender Evaluation. Community Schools Study. Dungannon Park Ltd. Pace Ltd. Belmont Photocopy. Moypark. Sak Marketing. Blackers Mill. Spence Bryson. Platform Ltd. Lismona Wear Ltd.
David Clarke	Unipork Ltd.
Class Ltd.	PRINCE Consultancy Services.
David Clements	Cantrell and Cochrane.
Prof. M. Collins	NIO survey review.
Community Economic Ltd.	Effectiveness audit of community technical aid.
Component Supply System	Component Sourcing Study.
John Compton	Elastic Berger (2). Adria. Avery Label. NI Spinners.
Computer Search and Selection	Consultancy on Oracle.
Configurate D Computer Systems	Development of EIS System.
Mrs. M. Conroy	Manpower Planning.
Consultancy and Inspection Services Division, HMT	Review of the top structure of: — Ulster Museum. — Ulster Folk and Transport Museum. — Ulster American Folk Park.
Coopers and Lybrand Deloitte	General Ledger Project. Financial Consultancy. Provide guidance on Formula Funding, based on experience of LEAs in England and Wales. Monitoring Northern Ireland Milk industry agreement. To assist with compilation of in-house departmental bids in respect of grounds maintenance at Crawfordsburn and Castle Archdale County Parks. Advice on the finance functions of the Water Service. Audit of market testing exercise—Works Service Reprographic Unit. To examine for Transport Division, the ferry service currently operating between Ballycastle and Rathlin Island. Study of IT Training Provision. Review of NIE performance aim targets. Research Salary Costs in Northern Ireland. Boxmore Plastics. Ballymena Constructions. Maydown Precision. Galen Ltd. Cordiner Windows. Dungannon Meats. Software Industry. Electronics Strategy. CSD Strategic Plan. Marketing Appraisal Texmo Ltd. Appraisal Clarence Clothing. James Mackie Ltd. McQuillan Meats. Condit and McCaul. Middletown Foods. Market Testing Feasibility Study. Markroyelle (Factories) Ltd.
Cork Gully	Personal bankruptcy.
David Cowan	BM. Double Glazing Supplies.
I. Crow	Paper on British Society of Criminology.
DBE Associates	To prepare an Information Systems Strategy for Roads Service.
DBI Associates Ltd.	Review of departmental IT strategy.
David Andrea	VS Automative Components Industry Study.
J. Davis	NI Dairy Industry.
De Montfort Management Ltd.	Japanese automative industry research study.

Firm	*Subject of assignment*
Digital Equipment Co. Ltd.	Organisational development.
Dimension Exhibition	Water Office Exhibition. MBW Exhibition (Shankill).
Angela Doggart	Spanboard.
J. W. Dunn	NIADE Proposal.
ECS (NI) Ltd.	Technical and manufacturing of press brake project.
Economic and Social Research Council	Parents Advice Centre Assessment of suitability for using IT.
A. Edwards	Pay Negotiations.
Ekono Cy	Lees Pulpmill.
Elite Consultancy	Project Cost Monitoring System.
Energy Contract Co. Ltd.	Gas Adviser to DED
Ernst and Young	Computer Audit Needs. James Mackie. Platform Ltd. Keith Prowse. Superdine Ltd. Juiceco. Thrigge Scott. Silicom Systems. Blackers Mill. Munster Simms. Niex Ltd. McQuillan Meats. Clarence Clothing. Condit and McCaul. Elizabeth Alexander. Burrendale Hotel.
Ewbank Preece	Marketing investigation.
Peter Ewing	Sperrin Metal Products.
Extern Organisation	Self-reported delinquency study.
Dr. B. Farrington	Contractual advice for Roads Service.
John Fielden Consultancy	Review of University/Industry Links.
First Management Business Consultants	Circaprint Ltd.
Flynn Moore	Moy Central Manufacturing. Perfecseal
Dr. C. H. J. Fox Prof. McVey Dr. N. A. Saunders	Technical appraisal of 3 TBNI/DED Science and Technology applications.
Tom Fulford	Phoenix Picture Frames Ltd.
Graham Galbraith	Silverlea.
Patricia Gilleece	SB Chemicals.
R. Grills	Texmaco.
Stephen Gunning	Blackers Mill.
Halcrow Fox	Belfast Cross Harbour Road and Rail Links Investment appraisal update.
Hanna Thompson Michael Hanna	Concrete Flooring Systems. Fruit of the Loom. CFD Advice.
E. C. Harris	Project management landscape advisory.
Hedra Ltd.	Market testing Bureau– general support.
Hill, Vellacott and Bailey	Slieve Donard Hotel. Stormont Hotel. FW Trees Hotel.
S. M. Holt	Glenbrook Foods.
Robin Horner	Double Glazing Supplies.
Stephen Hughes	Shergrim Ltd. Regency Marine. Diamond Sawmills.
Peter Hyde	Communications study for Works Service.
JCL (UK) Ltd.	Payroll. Girocheque Reconciliation Project.
Industrial Society	Management awareness.
Input	Software Strategy Research.
Institute for Counselling and Personnel Development	Evaluation of NI Council on Alcohol. Evaluation of Northland Centre, Londonderry.

Firm	*Subject of assignment*
Institute of Manpower Studies	Advice on appropriateness and adequacy of an analytical approach to the monitoring of equal opportunities in NICS.
Investment Bank of Ireland	Francis Dismore.
Intersect Ltd	Oracle. MHM International. Software Ireland.
D. C. Ives	Webtech (NI) Ltd. Moypark Ltd. Lovell and Christmas. Farm Fed Chickens.
Keith Jess	Douglas and Graham.
John Johnston Associates	Heat exchange facilities and products.
Kerman Associates	NICS Telecoms Project.
S. Kingon	Maydown Precision.
Kings Fund College, London	Contracting for Health Authorities.
R. Kinsella	Sourcing of financial services.
Helen Kirkpatrick	SPD Swann. Vision. R. J. Hall.
Kroll Associates	C. S. Brooks.
Kurt Salmon	Cannontex - blouse costing analysis.
LBMS Plc	Selling PRINCE to senior managers.
Tom Lenehan	Spanboard. Lees Pulpmill.
Lindsay Marketing	Acheson and Glover. Concrete Flooring Systems.
Liverpool Health Authority	Quality of Service.
Logical Choice	Open Systems. Pickmigration.
Donald McRitchie	Presseast Fleming Poultry. Wilsons Plastics. Report on Red Meat Sector. Kernohan Joinery. Financial appraisal of IFI Applications. Development of management ratios and analysis of Balmoral Credit Union Ltd. Examination of accounts and administrative systems of 12 Credit Unions. Michelin.
F. P. McCormack & Co	Park Avenue Hotel. Wyncrest Guest House. Miscellaneous forward investment projects.
G. Moss	Technical appraisal of Fibre Laser Project (IFI). Institute of Advanced Micro Electronics.
A. Moloney	Harland & Wolff.
Martin McBride	International Leathers.
James McGibbon	Vision. SPD Swan. Kockum Computers.
Rowenda Mills	Wilson's Plastics. Stratter Plastics.
Noel Moore	BM. Perfecseal. Synthetic Industries.
J. T. McCullins	ETI Ltd.
McClure Watters	Kainos Software Ltd. Acheson & Glover.
John McVeigh	Software Ireland. Circuits and Systems.
McCullough Research	Sherwood Medical.
Market Research (Scotland)	Copeland Clothing.
Market Solution (NI)	HITEC Hydraulic. Laser International. Wm Turkington & Sons. Francis Dinsmore.
M. McAulay	Attendance Centre Review.
Moran Management Consultant	Interpersonal Skills Training.
Timothy Morris	Job Satisfaction Survey.

Firm	*Subject of assignment*
McDonnell Douglas Information Systems Ltd.	Technical appraisal of Software Product.
Les McKeown	Sylvan Spawn/Safe. Belleek
R. McClure	Acheson & Glover.
Michael Morrow	MSO.
National Economic Research Associates	Economic Consultants for Privatisation of NIE.
North West Marketing	Local Sourcing Project.
North East Thames Regional Health Authority	Job Evaluation Scheme for Senior Management Posts. Review of above.
Richard Osborn	Circuits and Systems.
J. Owens	Maydown Precision. Harland & Wolff Kawasaki. Hyster.
Oracle UK	Use of 4K Generation Language. Assist in Quality Assurance of Completed Software Products for Work Service Management Accounting Information Systems (MAIS).
Oracle Corporation UK Ltd.	Consultancy on Oracle.
OSI Ltd.	NICS Telecoms Project.
Price Waterhouse	GTS Project Management, Quality Assurance and Technical Evaluation. Business Plan. Review of Funding for Belfast Law Centre. Review of Belfast Law Centre. Taxation. Entry into Management: Junior Management Development Programme. Graduate Attachment Programme. Industrial Scholarship Scheme. Evaluation of Job Training Programme. Review Training Arrangements Springfield/Falls. YTP Development Programme—Review of Block Funding. Memo prepared in relation to Abbott Laboratories. Survey of Business Capital in Northern Ireland. Study of the Software and Related Service Market. Northern Ireland Software Market Survey. Superdine. Erne Eggs. Getty Connections. Taxation. Review of activities Lambeg Industrial Research. Unipork Limited Strategic Planning. Milk Marketing Board. Sterlitz Ltd. Business Plan. Strategic Planning Review for Plashapes Ltd.
Peat Marwick McClintock	Study of Revenue Generation from Sale of Statistics. Independent Grading Review of Principal Professional Post at National Board for Nursing Midwifery and Health Visiting for Northern Ireland. Technical Advice new Computer Sytem— Roads Service. Back Office Study. Belmont Photocopy. Research Study for XRT (USA). Performance Evaluation of Industry Matters.
Para Technology Ltd.	Plastics and Composites Sectoral Review.
PE International	Plastic Customs Mouldings Research Study. Market Research on Thermo Plastics Custom Injection Moulding.
PIEDA	Angling Equipment Study.
Paul Associates	Travel Reservations Industry Study.
Prospect Management	Dungannon Meats. Safe Management.
PM Consultants	Unidare Engineering.
PA Management Consultants	Total Quality Management Project.
PA Cambridge Economic Consultants	BATs—Policy Evaluation.
Dr. S. Port	Work Design Computer Study, Technical Computer Configurations—Roads Service.
PA Consultancy Group	HRM Advice. Project Re-Agentisation. Geographical Information System for Roads Service.
Professor K. Pease	Multiple Victimisation and NI Research Report Addressing.

Firm	*Subject of assignment*
	Criminology Seminar.
Paric Place Training	PRINCE: —Project Management —Training and Consultancy.
PI	Oil Fuel Price Monitoring and Advice Monitoring and Advice on GSI.
Tony Payne	Diamond Sawmills.
Stephen Prenter	Clearway Disposals.
Lionel Platteuw	Bemac Engineering.
Brendan Quinn	Farm Fed Chickens.
Quinn and Co	Desmond & Sons W D Meats.
Queen's University Belfast	Review of Social Work in General Hospitals.
Quadrangle Communications Ltd	Catching the Tide—Feasibility Study—The Corporate Image of Northern Ireland.
N. M. Rothchild & Sons	Financial Consultants for Privatisation of NIE.
D. Ritchie	Financial appraisal of IFI Science and Technology Applications.
Roy Roper	Lucas Stability. Irlandus Circuits.
Helen Roulston	C&C. Silverlea.
Romtel Plc	G. C. McKeown. Kainos Ltd.
David Rigby	Moy Central Manufacturing. Linfield Group Ltd. Ballievey Ltd.
A. Rushton	Marketing Training.
Richmond Consultants Ltd	Communications Strategy.
ROSPA	Health and Safety.
Richmond Fellowship	General Management Feasibility Study.
Rank Xerox (UK) Ltd	Business Systems in the Government Purchasing System.
Dr. B. Styne	Promotion awareness and development of STAR programme.
Strawberry Hill Communications	Magazine Subscription Industry Study.
Stoy Hayward	Oracle. Financial, Production Human Resource and Marketing. Mivan Windows. Circaprint Ltd. Clearway Disposal Ltd. Elias Coleraine.
SAC HITEC Ltd	MHM International Ltd.
System Source Ltd	GP Computers. UNIX/XENIY and MS DOS.
David Shaw	Job Satisfaction Survey.
Software Ireland Ltd	Systems Integration Project.
Softlab Ltd	'CRAMM'. Computer Security. Risk Analysis Review.
Scoll	'CRAMM' Risk Analysis Review. Computer Security.
Syntek Ltd	Assistance with property comparables on VALCOM Project.
Kevin Steele	Harland & Wolff/Kawasaki.
Satra Technology	Maple Class.
Touche Ross	General Management for Accountants. Freight Cost Survey. NI Trade Directory. Distance Learning Video Programme. Howden Sirocco. POS (Europe) Short Bros Aerospace Projects Lummus Mackie Ltd Monitoring Assignments. NI Calibration Survey. Guest Lodge Hotel Mourne Country Hotel. Fenaghy House Reporting Accountants of NIE Privatisation.
David Thelwall	Sylvan Spawn/Safe. Ulster Farmers.
TMS Partnership	Down Shoes.

Firm	*Subject of assignment*
Time Consultancy Group	Copeland Clothing Ltd. CEM Systems.
TecnEcon	Belfast Cross Harbour Road/Rail Links—Investment appraisal update.
Eric Thompson	Crepe Weavers.
Trent Regional Health Authority	HSS Trusts.
J. S. Twomey	Preliminary Health Promotion Assessment.
University of Ulster	Review of Guidelines for Registration and Inspections of Residential and Nursing Homes. Nurse Manpower Project. Garment and Textile Tech Association.
Ulster Exhibitions	MBW. Water Office Exhibition. MBW Local Sourcing Exhibition.
Understanding and Solutions	Custom Study of VCR Component Supply.
UCL Northern Computing Ltd.	Finance.
D. Vincent	Software Industry Federation.
Witt Thornton	General Management for Accountants. Portaferry Hotel.
Pat Watson	Belleek.
A. Wright	Development of Car Leasing Scheme.
Colin Wilson	Ballievey Bleaching.
F. Wallace	Exercise on Machine Components.
Whitefield House	Relationship between Young Offenders and Recidivism.
Mrs. J. P. Wilson	Infant Feeding Survey.

Housing

Mr. McGrady: To ask the Secretary of State for Northern Ireland when the Government will enact legislation which would allow for replacement grants in respect of housing property.

Mr. Needham: The legislation to permit the introduction of a replacement grant is expected to be laid before Parliament in the spring of 1992 and to come into operation later that year.

Schools (Advisory Services)

Mr. Beggs: To ask the Secretary of State for Northern Ireland (1) what is the value in cash and percentage terms of moneys allocated to each education and library board in Northern Ireland which is retained by each board for expenditure on advisory services to schools;

(2) whether moneys retained by each education and library board to fund advisory services is eligible to be distributed to schools, for governors to decide whether to use the money to purchase expert advisory services or for other educational purposes.

Dr. Mawhinney: The estimated expenditure this year and the percentage which this represents of its total block grant allocation is as follows:

	£000	*Percentage*
Belfast	1,328	1·09
Western	1,623	1·33
North Eastern	1,630	1·14
South Eastern	1,542	1·28
Southern	1,608	1·14

Finance for the boards' advisory services is an excepted item and is not available for distribution to schools.

Weights and Measures

Mr. Colvin: To ask the Secretary of State for Northern Ireland if he will make a statement on what representations he has received on the proposal to permit the 35 ml metric measure for the sale of spirits; and when he expects to lay orders on this matter.

Mr. Needham: I have received 13 replies to the Department of Economic Development's consultation paper. I am now considering those replies. No decision has yet been made on whether to implement the proposal nor on when any order on the matter would be laid.

Tooth Decay

Mr. Shersby: To ask the Secretary of State for Northern Ireland if he will publish in tabular form details of the average number of decayed, missing or filled permanent teeth in 12-year-old children in Northern Ireland in each health board area.

Mr. Hanley: The mean numbers of decayed, missing and filled teeth—DMFT—in 12-year-olds in Northern Ireland in 1989 were as follows:

Health and Social Services Board	*DMFT*
Eastern	3·2
Northern	2·9
Southern	2·8
Western	3·3

Water Fluoridation

Mr. Shersby: To ask the Secretary of State for Northern Ireland what percentage of the water supply in Northern Ireland is now fluoridated artifically; and what is his policy for ensuring the optimum level of fluoridation in the interests of securing better dental health.

Mr. Hanley: Just under 1 per cent. of the population live in areas in which fluoride is added to the public water supply. Two major fluoridation schemes are under consideration by health and social services boards which are responsible for deciding if the water authority should be asked to increase local fluoride levels. These would cover some 43 per cent. of the population. Where fluoride is added to water supplies, the Water (Fluoridation) (Northern Ireland) Order 1987 requires that, as far as is reasonably practicable, the concentration of fluoride in the water supplied to customers shall be maintained at 1 mg per litre which is the optimum level for reducing dental caries.

UDR Four

Mr. Wilson: To ask the Secretary of State for Northern Ireland if he will order a judicial inquiry into the case of the UDR four.

Dr. Mawhinney: The power to consider any form of review of this case rests with my right hon. Friend the Secretary of State. At present he is examining the possibility of a reference to the Court of Appeal, under the terms of the Criminal Appeal (Northern Ireland) Act 1980. While this is the position the question of a judicial inquiry does not arise.

Ryan Park, Castlereagh

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has for that area of ground, at the rear of Ryan park in the borough of Castlereagh, which is no longer used for a sewage screening plant.

Mr. Needham *[holding answer 14 June 1991]:* The area of ground was formerly the site of a small sewage treatment works which was replaced by an underground sewage pumping station to serve Ryan park. The Department of the Environment is considering a recent approach from the Northern Ireland Housing Executive to release a strip of the site to improve access to a play area.

Fair Employment Commission

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland into which public pension scheme staff of the Fair Employment Commission contribute.

Mr. Needham *[holding answer 14 June 1991]:* The staff of the Fair Employment Commission are members of the principal civil service pension scheme.

Membership of the scheme is not limited to civil servants; staff of a number of other public bodies are also members of the scheme. Membership of the scheme does not either confer or imply civil service status.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland, pursuant to his reply of 4 June, *Official Report*, column *196*, how many of the members of staff of the Fair Employment Commission referred to are in each category of employment.

Mr. Needham *[holding answer 14 June 1991]:* The information requested, as at 1 January 1991, is as follows:

	Protestant	*Roman Catholic*
Operational staff	18	19
Support staff	12	8

SOCIAL SECURITY

Criminal Injuries Compensation

Mr. Dunnachie: To ask the Secretary of State for Social Security (1) whether it is the practice of his Department normally to disregard payments of criminal injuries compensation placed on trust for two years only; and if he will make a statement;

(2) if he will review his Department's requirement that victims in receipt of criminal injuries compensation payments placed on trust should be required to have their affairs managed for them by trustees with a view to making it discretionary;

(3) if his Department will consider reviewing its rules governing payments made by trustees to victims in receipt of awards of criminal injuries compensation with a view to eliminating their present complicated and restrictive terms; and if he will make a statement.

Miss Widdecombe: Compensation payments arising from a personal or criminal injury which are placed on trust are disregarded indefinitely in all the income-related benefits—income support, family credit, housing benefit and community charge benefit. The nature and terms of a trust are wholly the responsibility of the injured person or other person acting on his or her behalf, after taking any appropriate legal advice. The existing rules enable payments to be made out of the trust in a wide range of circumstances without affecting the injured person's entitlement to benefit. These rules are kept under review, although there are no plans to change them at present.

Hospitality Fund

Mr. Redmond: To ask the Secretary of State for Social Security if he will list the expenditure covered by his Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to-date.

Miss Widdecombe: Total expenditure was £25,477 in 1989-90; £75,778 in 1990-91; and £2,847 so far in 1991-92.

Disability Working Allowance

Mr. Allen: To ask the Secretary of State for Social Security what steps have been taken to ensure that the implementation and administration procedures for disability working allowance will not be adversely affected as a result of the measures contained in the Child Support Bill.

Mr. Scott: The provisions contained in the Child Support Bill have been taken into account in developing the procedures for administration of disability working allowance and will not delay or adversely affect the start of the benefit in April 1992.

Family Credit

Sir Geoffrey Johnson Smith: To ask the Secretary of State for Social Security what has been the total value of spending on family credit since its introduction in 1988.

Mr. Jack: The total value of family credit expenditure in 1988-89, 1989-90 and 1990-91—estimated outturn—is £1,303 million in cash terms and £1,394 million at 1990-91 prices.

Allowances

Mr. Michael: To ask the Secretary of State for Social Security if he will list those allowances administered by his Department in regard to which applications are *(a)* fully dealt with by local offices in all but exceptional circumstances or when there is a formal appeal, *(b)* dealt with entirely by non-local offices on a national or regional basis and *(c)* dealt with through a mixture of local and national/regional means.

Miss Widdecombe: The administration of social security benefits is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and copies will be placed in the Library and the Public Information Office.

Maintenance Settlements

Mr. David Porter: To ask the Secretary of State for Social Security if he will make a statement on his plans for ensuring that maintenance settlements are reviewed regularly and keep pace with the growing cost of bringing up children as they grow older.

Mr. Jack: The Child Support Bill, currently before the House, provides for a new system of maintenance for children. The new system will ensure consistency of decision making by the use of a standard formula to calculate child maintenance. This formula provides a means of updating the maintenance to be paid and there will be provision for regular reviews of all maintenance assessments to take account of changes in the circumstances of the absent parent or the parent with care.

Social Security Applicants

Mr. Michael: To ask the Secretary of State for Social Security whether he will make it his policy that social security applicants in any part of the country should be able to reach any part of his Department on the basis of a local call charge.

Miss Widdecombe: Our current telecommunications policy is under review. No decision has been made about the introduction of local call rates for our customers.

Information Divisions

Mr. Dobson: To ask the Secretary of State for Social Security what was the total expenditure by his Department's information divisions, including advertising and other paid publicity activities, staff and running costs, in the years 1988-89 and 1989-90.

Miss Widdecombe: The information on staff and running costs for 1988-89 is not available in the form requested, because the Department of Social Security was then part of the Department of Health and Social Security. Advertising and other paid publicity activities were run as a separate programme and can be costed; staff and running costs, however, were not separate and to obtain this figure would be at disporportionate cost:

	£
1988-1989	
Publicity	12,334,342
1989-1990	
Publicity	15,598,464
Staff	1,157,000
Running costs	70,000

TRADE AND INDUSTRY

Recycling

Mrs. Irene Adams: To ask the the Secretary of State for Trade and Industry, what his Department is doing to encourage the use of recyclable materials by industry.

Mr. Leigh: Encouraging the greater use of recyclable and recycled materials by industry is an important element of the Government's programme to bring about higher recycling levels in the United Kingdom. A range of measures is being taken to this end, including the development of new industry standards to encourage the use of recyclable and recycled materials; providing financial assistance for the development and dissemination of recycled technology; and for the identification of new end-uses for recycled materials. My Department also favours using recycled products, wherever they are available of adequate quality and representing value for money. Major purchasers can by their behaviour encourage the development and stabilisation of markets for recycled products. We are also asking industry to come forward with its own proposals for using more secondary materials.

Mr. Flynn: To ask the Secretary of State for Trade and Industry if he will list all the bodies concerned with recycling which he has met in the last year and the dates of those meetings.

Mr. Leigh: During the past year, Ministers have met with numerous bodies involved in recycling. Most recently, my right hon. Friend met members of the Advisory Committee on Business and the Environment on 7 May, and on 20 May my hon. Friend the Minister for Corporate Affairs met some 30 organisations involved in the recovery and recycling of packaging materials.

Departmental Video Purchases

Mr. Redmond: To ask the Secretary of State for Trade and Industry if he will list the titles of the video recordings purchased by his Department during the financial years 1990-91 and 1991-92 to date.

Mr. Leigh: This information is not readily available and could not be collected except at disproportionate cost.

Public Appointments

Mr. Redmond: To ask the Secretary of State for Trade and Industry if he will list the full-time and part-time public appointments for which his Department was

responsible for each of the past five years, together with the salary and the date when each appointment is due for renewal.

Mr. Leigh: The readily available information about the public appointments for which my right hon. Friend is responsible is given in "Public Bodies 1990" and in "Public Appointments: A Handbook for Women's Organisations", copies of which are in the Library.

Hospitality Fund

Mr. Redmond: To ask the Secretary of State for Trade and Industry if he will list the expenditure covered by his Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Mr. Leigh: The Department of Trade and Industry's total expenditure on entertainment was as follows:

	£'000
1989-90	377
1990-91	365
1991-92	56

Overseas Investment

Mr. Redmond: To ask the Secretary of State for Trade and Industry if he will list by region, the major investment projects attracted from overseas since 1983, together with the capital cost of each project, and the amount of grant offered.

Mr. Leigh: The tables list by region details of the major investment projects located in Great Britain since 1 January 1983 that have received grant under the regional selective assistance scheme or the revised regional development grants scheme towards the cost of the project. Information on major investment projects supported by the original regional development grants scheme is available only at disproportionate costs. All the projects listed have capital costs of £10 million or over. For projects supported by regional selective assistance, the table shows the amount of grant accepted by the company. For projects supported by regional development grant, the amount of assistance shown is the total amount paid to the company to date.

Regional development grant II
Major inward investments in Great Britain since November 1984

Region and name of company	*Amount of regional development grant paid £000*
North-east	
Rohm & Haas (UK) Ltd.	150
NSK Bearings Europe Ltd.	2,390
IKEDA Hoover Ltd.	1,526
Swaddlers Ltd.	666
Komatsu UK Ltd.	2,281
North-west	
Nacanco Ltd.	270
News International Newspapers Ltd.	3,610
Yorkshire and Humberside	
Ericsson Ltd.	1,955
Scotland	
Digital Equipment Scotland Ltd.	3,769
Mitsubishi Electric (UK) Ltd.	939
NEC Semiconductors (UK) Ltd.	1,000
JVC Manufacturers UK Ltd.	1,563
Terex Equipment Ltd.	444
NCR (Manufacturers) Ltd.	1,220
Compaq Computer Ltd.	6,556
Philips Electronic & Associated Industries	846
Caledonian Paper plc	4,260
Isola Werke UK Ltd.	1,688
Wales	
Warwick International Ltd.	720
Kimberly-Clark Ltd.	910
Kawneer UK Ltd.	817
Continental Can Co. Ltd.	1,519
Star Micronics Manufacturers Ltd.	1,114
Sharp Electronics (UK) Ltd.	1,638
Hoya Lens (UK) Ltd.	230
Optec D D (UK) Ltd.	438
Pirelli General plc	1,730
Shotton Paper Co. plc	2,000

Regional selective assistance
Major inward investment in Great Britain since January 1983

Region and name of company	*Amount of RSA accepted £000*
East Midlands	
Curver Consumer Products Ltd.	1,500
North-East	
Cookson Fukuda Ltd.	650
3M UK Holdings Plc.	1,700
Fujitsu Microelectronics Ltd.	30,000
Nissan Motor Manufacturers (UK) Ltd.	14,400
Sterling-Winthrop Group Ltd.	3,382
Swilynn Magnetic Industries Ltd.	2,950
Key-Tech (Europe) Ltd.	1,200
NSK Bearnings Europe Ltd.	1,600
Komatsu Ltd.	1,200
Black & Decker	2,450
NSK Bearings Europe Ltd.	450
Nissan Motor Manufacturers (UK) Ltd.	35,000
Tolaram Polymers Ltd.	350
North-West	
Vauxhall Motors Ltd.	8,000
James River Graphics Ltd.	650
Delco Electronics Overseas Corporation	1,274
Shell Chemicals UK Ltd.	630
Dista Products Ltd.	12,500
Ford Motor Co. Ltd.	8,500
International Bio-Synthetics Ltd.	750
Cerestar UK Ltd.	2,322
PPG Glass Fibres Ltd.	7,780
Philips & Du Pont Optical UK Ltd.	3,100
Kodak Ltd.	2,000
South-West	
Rank Xerox Ltd.	600
Texas Instruments Ltd.	975
West-Midlands	
Makita Electric Works (Japan)	1,000
Bruhl (UK) Ltd.	3,250
NEC Technologies (UK) Ltd.	1,100
NEC Technologies (UK) Ltd.	6,846
Goodyear Great Britain Ltd.	980
Peugeot Talbot Motor Co. Ltd.	1,500
Star Aluminium Co. Ltd.	4,000
Ricoh UK Products Ltd.	900

Region and name of company	Amount of RSA accepted £'000
Yorkshire-Humberside	
Devalit UK Ltd.	2,000
Mars GB Ltd.	2,400
Wales	
Warwick International Ltd.	700
Warwick International Ltd.	1,270
Warner Lambert (UK) Ltd.	2,200
Vanol International Ltd.	600
Sun Valley Poultry Ltd.	2,000
Kronospan Ltd.	914
Kimberly-Clark Ltd.	910
Ford Motor Co.	21,000
Euro DPC Ltd.	1,000
Continental Can Co. Ltd.	400
Autophon (UK) Ltd.	1,250
Alfred Teves Ltd.	2,000
Alcoa Manuf (GB) Ltd.	3,500
Dynoplast Ltd.	1,750
Yuasa Battery (UK) Ltd.	2,100
Sony (UK) Ltd.	4,800
Sony (UK) Ltd.	2,200
Sharp Electronics (UK) Ltd.	2,000
Sharp Electronics (UK) Ltd.	4,901
Matsushita Electronic Components Ltd.	1,000
Matsushita Electric (UK) Ltd.	2,062
Diaplastics (UK) Ltd.	750
Ringshare Ltd.	3,400
Robert Bosch	20,900
Pirelli General Plc.	1,225
Heavy Vine Ltd.	1,455
British Alcan Aluminium PLc.	4,000
Scotland	
Motorola Ltd.	34,000
Caledonian Paper plc	7,200
Compaq Computer Manufacturers Ltd.	4,800
National Semiconductor (UK) Ltd.	5,000
IBM UK Ltd.	2,000
Conner Peripherals Inc.	20,000
Digital Equipment Co. Ltd.	10,400
NEC Semiconductors (UK) Ltd.	500
Sun Mirosystems Ltd.	3,900
Ciba-Geigy plc	4,800
Compaq Computer Manufacturers Ltd.	2,825
Digital Equipment Co. Ltd.	1,166
Terex Equipment Ltd.	3,500
Hughes Microelectronics Europa Ltd.	7,688
SEH Europe	4,884
IBM UK Ltd.	800
SCI UK Ltd.	1,200
Motorola Ltd.	2,400
Digital Equipment Co. Ltd.	2,700
Lasa Industries (UK) Ltd.	2,000
NCR (Manufacturers) Ltd.	1,540
OKI (UK) Ltd.	1,655
Hoover (1990) Ltd.	4,500
SCI UK Ltd.	405
Hewlett-Packard Ltd.	1,440
Rohm & Haas (UK) Ltd.	2,400
Compaq Computer Manufacturers Ltd.	400
Seiko Instruments UK Ltd.	1,900
SCI UK Ltd.	900
Hewlett-Packard Ltd.	4,000
Roche Products Ltd.	100
Russell Corp UK Ltd.	2,550
Smith & McLaurin Ltd.	855
Kvaerner Govan Ltd.	3,000
Uniroyal Englebert Tyres Ltd.	800
W. L. Gore & Associates (UK) Ltd.	1,630
Forbo-Nairn Ltd.	1,700
Michelin Tyre plc	1,750
JVC Manufacturers UK Ltd.	2,147

Telephone Selling

Mr. Gwilym Jones: To ask the Secretary of State for Trade and Industry what consideration he has given to the establishment of a register to combat the problem of unsolicited telephone selling; and if he will make a statement.

Mr. Redwood: The branch systems general licence issued under the Telecommunications Act 1984 provides for the establishment of a register on which people who do not wish to receive unsolicited telephone sales calls can place their numbers. Once this register is in place, anyone who makes such a call to a number on the list will be in breach of the licence, and ultimately the Director General of Telecommunications can remove the right to operate under the licence from persistent offenders, making them unable to use their telephone systems. Oftel is discussing the arrangements for the register with interested parties and will issue a press notice as soon as the scheme is ready to be launched.

Arab Boycott

Mr. Batiste: To ask the Secretary of State for Trade and Industry what is the policy of Her Majesty's Government towards the Arab boycott of United Kingdom companies trading with Israel.

Mr. Sainsbury: Her Majesty's Government are opposed to and deplore all trade boycotts that lack international support and authority. It is not however our policy to interfere with the commercial decisions of British firms.

Mr. Latham: To ask the Secretary of State for Trade and Industry whether he will set out in tabular form for each of the European Community countries, including the United Kingdom, such information as he has on their statutory provisions regarding compliance with the Arab trade boycott of Israel; and what action he intends to propose to harmonise legislation on this matter after 1992.

Mr. Sainsbury *[holding answer 11 June 1991]:* The following table shows the legislative position of European Community countries as regards the Arab trade boycott of Israel.

Country	Statutory provisions
Belgium	None
Denmark	None
Irish Republic	None
France	[1] —
Germany	None
Greece	[2] —
Italy	None
Luxembourg	None
Netherlands	[3] —
Portugal	None
Spain	None
United Kingdom	None

[1] Article 31 (known as the "Krieg amendment") to Law No. 77574 of 7 June 1977 in effect made it illegal to comply with the boycott in France, although the article was couched in general terms. However, since this prevented French firms from trading with the Arab countries, an administrative instrument was introduced in 1981 which permits the anti-boycott legislation in effect to be ignored.

[2] Greek legislation is in support of the Arab boycott of Israel.

[3] Dutch legislation is a general law relating to all boycotts except those agreed by the Netherlands and organisations to which the Netherlands belongs and boycotts imposed solely on the grounds of

economic policy.

Companies have to notify the Minister of Economic Affairs of requests made to them to apply a boycott. Annual reports to Parliament on the operation of the law are required.

Vehicle Repairs and Servicing

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry whether he will investigate the number of complaints of which trading standards offices are aware, regarding misleading claims on turn-around time made by garages over repairing, body repairs, or servicing of motor vehicles; and whether he will give particular attention to such complaints made on behalf of *(a)* women and *(b)* retired persons.

Mr. Leigh: I have consulted the relevant trading standards organisations on this question but they are not aware of any significant number of complaints about misleading claims on vehicle repair turn around times.

NESL, Sunderland

Ms. Quin: To ask the Secretary of State for Trade and Industry if he will now publish in full the details of the agreement between the Government and the European Commission which resulted in the closure of North East Shipbuilders Ltd., Sunderland.

Mr. Leigh: It is not customary to publish exchanges between the Government and the European Commission which, as in this case, contain information of a commercially confidential nature.

The essential details of the exchanges pertaining to the closure of North East Shipbuilders Ltd. and associated matters have however been made publicly available in the minutes of evidence taken before the Trade and Industry Select Committee in October 1989.

Sequestration

Mrs. Margaret Ewing: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 2 May, *Official Report*, column *283*, if he will list any further assistance or representations received from individuals, organisations or political parties on the subject of personal sequestration in Scotland.

Mr. Redwood: The only representations my officials have received about personal sequestration in Scotland since my answer on 2 May have been from the Consumer Credit Association. This organisation was amongst those I listed previously and no other assistance or representations have been received since.

European Coal and Steel Community

Mr. Flynn: To ask the Secretary of State for Trade and Industry what is Her Majesty's Government's policy towards the utility and the future of the European Coal and Steel Community.

Mr. Leigh *[holding answer 11 June 1991]:* The Government would prefer the immediate termination of the European Coal and Steel Community, whereupon coal and steel would be governed by the EEC treaty in the same way as other industries. While disappointed that the European Commission does not share that view, we recognise the practical difficulties of attempting to achieve immediate termination and can support the Commission's conclusion that the ECSC treaty should be allowed to expire on schedule in 2002, subject to a much less interventionist application of its provisions in the meantime. We were therefore pleased to note the Commission's view that a much less interventionist interpretation and application of the ECSC treaty is indeed necessary.

BT Licence

Mr. John Browne: To ask the Secretary of State for Trade and Industry what measures are contained in the British Telecom licence relating to protection of the rights of the present shareholders, and to protection of customers against an effective offshore-owned monopoly, in the event of relocation of BT's domicile overseas; and if he will make a statement.

Mr. Redwood *[holding answer 12 June 1991]:* BT is subject to strong controls through its licence conditions, the regulatory powers exercised by OFTEL and general competition law. These apply irrespective of who the shareholders are and where the company's offices are located. The Government hold a special share in BT which protects certain provisions in the company's articles of association. These include a provision imposing a 15 per cent. limit on individual shareholdings.

SCOTLAND

Arson

Mr. Dalyell: To ask the Secretary of State for Scotland if, in the light of the report on arson made to him by St. Ventigerns Academy, Blackburn, he will consider a policy of residential janitors at major isolated educational sites.

Mr. Michael Forsyth: Arrangements for the security of schools are matters for the education authorities in the light of local circumstances.

Non-fossil Renewables

Mr. Morgan: To ask the Secretary of State for Scotland what arrangements he has made for instituting a non-fossil renewables obligation in the Scottish electricity supply industry; what duration it will have; and if he will make a statement.

Mr. Allan Stewart: None. The hon. Member is, however, referred to the parliamentary answer given to my hon. Friend the Member for Dumfries (Sir H. Monro) on 15 May 1991, at columns *208-9*.

River Catchment Management

Mr. Onslow: To ask the Secretary of State for Scotland what plans he has, in the light of the recommendations of the report of the Salmon Advisory Committee on factors affecting natural smolt production, to review and strengthen the structure of river catchment management in Scotland.

Mr. Michael Forsyth *[holding answer 14 June 1991]:* Comments on the report are being invited from a wide range of interests. The responses will be taken into account in our policies for the fisheries, water quality and ecology of river catchments in Scotland.

Salmon

Mrs. Ray Michie: To ask the Secretary of State for Scotland (1) if he will estimate the tonnage of illegal Atlantic salmon in the EC market from Norway; how many prosecutions have taken place; what action is being taken to prevent further illegalities; and if he will make a statement;

(2) if he has any plans to meet representatives of the Norwegian Government to discuss the salmon industry; and if he will make a statement;

(3) what steps are being taken to monitor the impact of non-EC member countries exporting salmon to the EC market; and if he will make a statement;

(4) what plans he has to introduce a tariff on Norwegian salmon entering the EC market; and if he will make a statement;

(5) what steps have been taken to secure fair trading practices in the EC market regarding salmon; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 14 June 1991]*: In March this year, the European Commission closed its investigation of an anti-dumping case raised by the Scottish and Irish salmon producers. It did so on the basis of certain assurances from the Norwegian authorities aimed at stabilising the market for farmed salmon, including continuation of the Norwegian programme for freezing surplus production and for more rigorous enforcement of Norwegian regulations on salmon sales. The Commission also agreed to put in place arrangements for monitoring more closely imports of salmon to the European Community.

Representatives of the Scottish Salmon Growers Association, with officials of the fisheries Departments, have since met the Commission to discuss allegations of breaches of these undertakings and the continued import of salmon at below the Norwegian buying-in price. The Scottish and Irish industries are collecting detailed evidence to support these claims, and officials of the fisheries Departments expect to discuss the implications with the Commission as soon as that evidence is submitted.

The Commission is also expected to announce shortly, after consultation with the industry and member states, its measures to improve the collection of information on salmon imports by customs authorites of member states. This should provide a firmer basis for monitoring the EC market for salmon. At present, it is not possible to estimate the amounts of Norwegian salmon entering the EC market at prices below those set by the Norwegian authorities for buying-in surplus production.

ENERGY

Hydrocarbon-related Research

2. **Dr. Michael Clark:** To ask the Secretary of State for Energy what initiatives he is taking to promote the United Kingdom's programme of hydrocarbon-related research.

Mr. Wakeham: My Department gives financial help to the offshore supplies industry for research and development in five key areas of technology. These are sub-sea production systems, advanced underwater engineering, drilling and production, exploration technology and reservoir technology.

Together with the Natural Environment Research Council, the Department has recently launched a Link programme in hydrocarbon reservoirs. My Department also sponsors a programme of research into enhanced oil recovery, in collaboration with the oil industry.

Continental Shelf

7. **Mr. Dover:** To ask the Secretary of State for Energy what was the level of direct employment on the United Kingdom continental shelf *(a)* in 1979 and *(b)* in 1990.

Mr. Moynihan: Direct employment increased by 65 per cent. to reach a new record level of 36,500 in 1990 compared with only 22,000 in 1980, the earliest year for which comparable figures are available.

26. **Mr. Hayward:** To ask the Secretary of State for Energy how many development projects were approved on the United Kingdom continental shelf in 1990; and what was the level of investment associated with them.

Mr. Wakeham: In 1990, 18 development projects were approved worth some £4·8 billion at 1990 prices.

Electricity (Disconnections)

17. **Mr. Donald Thompson:** To ask the Secretary of State for Energy what are the latest figures he has for the level of disconnection for debt for electricity supply.

Mr. Heathcoat-Amory: Disconnections for non-payment of bills in England and Wales are at the lowest figure since records began in 1976, when disconnections stood at more than double the present figures.

In the year ended 31 March the total number of such disconnections stood at 51,637 or 0·27 per cent. of all domestic credit customers.

Gas Pricing

19. **Mr. Barry Field:** To ask the Secretary of State for Energy what progress the Director General of OFGAS has reported to him in adjusting the tariff for horticultural customers following the Monopolies and Mergers Commission report into gas pricing.

Mr. Moynihan: Industrial gas prices are set by British Gas in competition with other fuels and subject to normal competition law. Under its published price schedules British Gas is not permitted to discriminate against—or in favour of—any class of user.

27. **Mr. McAvoy:** To ask the Secretary of State for Energy when he next expects to meet the Director General of OFGAS to discuss the mechanism for setting price levels for British Gas customers.

Mr. Wakeham: I regularly meet the Director General of Ofgas and discuss a range of matters of mutual interest.

Home Energy Efficiency Scheme

20. **Mr. Ian Bruce:** To ask the Secretary of State for Energy if he will report on the progress of the home energy efficiency scheme.

Mr. Heathcoat-Amory: Initial experience in operating the scheme has confirmed that it meets a real need and is being well received. But it has also shown that to benefit customers and energy efficiency, work must be closely monitored and controlled to maintain a high standard.

Mr. Simon Hughes: To ask the Secretary of State for Energy if he will list the *(a)* grants and *(b)* advice given to public sector householders in the parliamentary constituency of Southwark and Bermondsey by the home energy efficiency scheme.

Mr. Heathcoat-Amory: Such an analysis of grants paid could only be obtained at disproportionate cost. Where other work is undertaken under the scheme, grants of up to £10 are available for the provision of basic energy advice covering such matters as the effective use off heating controls, avoidance of condensation, and practical ways in which the public can save energy.

Mr. Harry Greenway: To ask the Secretary of State for Energy if he has any further plans for the insulation of buildings in order to conserve energy; and if he will make a statement.

Mr. Heathcoat-Amory: The energy efficiency office is continuing to undertake a variety of programmes to promote energy efficiency in buildings, some of which were referred to in "This Common Inheritance".

These include:

- the home energy efficiency scheme, which provides grants to low income householders for basic insulation measures;
- a new domestic campaign, with the Department of the Environment, to explain the link between energy use and its effect on the environment and to promote energy efficiency in the home;
- the best practice programme, which provides authoritative and impartial advice and information to building professionals and managers;
- promotion of energy efficiency in Government buildings, with the objective of reducing energy consumption by 15 per cent. over five years;
- a campaign, with the Department of Health, to achieve 15 per cent. savings over five years in the national health service in England;
- seminars with the Department of the Environment to promote energy efficiency to chief executives and leaders of local authorities;
- seminars, with the Department of Education and Esso, for head teachers and governors of schools.

Solar Power

21. **Mr. David Evans:** To ask the Secretary of State for Energy what initiatives the Government are taking to promote research into the use of solar power generation.

Mr. Moynihan: On 8 May I announced that the Government is to fund a £250,000 programme of research into the use of solar power for electricity production.

Coal Privatisation

22. **Mr. Lofthouse:** To ask the Secretary of State for Energy when he next expects to meet the chairman of British Coal to discuss privatisation.

Mr. Wakeham: I meet the chairman of British Coal regularly to discuss all aspects of the coal industry.

Energy Consumption

23. **Mr. Quentin Davies:** To ask the Secretary of State for Energy what has been the average annual increase in energy consumption in the United Kingdom since 1979.

Mr. Wakeham: Between 1979 and 1990, the United Kingdom's gross domestic product increased by 24 per cent. During this period energy consumption on a heat supplied basis declined by 3·6 per cent. or 0·3 per cent. a year. This combination represents a substantial and welcome improvement in energy efficiency over the period.

Combined Heat and Power

24. **Mr. Amess:** To ask the Secretary of State for Energy what initiatives the Government are undertaking to promote the increased use of combined heat and power.

Mr. Heathcoat-Amory: The Department's energy efficiency office promotes combined heat and power primarily through its best practice programme which provides targeted, independent advice to key participants in the energy market.

Nuclear Energy (Employees)

25. **Mr. David Nicholson:** To ask the Secretary of State for Energy what is his estimate of the number of people employed in Britain's nuclear energy industry.

Mr. Wakeham: I refer my hon. Friend to the answer that I gave to my hon. Friend the Member for Bedfordshire, North (Sir T. Skeet) earlier today.

Coal Productivity

28. **Mr. Batiste:** To ask the Secretary of State for Energy by how much British Coal's productivity increased between *(a)* 1974 and 1979, *(b)* 1980 and 1984 and *(c)* 1985 and 1990.

Mr. Heathcoat-Amory: Between 1973-74 and 1978-79 British Coal's productivity increased by 4·2 per cent., between 1979-80 and 1983-84 it increased by 5·2 per cent., and between 1984-85 and 1989-90 the increase was 107·7 per cent.

Public Appointments

Mr. Redmond: To ask the Secretary of State for Energy if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. Wakeham: Details of appointments for which I have been responsible are contained in the annual publication "Public Bodies", and "Women into Public Appointments". Both publications are available in the Library of the House. I also refer the hon. Member to the answer given to the hon. Member for The Wrekin (Mr. Grocott) on 14 May 1991 at col. *87*. Further details on the trading bodies for which I am responsible are contained in their annual reports and accounts.

Hospitality Fund

Mr. Redmond: To ask the Secretary of State for Energy if he will list the expenditure covered by his Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Mr. Wakeham: My Department has no hospitality fund. However, expenditure on official hospitality in the years in question was as follows:

	£
1989-90	46,000
1990-91	66,000
[1]1991-92	3,000

[1] To date.

Non-fossil Fuel Obligation

Mr. Morgan: To ask the Secretary of State for Energy what approaches he has made to the European Commission concerning the application of favourable treatment for a renewables tranche within the non-fossil fuel obligation beyond 1998.

Mr. Heathcoat-Amory: None. However, I am confident that the regional electricity companies have the flexibilities they need to be able to offer generators acceptable contracts under the proposed 1991 Renewables Order.

Electricity Privatisation

Mr. Dobson: To ask the Secretary of State for Energy how much his Department spent on advice on electricity privatisation in 1990-91; whether that sum includes the cost of the share information office; and if he will give details of any other expenditure incurred in 1990-91 in pursuit of electricity privatisation.

Mr. Wakeham: Final figures for 1990-91 will be published in the Appropriation Account later this year. It is estimated that the Department spent £52·1 million on advice on electricity privatisation in 1990-91, an amount which does not include the cost of the share information office, and a further £204·4 million on other expenses, principally the setting up and operation of the receiving banks, the design, printing and distribution of the prospectuses together with various fees and commissions, marketing costs and stamp duty.

Mr. Dobson: To ask the Secretary of State for Energy if he will list those companies still advising him on electricity privatisation, giving the topics on which they are advising him and the expected end date of their contracts.

Mr. Wakeham: The provision of advice remains necessary in a limited number of areas and in connection with the remaining elements of the sales, for example the instalment arrangements; the relevant contracts will be terminated at the appropriate time. The information relating to the contractors and topics concerned is:

Adviser	*Topic*
Touche Ross	Audit services
Slaughter and May	Legal
Williams Lea	Printing advice
Wood Gundy	Canadian financial
Goldman Sachs	United States financial
Credit Suisse/First Boston	European financial
Nomura	Japanese financial
Osler Renault Ladner	Canadian legal
Davis Polk and Wardwell	United States legal
Anderson Mori and Rabinowitz	Japanese legal

Opencast Mining

Mr. Dobson: To ask the Secretary of State for Energy if he will list the actions taken by the Government to increase opencast coal mining.

Mr. Wakeham: We have taken no action intended to increase opencast coal mining. I refer the hon. Member to the answer that my hon. Friend the Member for Wells (Mr. Heathcoat-Amory) gave to the question from the hon. Member for Monmouth (Mr. Edwards) today.

Mr. Edwards: To ask the Secretary of State for Energy what is his policy on the future level of opencast mining activity.

Mr. Heathcoat-Amory: There is no Government target for opencast coal output. The future level of opencast mining activity will be determined by market demand and the acceptability to the planning authorities of proposals for new sites.

HEALTH

Health Authority Supplies

Mr. Thurnham: To ask the Secretary of State for Health (1) what advice he issues to health authorities about their policy on paying suppliers; and if he will make a statement;

(2) if he will review payment policy by health authorities to ensure suppliers are paid promptly and within the terms of their credit agreements.

Mr. Dorrell: The national health service management executive has emphasised the need to pay suppliers within an acceptable period of time. It has sent a copy of the Department of Employment booklet, "Prompt Payment Please", a copy of which is available in the Library, to all English health authorities and has the expectation that health authorities will meet their obligations within a reasonable period of time in accordance with contractual requirements and responsible practice.

Mr. Thurnham: To ask the Secretary of State for Health what representations he has received about late payment by health authorities to their suppliers, and if he will make a statement.

Mr. Dorrell: In the last year we have received around a dozen letters concerning late payment from hon. Members and members of the public.

Childminders

Ms. Armstrong: To ask the Secretary of State for Health (1) if he will list those local authorities which have waiting periods of six to 12 months, 12 to 18 months, 18 to 24 months, and over 24 months for registration of childminders;

(2) what information is available on the average time being taken by local authority social services departments to approve registration of childminders.

Mrs. Virginia Bottomley: This information is not held centrally.

Guidance issued in April by the Department* in connection with the Children Act 1989, which comes into force on 14 October, advises that local authorities should ensure that decisions on applications for registration by childminders are normally reached within three months of receipt of the application.

*The Children Act 1989 Guidance and Regulations Volume 2 Family Support, Day Care and Educational Provision for Young Children, copies of which are available in the Library.

Hepatitis B

Mr. Redmond: To ask the Secretary of State for Health if he will list by regional health authority and by year for the last 10 years the number of cases of hepatitis B that have been diagnosed in the age groups *(a)* up to five years of age, *(b)* six to 15 years, *(c)* 16 to 30 years, *(d)* 31 to 60 years and *(e)* over 60 years; and if he will show in his answer what percentage this is of the population for each age group.

Mr. Dorrell: The information is not readily available in the form requested, and could be obtained only at disproportionate cost. The table shows reports of acute hepatitis B to the Public Health Laboratory Service's communicable disease surveillance centre for the years 1980 to 1990 inclusive by English health regions, and in the age groupings sought, as far as is possible. Comparison with populations would not produce a true incidence of hepatitis B because some cases are confirmed in laboratories outside the regions in which they occur. The number of reports of acute hepatitis B to the CDSC declined from 1,889 in 1984 to 526 in 1990.

Laboratory Reports of Acute Hepatitis B 1980-1990 Inclusive

Age	*1 to 4 years*	*5 to 14 years*	*15 to 24 years*	*25 to 34 years*	*35 to 44 years*	*45 to 54 years*	*55 to 64 years*	*Over 65 years*	*Adult*	*Not known*	*Total*
Regions											
East Anglia	1	0	236	126	39	25	10	7	17	5	466
Mersey	2	4	341	225	75	29	17	10	8	17	728
North East Thames	5	14	238	238	97	37	33	14	22	22	720
North West Thames	2	10	444	498	168	74	41	16	47	47	1,347
North Western	1	11	650	336	131	56	35	14	26	5	1,265
Northern	2	3	149	95	43	26	19	5	10	19	371
Oxford	3	2	261	153	47	31	14	8	15	9	543
South East Thames	3	3	334	318	103	60	42	14	35	44	956
South West Thames	1	14	284	209	109	55	20	18	7	26	743
South Western	0	2	418	251	131	65	32	15	18	12	944
Trent	3	8	417	231	99	44	23	23	20	18	886
West Midlands	8	24	375	333	148	88	53	36	31	41	1,137
Wessex	3	4	218	177	93	45	30	18	7	13	608
Yorkshire	2	12	511	299	108	97	41	13	25	26	1,134

Aids

Mr. Chris Smith: To ask the Secretary of State for Health what studies have been commissioned by his Department into the incidence of or potential for occupational morbidity amongst professional health care staff involved in the care and treatment of people with HIV and AIDS.

Mrs. Virginia Bottomley: No studies have been commissioned by the Department. However, since 1986 the communicable disease surveillance centre has been undertaking, through voluntary reporting, surveillance of accidental injuries in which health care workers are exposed to the blood or body fluids of patients who are infected with HIV. Additionally, routine surveillance of AIDS cases and laboratory reports of positive HIV antibody test include reported mode of transmission.

Public Appointments

Mr. Redmond: To ask the Secretary of State for Health if he will list the full-time and part-time public apointments for which his Department was responsible for each of the past five years, together with the salary and the date when each appointment is due for renewal.

Mr. Dorrell: My right hon. Friend the Secretary of State is responsible for a number of full and part-time public appointments. Details of each of these could be provided only at disproportionate cost. However information is available from the Cabinet Office publication "Public Bodies" and "Public Appointments: A Handbook for Women's Organisations". Copies are available in the Library.

Trachoma Statistics

Mr. Redmond: To ask the Secretary of State for Health if he will list by regional health authority, and by year for the last 10 years, the number of cases of trachoma that have been diagnosed in the age groups *(a)* up to five years of age, *(b)* six to 15 years, *(c)* 16 to 30 years, *(d)* 30 to 60 years and *(e)* over 60 years; and if he will show in his answer what percentage this is of the population for each age group.

Mr. Dorrell: Information on the number of cases of trachoma diagnosed each year is not held centrally. Approximately 10 cases a year are treated as in-patients in NHS hospitals in England.

Source: Hospital In-Patient Enquiry 1979-1985
Hospital Episode System 1987-88—1989-90.

NHS Trusts

Mr. Redmond: To ask the Secretary of State for Health if he will list the national health service trusts that have submitted acceptable business plans to his Department; and if he will show in his answer *(a)* the date they were received and, *(b)* the date they were agreed as acceptable.

Mrs. Virginia Bottomley: The business plans are not approved as being acceptable but form the basis of a continuing discussion between the national health service management executive and individual trusts. The business plans are modified and updated during the year to incorporate the results of these discussions and to reflect changing circumstances.

Mr. Simon Hughes: To ask the Secretary of State for Health which documents produced by the applicants for self-governing status for the Guy's and Lewisham trust he *(a)* commented on in writing and *(b)* directed any alterations of, prior to 1 April.

Mr. Waldegrave: None.

Drugs and Pesticides

Mr. Dalyell: To ask the Secretary of State for Health if he will make a statement on the progress of his discussions with the Board of Science of the British Medical Association on the collation of reports of suspicion of drugs or pesticide-presence to a central body within his Department.

Mr. Dorrell: Consideration is being given to the possibility of establishing a card system whereby GPs would report any adverse reactions attributed to exposure to pesticides. This could include poisoning from residues in food.

We are also considering supporting research into the possibility of a causal link between very small pesticide residues in food and specific cases of human ill-health. So far no such research has been devised.

The surveillance of food for pesticide residues is carried out by the Ministry of Agriculture, Fisheries and Food with guidance from the Department on public health aspects.

Private Beds

Mr. Simon Hughes: To ask the Secretary of State for Health, further to his answer to the hon. Member for Southwark and Bermondsey of 2 May, *Official Report*, column *275*, on NHS and private beds, if he will now provide a full answer to the hon. Member's question.

Mr. Dorrell: I replied to the hon. Member on 13 June 1991.

Regional Health Authorities

Mr. Hinchliffe: To ask the Secretary of State for Health on what basis the £81 million made available to bring about a reduction in outstanding creditor levels was divided between regional health authorities; and how much was received by each regional health authority.

Mr. Dorrell: The allocation made to regions was broadly pro rata to the total of their districts' estimated excess creditors at 31 March 1989. The amount allocated by region is as follows:

Region	*Allocation £ million*
Northern	1·2
Yorkshire	1·9
Trent	3·9
East Anglian	1·7
North West Thames	21·1
North East Thames	18·1
South East Thames	14·8
South West Thames	4·5
Wessex	3·3
Oxford	0·3
West Midlands	3·6
Mersey	0·9
North Western	2·3
Special health authorities	3·3
Total	81·0

Column does not sum due to rounding.

Registered Homes Act 1984

Ms. Harman: To ask the Secretary of State for Health what duties proprietors of homes registered under the Registered Homes Act 1984 have to maintain and file accounts of income and expenditure for each resident.

Mrs. Virginia Bottomley: Proprietors of residential care homes are required by regulations made under the Registered Homes Act 1984 to keep records of money and valuables deposited with them by residents, or received on their behalf. A record of the return of money or valuables and of the use made of them must also be kept.

Ms. Harman: To ask the Secretary of State for Health if he will list the names and occupations of the members of the panel of experts set up under the Registered Homes Act 1984.

Mrs. Virginia Bottomley: The list shows the names and occupations of members of the panel of experts, who are appointed by the Lord President of the Council, to enable registered homes tribunals to hear appeals under the Registered Homes Act 1984.

Expert panel for residential care homes tribunal

R. Bessell—Managing Director of Retirement Security Ltd. and former Director of Social Services.

D. Browne—Retired Assistant Director of Social Services.

M. Burrell—Retired rest home proprietor.

W. J. C. Churchill—Executive Secretary, Association for Residential Care.

K. Coleman—Assistant Director of Social Services.

G. S. Dunn—Retired Consultant for the Leonard Cheshire Foundation and Director of Social Services.

F. G. Edwards—Residential Care Home Proprietor.

J. B. Fisher—Proprietor/Manager Residential Home for Adults with Mental Handicap.

B. Garner—Director Mental After Care Association.

Mrs. L. Gladwin—Social Work Consultant.

Dr. Barbara J. Gray—Retired staff tutor in social studies.

J. Hanson OBE—Retired Director of Social Services.

G. Harper—Divisional Director, Social Services Department.

R. Humphries—Freelance Social Services Consultant, former Director of Social Services.

D. C. James—Retired Director of Social Services.

M. S. Jobbins—Senior Principal.

Miss M. G. Joynson OBE—Retired Senior Director of Dr. Barnados

Miss S. Matheson—Area Manager MENCAP Homes Foundation.

Miss S. A. Poupard—Retired Deputy Director of Social Services

J. Regan—Retired head of Home and Trustee of the Leonard Cheshire Foundation.

Miss J. Reynolds—Hospital Manager for people with a mental handicap.

J. I. Stephens—Retired Assistant Director of Social Services.

P. Tyndall—Co-ordinator, Cardiff University Social Services.

D. Wakefield—Retired Director of Social Services.

Mrs. J. J. Waldron—Head of Inspection Unit.

P. L. Watts—Independent Consultant to providers of health and social care services.

Miss K. Wells—Retired from British Red Cross and former Deputy Director of Social Services.

K. J. White—Director of Residential Community.

Miss M. O. Woodier—Freelance Consultant in Residential Care.

Expert panel for nursing home tribunals

Dr. A. K. Admani—Consultant Physician.

Dr. A. K. Banerjee—Consultant Physician and Honorary Lecturer Geriatric Medicine, Manchester University.

Dr. J. R. Cox—Consultant Physician.

Dr. G. H. Hall—Consultant Physician.

Dr. M. Hildick-Smith—Consultant in Geriatic Medicine.

Dr. G. A. Jones-Davis—Consultant in Public Health Medicine.
Dr. D. L. Kerr—Retired General Practitioner, County Councillor.
Dr. S. M. McDougall—Consultant in Public Health Medicine.
Mr. R. T. Marcus—Consultant Surgeon.
Mr. B. A. Maurice—Retired Consultant Surgeon.
Dr. N. Merali—General Practitioner, Hospital Practitioner (Geriatric) Nursing Home Owner.
Dr. P. Tiplady—District Medical Officer.
Mrs. S. M. D. Adams—Nursing Home Registration/Monitoring Officer.
Mrs. C. Alford—Nursing Home Proprietor, Company Director.
Mr. K. Dainty—Chief Inspector/Registration Officer for Nursing Homes.
Mrs. R. Doidge—Director Nursing Services (Community).
Mrs. T. Galletly—Partner in Nursing Home.
Miss P. Jenkins—Registration Officer/Senior Nurse.
Mrs. N. Kelly—Matron and Deputy House Governor.
Mrs. H. M. McGregor—Partner/Manager Private Nursing Home.
Mr. J. W. Sharp—Director Quality Assurance and Regional Manager.
Mrs. M. Wilson—Director of Nursing Services.

Ms. Harman: To ask the Secretary of State for Health what guidance his Department has issued about action general practitioners should take if they come across neglect or abuse in a home registered under the Registered Homes Act 1984.

Mrs. Virginia Bottomley: GPs should bring any apparent evidence of neglect or abuse of a resident to the attention of the registration authority.

Ms. Harman: To ask the Secretary of State for Health if there is a procedure for the courts to inform a registration authority when a registered proprietor or member of staff of a home registered under the Registered Homes Act 1984 is convicted of a criminal offence.

Mrs. Virginia Bottomley: Under the recently agreed arrangements for the disclosure of criminal records to registration authorities, if a police force becomes aware that the owner or manager of a home has acquired a conviction likely to be of interest to the registration authority, the force will pass that information on.

Doctor Diagnosis

Mr. Hinchliffe: To ask the Secretary of State for Health what steps he is taking to establish the impact on confidence in doctor diagnosis by patients, and take-up of preventive screening and immunisation of public awareness of the introduction of financial reward to general practitioners in meeting targets.

Mrs. Virginia Bottomley: None. We have seen nothing to suggest that awareness of the target payments scheme for cervical cytology and childhood immunisation has affected patient confidence in doctors' clinical diagnosis.

The scheme has been most successful in increasing uptake rates for these services, thereby helping to eliminate avoidable illness. GPs are to be congratulated on their efforts in this area.

Waiting Lists

Mr. Bowis: To ask the Secretary of State for Health what is the number of patients who were waiting *(a)* one to two years and *(b)* over two years for hospital treatment at 31 March 1991 and 31 March 1990 for the south-west Thames and south-east Thames regional authorities and for each of their London districts.

Mrs. Virginia Bottomley *[holding answer 3 June 1991]:* Information on numbers waiting for in-patient treatment as at March 1990 and at September 1990, the latest available information, is given in the table. Full details of waiting lists as at 31 March 1991 will not be available until September 1991.

In the 12 months to September 1990 the total number waiting more than a year for in-patient treatment fell by 6 per cent. in south-east Thames region and by 13 per cent. in south-west Thames region as a whole.

This information is on a "provider" basis and does not relate to the districts' resident population.

South-East Thames and South-West Thames
Numbers waiting for in-patient treatment waiting between one and two years and more than two years at March 1990 and September 1990

Health authority	*Total waiting 12 to 23 months at:*		*Total waiting 24+ months at:*	
	31 March 1990	*30 September 1990*	*31 March 1990*	*30 September 1990*
South-East Thames Regional Health Authority	9,343	9,987	8,773	7,829
Bexley	395	514	158	212
Greenwich	423	408	316	302
Bromley	291	237	207	72
West Lambeth	433	803	1,883	1,728
Camberwell	314	442	208	211
Lewisham and North Southwark	1,548	1,284	1,430	1,196
South-West Thames Regional Health Authority	8,391	8,017	4,732	4,242
Croydon	550	509	152	133
Kingston and Esher	1,261	1,151	812	797
Richmond, Twickenham and Roehampton	420	459	213	275
Wandsworth	462	349	184	41
Merton and Sutton	449	531	70	70

WALES

Dog Attacks

Mr. Geraint Howells: To ask the Secretary of State for Wales what assessment he has made of the approximate cost to the national health service for treating dog-related attacks in Wales; what were the corresponding figures for 1981; and if he will make a statement.

Mr. Nicholas Bennett: This information is not available centrally.

Medical Negligence

Mr. Michael: To ask the Secretary of State for Wales what assessment he has made of the effect of changes in the method of covering doctors in respect of possible medical negligence claims on *(a)* the doctors in Wales, *(b)* their practice or unit, *(c)* their health authority or family practitioner authority and *(d)* on patients who might be affected.

Mr. Nicholas Bennett: The changes in arrangements for covering the costs of medical negligence litigation to which the hon. Gentleman refers relate only to doctors working in the hospital and community health services (H and CHS). General medical practitioners continue to be responsible for arranging their own insurance cover via the medical defence organisations (MDOs).

The new arrangements should have no effect upon doctors in the hospital and community health services since the insurance premia which were previously paid on their behalf were paid for by their employer authorities. We are currently collecting data for the first year of these new arrangements in order to assess the effect upon health authorities. I shall write to the hon. Gentleman when this is available.

There is no reason why patients should be affected.

Mr. Michael: To ask the Secretary of State for Wales what assessment he has made of the level of fees paid to medical experts in respect of evidence provided for medical negligence claims; and what assistance is available from within the national health service for anyone making or contemplating such a claim in Wales.

Mr. Nicholas Bennett: The fees paid to medical experts in respect of evidence provided in medical negligence cases reflect the amount and complexity of the work done and the amount of time which is involved. Typical fees that have been paid for expert reports range from £50 to £195 while experts who have attended Court to give evidence have recently charged between £50 and £600 per day. These figures are based on a random sample of current files.

A patient who is contemplating making a claim on the grounds of medical negligence may seek advice at an early stage from a community health council but if he wishes to pursue a claim it is usually essential that he should then have his own independent legal advice in view of the adversarial nature of the procedure.

Where a patient shows that he is likely to pursue a claim, it is the policy of the health authorities to disclose medical records voluntarily. To this extent they assist the patient as he is not then obliged to institute proceedings before he can gain access to his medical records. Finally, where a patient pursues a claim, he will rely upon the evidence of medical experts who in all probability are employed within the NHS.

Mr. Michael: To ask the Secretary of State for Wales what compensation was paid out to patients in each health authority area in Wales in each of the last five years *(a)* as a result of court action regarding allegations of medical negligence and *(b)* through payments made prior to a case coming to court; and what was the total financial cost to each authority in each of those years.

Mr. Nicholas Bennett: This information is not readily available and could only be obtained at disproportionate cost.

Mr. Michael: To ask the Secretary of State for Wales what proportion of the financial cost falling on each health authority in Wales in each of the last five years in respect of medical negligence claims was paid out in *(a)* defence legal costs, *(b)* legal costs awarded to patients or complainants, *(c)* fees in respect of medical evidence for complainants and *(d)* awards to successful patients or complainants.

Mr. Nicholas Bennett: This information is not readily available and could only be obtained at disproportionate cost.

Mr. Michael: To ask the Secretary of State for Wales what discussions he has undertaken with health authorities and family practitioner authorities in Wales and with organisations representing medical practitioners in hospitals and in general practice regarding the present system for dealing with claims for compensation to patients or their families; what advice he was offered; and what options for improving the situation he is now considering.

Mr. Nicholas Bennett: The present arrangements were discussed with district health authorities in Wales in advance of implementation. General practitioners continue to be responsible for arranging their own cover via the medical defence organisations.

The Government believe that the best way to improve the compensation system is to streamline and simplify litigation procedures. We are presently considering the feasibility of an arbitration scheme within the NHS to resolve claims for medical negligence more simply and more quickly.

Guardians ad Litem

Mr. Denzil Davies: To ask the Secretary of State for Wales if he will list the names, and, if they are employed, the employment of all the present members of the guardians ad litem and reporting officers panels in the local authority areas of (i) Dyfed and (ii) West Glamorgan.

Mr. Nicholas Bennett: This information is not held centrally.

Housing Consultancy Contracts

Mr. Morgan: To ask the Secretary of State for Wales (1) what policy considerations governed the choice of Aldbourne Associates for the main housing consultancy contract referred in his parliamentary replies of 23 May, *Official Report*, column *571*, and 6 June, *Official Report*, column *311*;

(2) pursuant to his parliamentary replies of 23 May, *Official Report*, column *511*, and 6 June, *Official Report*, column *311*, how Aldbourne Associates Ltd. was chosen for the housing consultancy contract.

Mr. Nicholas Bennett: The decision was taken by reference to relevant experience and expertise, the housing management consultancy pool then available, and the expected needs of the priority estates project programme in Wales.

South Glamorgan Health Authority

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of South Glamorgan health authority concerning the costs and benefits of its new staff booklet entitled "Total Quality/Making it Even Better"; and if he will make a statement.

Mr. Nicholas Bennett: We have had no specific consultations concerning the costs and benefits of South Glamorgan's total quality strategy. However the authority's strategy is in line with the all-Wales quality strategy, "A Quality Health Service for Wales".

My right hon. Friend was pleased to endorse South Glamorgan's strategy by saying,

"I want the process of creating a better NHS, aiming for even higher standards of care and serving all its patients efficiently, to begin now."

Health Authorities (Finance)

Mr. Alan Williams: To ask the Secretary of State for Wales on the basis of financial allocations to health authorities for 1991-92, how much extra *(a)* West Glamorgan, *(b)* Clwyd, *(c)* Gwent, *(d)* Gwynedd and *(e)* Pembrokeshire would have received if they were allocated their full formula share.

Mr. Nicholas Bennett: On the basis of the allocations announced in the *Official Report* on 21 March at columns *178-79*, the increase would be as follows if the health authorities were funded in line with their weighted capitation formula shares.

	£ million
West Glamorgan	2·200
Clwyd	5·664
Gwent	1·996
Gwynedd	5·374
Pembrokeshire	0·840

Note: These figures have been calculated by redistributing revenue resources exclusive of capital charges in line with revenue formula shares. Capital charges were then added back in (according to authorities' liability as purchasers to meet the cost of capital charges in contracts in 1991-92) in the same way as in the actual 1991-92 allocations.

Weighted capitation will however be phased in over a period of years, being completed by 1998-99, in order to allow authorities time to adjust to their prospective capitation shares.

Mr. Alan Williams: To ask the Secretary of State for Wales, pursuant to his reply to the hon. Member for Cardiff, North (Mr. Jones), *Official Report*, 21 March, columns *178-79*, taking actual financial allocations for 1991-92 as the base, what for the published table would be the financial change in revenue resources for each health authority in each year to 2000-01; what these figures would be without capital charges added back in; and how, without capital charges added back in, would they relate to 1990-91 base figures.

Mr. David Hunt: The effect of the annual change in revenue resources shown in the table in my reply is as follows:

Revenue allocations of 1991-92 prices *£000s*

Year	*1991-92*	*1992-93*	*1993-94*	*1994-95*	*1995-96*	*1996-97*	*1997-98*	*1998-99*	*1999-2000*	*2000-01*
Clwyd	161·035	163·092	165·126	167·066	169·023	170·999	172·992	175·004	175·795	176·589
East Dyfed	107·530	107·530	107·530	107·578	107·628	106·678	107·728	107·780	108·267	108·756
Gwent	177·167	178·105	179·160	180·661	182·175	182·703	185·245	186·802	187·646	188·494
Gwynedd	97·404	99·122	100·775	102·175	103·587	105·013	106·451	107·903	108·390	108·880
Mid Glamorgan	228·062	228·062	228·062	229·250	230·450	231·661	232·883	234·117	235·175	236·237
Pembrokeshire	43·900	44·427	44·951	45·463	45·981	46·502	47·029	47·561	47·766	47·992
Powys	56·669	56·669	56·669	55·555	54·432	53·299	52·155	51·002	51·232	51·464
South Glamorgan	166·814	166·814	166·814	165·645	164·467	163·279	162·080	160·871	161·598	162·528
West Glamorgan	152·904	152·904	152·904	153·913	153·932	155·960	156·997	158·045	158·758	159·476

I should emphasise again that these are provided for planning purposes only and assume a 0·5 per cent. per annum real terms growth in line with the resource planning assumption previously issued to DHAs.

The table includes capital charges. In 1991-92 capital charges have been allocated to authorities, as purchasers, in line with their need to pay capital charges as part of the cost of obtaining services. From next year capital charges will be redistributed as part of the total revenue resource in the move towards reaching formula shares, and no distinction has therefore been made in the table between revenue and capital charges other than to exclude capital charges from the base from which the 0·5 per cent. growth was calculated. To exclude capital charges as asked would therefore be misleading.

Any comparison of the 1991-92 and subsequent allocations (with or without capital charges included) would be inappropriate as in 1990-91 authorities were funded as the providers of services—whereas from 1991-92 they (and GP fund holders) will be funded as purchasers of services.

Mr. Alan Williams: To ask the Secretary of State for Wales how much of the £143·6 million capital charges are attributable to each of the district health authorities; and whether this sum is included in the figure of £1,719 million given in the *Official Report*, 29 April, column 3.

Mr. David Hunt: The following table shows the breakdown of estimated capital charges by the district health authorities in which the units and hospitals to which the charges are attributable are located.

District health authority	Capital charges (£ million)
Clwyd	15·177
East Dyfed	18·664
Gwent	19·581
Gwynedd	9·789
Mid Glamorgan	25·204
Pembrokeshire	3·076
Powys	4·199
South Glamorgan	26·850
West Glamorgan	20·725
Total	143·265

Note
The figure of £143·265 million reflects revision to the estimates following the original estimate of £143·582 million.

Capital charges are payable to the Department by hospitals and units in respect of the assets they manage. The cost of capital charges is recovered in the charges made for the services they provide to purchasers—health authorities and GP fund holders. Health authorities and GP fund holders are funded to pay the extra cost of capital charges—over and above the other costs of services—by the Department recycling the receipts from capital charges to them. To maintain neutrality this year capital charge receipts have been recycled to purchasers in line with the extra costs. In future receipts will be recycled in line with revenue formula shares, encouraging authorities to purchase services from hospitals that use their capital efficiently and so are able to offer a higher level of patient services than less efficient providers.

The introduction of capital charging has no overall effect on public expenditure. The £143·265 million shown in the table has been deducted from provider units and reallocated to purchasers as described above. Account has been taken of the net cross border flows with England, and Welsh purchasers have additionally been funded for the capital charges, as well as the other costs of obtaining services in England. The adjustment for these cross-boundary flows was not included in my reply.

Health Service Consultants

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 11 June, *Official Report*, column *506*, how many new consultants have been appointed overall to work at the three treatment centres since they became operational.

Mr. Nicholas Bennett: A total of 4·5 whole-time equivalent consultants have been appointed as a result of the establishment of the three treatment centres.

Cardiff Bay Barrage

Mr. Morgan: To ask the Secretary of State for Wales in what local newspapers he proposes to advertise the Cardiff Bay Barrage hybrid Bill.

Mr. David Hunt *[holding answer 14 June 1991]:* At present I propose to advertise the Bill in the *South Wales Echo* and the *Western Mail*.

EMPLOYMENT

Public Appointments

Mr. Redmond: To ask the Secretary of State for Employment if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. Jackson: The information requested is not readily available and could not be assembled without disproportionate cost.

Public bodies sponsored by the Employment Department are listed in Cabinet Office's publication "Public Bodies 1990". Details of public appointments made by this department are given in the Women's National Commission's "A Handbook for Women's Organisations". Both publications are available in the House of Commons Library.

Labour Statistics

Mr. Cox: To ask the Secretary of State for Employment what was the number of job vacancies at job centres in the Tooting constituency on 1 June.

Mr. Jackson: Questions on operational matter in the Employment Service Executive Agency are the responsibility of Mike Fogden, the agency's chief executive, to whom I have referred this question for reply.

Employment Service (Performance Targets)

Mr. Leighton: To ask the Secretary of State for Employment what were the performance targets for the Employment Service last year; and what they are for the current year.

Mr. Jackson: The performance targets for the Employment Service are set out in the annual performance agreement. Copies of the 1990-91 and 1991-92 agreements are available to Members in the Library of the House.

Maternity Pay

Ms. Richardson: To ask the Secretary of State for Employment, pursuant to his answer of 1 March, *Official Report*, column *622*, whether the estimate quoted for implementing the pay provisions of the protection of pregnant women at work draft directive excluded or included the current statutory maternity payments; and on what assumptions the figure is based.

Mr. Forth: The estimate excludes the current statutory maternity payments, which stand at approximately £400 million a year. The main assumptions underlying the gross estimate of the cost of implementing the draft directive are that 370,000 employees become pregnant each year and that their average weekly earnings are £177 a week.

Labour Statistics

Mr. Cox: To ask the Secretary of State for Employment what was the number of *(a)* men and *(b)* women registered as unemployed in the London borough of Wandsworth on 1 June.

Mr. Jackson: On the latest unemployment count date of 9 May 1991 there were 9,295 male and 3,584 female unemployed claimants in the London borough of Wandsworth on the unadjusted basis.

Schools Career Service

Mr. David Porter: To ask the Secretary of State for Employment if he will make a statement on the steps he intends to take to improve further the schools career service.

Mr. Jackson: The White Paper, "Education and Training for the 21st Century" (CM 1536), announces plans for the future of the careers service to enhance the quality of careers education and guidance. These plans include the provision of additional money to support further in-service training for careers service staff, and the extension of careers libraries and computerised information for schools and colleges.

EC Initiatives

Mr. Michael: To ask the Secretary of State for Employment (1) what consultation has taken place with prospective applicant bodies in the preparation of the United Kingdom operational programme for the now initiative; and if he will make a statement;

(2) what consultation has taken place with prospective applicant bodies in the preparation of the United Kingdom operational programme for the horizon programme; and if he will make a statement;

(3) what consultation has taken place with prospective applicant bodies in the preparation of the United Kingdom operational programme for the Euroform initiative; and if he will make a statement.

Mr. Forth: Formal consultation will begin shortly. The European Commission supplied the relevant financial information only in mid-April, four months after the initiative was announced. The Commission has therefore extended its original 30 June deadline for the submission by the member states of the required operational programme.

Employment Service

Mr. John Garrett: To ask the Secretary of State for Employment how he proposes to announce any future decisions to set aside performance targets for the Employment Service agency.

Mr. Jackson: My right hon. and learned Friend has no plans to set aside any of the performance targets which he agreed with the chief executive of the Employment Service. Should circumstances arise which caused him to do so he would inform the House and lodge an appropriate amendment to the ES annual performance agreement in the Library of the House.

DEFENCE

Civilian Contracts

Ms. Walley: To ask the Secretary of State for Defence how many civilian contracts have been undertaken by the Royal Navy, with respect to Millbury docks in Plymouth, and the Army, with respect to the transportation of heavy gear from Penzance to St. Mary's for an island runway project; and if he will make a statement.

Mr. Archie Hamilton: The Royal Maritime Auxiliary Service periodically undertakes work at Millbay docks, Plymouth at the specific request of Associated British Ports. The Army has undertaken one commitment on repayment for the transportation of heavy gear from Penzance to St. Mary's.

Ms. Walley: To ask the Secretary of State for Defence what advice he has given to the armed forces with regard to bidding for civilian contracts.

Mr. Kenneth Carlisle: There are standing instructions governing the scope of repayment activity and the basis on which it may be conducted. These reflect the principle that the public sector should not, as a general rule, take on activities which can equally well or better be undertaken by the private sector. Under the new management strategy budget holders are encouraged to increase their receipts, for example by making use of temporary spare capacity, within the framework of current policy on repayment activity.

Ms. Walley: To ask the Secretary of State for Defence how many civilian contracts the British Army has submitted in each of the last five years: how many such contracts have been awarded to the Army; if he will list each such awarded contract; and if he will make a statement.

Mr. Archie Hamilton: It is not MOD policy to seek such business.

Gulf Trust

Mr. Ashley: To ask the Secretary of State for Defence, pursuant to his answer of 4 June, *Official Report*, column *226*, if he will specify which benevolent funds have received money from the Gulf trust; how much has been allocated to each; and if any advice or suggestions have been offered to these organisations about ways of distributing the money.

Mr. Archie Hamilton: Donations to the Gulf Trust are being passed to the three service benevolent funds—The King George's Fund for Sailors, the Army Benevolent Fund and the RAF Benevolent Fund. They will use this money to meet cases of need arising from the Gulf conflict in accordance with their established practices, and within the terms of their trust deeds and charity law.

William Douglas-Home

Mr. Cyril D. Townsend: To ask the Secretary of State for Defence what consideration is being given by his Department into the case and court-martial of William Douglas-Home; and if he will make a statement.

Mr. Archie Hamilton: The hon. William Douglas-Home's case has been considered by the Department and a decision communicated to him.

Royal Artillery

Mr. Cartwright: To ask the Secretary of State for Defence what consideration he has given to the relocation of the Royal Artillery from Woolwich; and when he expects to announce a decision.

Mr. Archie Hamilton: A comprehensive review of the Army's training base is being undertaken as part of the work on "Options for Change." No decisions have yet been taken on the future of units at Woolwich. Announcements will be made as soon as possible.

HMS Fearless and HMS Intrepid

Mr. Boyes: To ask the Secretary of State for Defence when he expects to make a decision on whether to go ahead with a programme to replace HMS Fearless and HMS Intrepid.

Mr. Kenneth Carlisle: I refer the hon. Member to the answer given by my right hon. Friend the Member for Epsom and Ewell (Mr. Hamilton) on 20 May at column *391* to my hon. Friend the Member for Ashford (Mr. Speed).

Fiji

Dr. Marek: To ask the Secretary of State for Defence what military aid and assistance has been given to Fiji since the military coup.

Mr. Archie Hamilton: Some two to three Fijian officers attend military training courses in the United Kingdom each year. Surplus exercise stores, stockpiled in Fiji prior to 1987, were gifted to the Fijian armed forces in 1989. In addition, the Royal Navy officer has provided a loan service officer to the Fiji hydrographic unit for some 11 years.

HMS Endurance

Mr. Shersby: To ask the Secretary of State for Defence what was the cost of keeping HMS Endurance on station in the south Atlantic for the most recent 12-month period for which figures are available.

Mr. Archie Hamilton: The costs of keeping HMS Endurance on station in the south Atlantic are not kept separately, but form part of her annual running costs. For these, I refer the hon. Member to my answer of 15 March to the hon. Member for Bristol, East (Mr. Sayeed) at columns *718-19*.

Injured Grenadiers

Mr. Winnick: To ask the Secretary of State for Defence if he will consult his Canadian counterpart about the circumstances which led to the injuries suffered in July 1989 by Guardsmen Sean Povey, Adrian Hicks and John Ray.

Mr. Archie Hamilton: There is continuing contact with the Canadian authorities. If any additional information on the case is required it can be obtained through normal channels.

Mr. Winnick: To ask the Secretary of State for Defence how many letters to date have been received by his Department from the solicitors acting for Guardsmen Sean Povey, Adrian Hicks and John Ray.

Mr. Archie Hamilton: To date my Department has received nine letters from the solicitors previously acting on behalf of the guardsmen and two from their current solicitors.

Mr. Winnick: To ask the Secretary of State for Defence under what circumstances his Department would be willing to reconsider the decision not to pay any compensation to Guardsmen Sean Povey, Adrian Hicks and John Ray.

Mr. Archie Hamilton: The decision will be reconsidered if it can be shown that the Ministry of Defence is legally liable.

Mr. Hicks is in receipt of tax-free, index-linked pensions and other benefits amounting to £8,984 per annum. Guardsmen Povey and Ray will also be eligible for pensions and benefits if they are discharged from the Army on medical grounds.

Mr. Winnick: To ask the Secretary of State for Defence if would be willing to meet Guardsmen Sean Povey, Adrian Hicks and John Ray, together with their hon. Members of Parliament.

Mr. Archie Hamilton: The Secretary of State for Defence has no plans to do so.

Maritime Exercises

Mr. Boyes: To ask the Secretary of State for Defence what changes are being made to the scale, timing, location and scenario of major maritime exercises as a result of changes in the perceived threat to United Kingdom security interests.

Mr. Archie Hamilton: The future scope, scale and frequency of major maritime exercises are currently under review in the light of the changed security situation in Europe.

Type 2075 Sonar

Mr. Boyes: To ask the Secretary of State for Defence if he will make a statement on the contract with Ferranti-Thomson for development of the type 2075 sonar.

Mr. Kenneth Carlisle: The Royal Navy's sonar requirements are being rationalised in line with the "Options for Change" decisions on the size and structure of the future submarine fleet. Against this background, I have decided not to proceed with the development of Sonar 2075, which had been intended for a future buy of Upholder class submarines, and the contract with Ferranti Thomson Sonar Systems Ltd. was terminated from 20 May 1991. The company have, however, successfully tendered for the competitive project definition phase for Sonar 2076 which is intended to form the basis of future submarine sonar programmes.

HMS Upholder

Mr. Boyes: To ask the Secretary of State for Defence how long he expects HMS Upholder to be placed in dock for rectification of weapon handling system defects; and what is the expected cost of the rectification work.

Mr. Kenneth Carlisle: We plan to start the rectification work on HMS Upholder later this year and complete it in 1992. The cost of the work has not yet been established, as we are currently evaluating tenders. In any case, it is not our practice to disclose commercially confidential information of this nature.

HMS Endurance

Mr. Shersby: To ask the Secretary of State for Defence what further consideration he has given to the deployment of HMS Endurance in the south Atlantic after her present tour of duty is over.

Mr. Archie Hamilton: The future programme of Endurance is under consideration, but no decisions have yet been taken.

Central TV (Libel Action)

Mr. Mullin: To ask the Secretary of State for Defence what public funds or other assistance is being given to Messrs. MacKenzie Geidt and de Normann in their libel action against Central Television.

Mr. Archie Hamilton: None.

Prevailing Winds

Mr. William Ross: To ask the Secretary of State for Defence if he will publish a table to show for the last three years the number of days in each month when winds in Northern Ireland blew from the south-west to the north-west points of the compass.

Mr. Kenneth Carlisle: This is a matter for the Meteorological Office, under its framework document. I have therefore asked the chief executive of the Meteorological office, Dr. J. T. Houghton, to reply direct to the hon. Member.

Written Answers to Questions

Tuesday 18 June 1991

TRANSPORT

Lorry Action Areas

Mr. Snape: To ask the Secretary of State for Transport how many lorry action areas have been established in line with recommendation 50 of the Armitage report; and at what cost.

Mr. Chope: None. Since the Armitage report was published there have been substantial improvements. Today's lorries are quieter, and safer and emit less smoke. There are also fewer of them in urban areas, due to the continuing improvement of the road network, particularly by provision of bypasses. A major focus of attention has been the Department's lorry management scheme which produced guidance last year illustrating the range of measures available to local authorities in promoting effective lorry management and reducing the adverse effects of lorries on local communities.

M6 (Litter)

Mr. Pawsey: To ask the Secretary of State for Transport how often each year the M6 in Warwickshire is cleared of litter; and when was the last time.

Mr. Chope: Warwickshire county council, which acts as the Department's agent on this stretch of the M6, is responsible for clearing the motorway of litter as often as is required to maintain the standards laid down in the code of practice under the Environmental Protection Act 1990. The frequency of clearance in any location will therefore depend on particular circumstances.

Video Recordings

Mr. Redmond: To ask the Secretary of State for Transport if he will list the titles of the video recordings purchased by his Department during the financial years 1990-91 and 1991-92 to date.

Mr. McLoughlin: This information is not held centrally.

Hospitality Fund

Mr. Redmond: To ask the Secretary of State for Transport if he will list the expenditure covered by his Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Mr. McLoughlin: Expenditure on official hospitality by the Department is as follows:

	£
1989-90	114,016
1990-91	144,023
[1]1991-92	22,040

[1] To date.

Public Appointments

Mr. Redmond: To ask the Secretary of State for Transport if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. McLoughlin: The majority of these appointments for each of the last five years are listed in the annual editions of "Public Bodies" published by the HMSO or "Public Appointments: A Handbook for Women's Organisations" produced by the Women's National Commission, copies of which are in the Library of the House. The appointments which are not listed in these documents are:

Acting Conservator of the River Mersey (£7,667 per annum)
Four Delegates to the Central Rhine Commission (unpaid)
Chairman and six Members of the Honorary Medical Advisory Panel on Driving and Diabetes (unpaid)
Chairman and five Members of the Honorary Medical Advisory Panel on Driving and Cardiovascular Disorders (unpaid)
Chairman and eight Members of the Honorary Medical Advisory Panel on Driving and Disorders of the Nervous System (unpaid) and
Chairman and two Members of that Panel's Sub-Committee on Mental Health/Drug and Alcohol Misuse

The further information sought by the hon. Member could be provided only at disproportionate cost.

British Rail Carriages

Mr. Prescott: To ask the Secretary of State for Transport when the British Rail board will announce its decision on the tenders it has received for class 165 electrical multiple unit four-car sets for the class 341 carriages and the 471 carriages.

Mr. Rifkind: This is a matter for the British Railways Board. However, I understand that 180 class 165 and 59 class 165/2 diesel vehicles are on order for the Network SouthEast lines into Paddington and Marylebone. The first of these vehicles will enter regular service in October. It is not envisaged that any further orders for class 165 vehicles will be placed in the near future. No tenders have yet been invited for class 341 or class 471 electric multiple units.

M6 (Thornbridge Viaduct)

Mr. Rooker: To ask the Secretary of State for Transport what is the nature of the current repair works to the Thornbridge viaduct of the M6 motorway in Birmingham; and how long the work will last.

Mr. Chope: Two contracts are currently under way for the installation of cathodic protection systems on the viaduct substructure. The first, involving work to crossbeams between Beeches road and Thornbridge avenue should be completed by mid July. This is slightly later than previously anticipated because of the need for unforeseen additional works. A second similar contract south of Thornbridge avenue commenced in April and is due to finish next March.

A13 (Roadworks)

Ms. Gordon: To ask the Secretary of State for Transport what is the outline timetable for roadworks on the East India Dock road/Canning Town bridge and

flyover on the A13 and its junctions with Leamouth and Abbot roads; if he will publish maps or diagrams of the proposed phases of the works; and what steps are being taken to ensure that maximum traffic flows consistent with safety of pedestrians are maintained.

Mr. Chope: The Department's consultants are finalising their recommendations for this scheme which would involve the widening of Ironbridge and the Canning Town flyover. The intention is to hold a public exhibition later this summer in the Mayflower centre, Newham, at which the proposals will be on display allowing comments from all interested parties. This will be followed by the announcement of a preferred scheme, leading to the publication of draft orders under the Highways Act next year. Construction is currently programmed to commence in 1994. The contract will include requirements about maintenance of traffic flows and provision of safe crossing points for pedestrians during construction.

Orange Badge Scheme

Mr. Atkinson: To ask the Secretary of State for Transport when he expects to announce a date for the implementation of the Draft Regulation of April 1990 on the orange badge scheme for disabled drivers.

Mr. Chope: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Exeter (Mr. Hannam) on 21 March at column *212*.

Research and Development

Mr. Simon Hughes: To ask the Secretary of State for Transport, further to his answer of 1 March, *Official Report*, column *625*, if he will list the projects of research and data collection on the environmental implications of transport policy decisions (i) currently under way and (ii) commissioned or published since 1979.

Mr. McLoughlin: The Department makes use of a wide range of data sources to inform transport policy decisions with environmental implications. The principal statistical series used are set out in annex B of the environment White Paper "This Common Inheritance"—Cm. 1200. Many research projects involve the collection of data specific to the problem being studied.

The following list details projects in the Department's current research programme with a substantial environmental element. Information on research covering the whole of the Department's responsibilities commissioned or published since 1979 could be produced only at disproportionate cost.

Title	*Expected year of completion*
Alternative to Full Scale Discharge of Halon in Fire Protection Test	1991
Recycled Bituminous Materials	1992
Use of Concrete Pavements for Motorway Widening and Strengthening	1992
Noise Barrier Construction	1992
Operational Assessment of Urban Traffic Management Schemes	1992
Low Noise Road Surfaces	1992
Impact of Aircraft Emissions on Local Air Quality	1992
Study of the Climatic Effects of Water Vapour from Aircraft	1992
Effects of Traffic Change on Nuisance	1992
Methods of Assessing Numbers of Pedestrians and the Effect of them of Traffic Changes	1992
Exhaust Emission Modelling for Urban Areas	1992
Diesel Emissions Rates and Test Procedures	1992
Evaluation of Engineering Methods for Reducing Diesel Exhaust Emissions	1992
Test Conditions for Vehicle Noise Type-Approvals	1992
Lorry Spray	1992
Trip Generation in London	1992
Sleep Disturbance by/from Aircraft	1992
Chemical Spill Modelling	1992
Oil Spill Modelling	1992
Demulsifiers as an Aid to Oil Slick Dispersion	1992
Road Base Macadams with Modified Binders	1992
Role of Land Use Planning in Reducing Transport Emissions	1992
Environmental Effects for Highway Tunnels	1993
Reducing the Environmental Impact of Road Pavement Construction	1993
Effects of Construction Activity on Adjacent Property	1993
The Use of Replacement Materials in Concrete Pavements	1993
Techniques for Monetary Evaluation of Environmental Change due to Roads and Traffic	1993
Fuel Consumption and CO_2 Emissions at Junctions, Roundabouts, etc.	1993
Development of Monetary Evaluation of Environmental Effects of Roads and Traffic	1993
Prediction of Changes in Quantity of Emissions Resulting from New Road Schemes	1993
Vehicle Induced Pollution—Subjective Impacts	1993
Public Transport Options for the Environment	1993
Impacts of Heavier Goods Vehicles	1993
In-Service Emissions from Representative Sample of Current Car Fleet	1993
Condition of Heavy Duty Engines in Service	1993
Vehicle Noise Nuisance	1993
Technical Assessment and Development of New (In-service) Noise Control Measures	1993
Alternative Engines for Road Vehicles	1993
Alternative Fuels for Road Transport	1993
Park and Ride Behaviour in London	1993
Investigation of Exhaust Emissions From Ships	1993
Mathematical Modelling of Persistent Chemicals	1993
Distribution of Sea Birds at Sea	1993
Clean Up of Soft Sediments	1993
Recovery of Oil at Sea	1993
Masonry Parapets in Environmentally Sensitive Areas (two studies)	1993
Environmental Effects of Tunnel Design and Construction	1994
Manchester Metro Before and After Study	1994
Limited Facility Tunnels—Reduction of Environmental Disturbance in Urban Areas	1994
Use of Recycled and Waste Materials and Industrial By-products in earthworks	1994
Energy Input to Road Construction	1994
Noise Barrier Performance	1994
Modelling of NOx Emissions from Subsonic Aircraft	1994
Techniques for Monitoring Road Scheme Environmental Costs and Benefits	1994
Community Effects of Congestion and Its Relief	1994
Site Investigation Techniques, Environmental Factors and Investigation of Derelict Marginal and Polluted Land	1994
Evaluation of Emissions and Roadside Concentrations of Unregulated Compounds	1994
In-service Emission Testing of Cars and Vans Equipped with Catalytic Emission Control Systems	1994
Automated Silent Smoke Check Methods	1994
Gas Emissions: Total Contribution of Road Vehicles to Greenhouse Emissions	1994

Title	Expected year of completion
Prevention and Removal of Ice on Roads by More Effective Use of Salts	1994
Monitoring Effectiveness of Street Works Legislation	1994
Satellite Remote Sensing of Oil Slicks	1994
Remote Sensing of Oil Thickness in Slicks	1994
Durability of Pervious Macadam Surfacing	1994
Crack and Seat as a Method of Maintaining Concrete Pavements	1994
Cold Mix Bituminous Materials for Construction and Maintenance	1994
Development of Geotextile Ground Anchors	1995
Development of Systems for Earth Retaining Structures	1995
Lime Stabilisation	1995
Cold Start Effects on Fuel Consumption and Regulated Emissions	1995
Vehicle Modifications for Improved Fuel Consumption	1995
Alternative Textures for Concrete Roads	1995
Long Term Effects of Calcium Magnesium Acetate (CMA) De-icer	1996
Review and Revision of the In-service Emissions Test and Review and Specification for In-service Emissions Control of Heavy Duty Diesel Engined Vehicles	1997
Impact of Reduced Vehicle Emissions on Air Quality	1998

Severn Bridge

Mr. Roy Hughes: To ask the Secretary of State for Transport if he can now name a date when the Severn bridge will become fully operational following completion of repairs and maintenance work.

Mr. Chope: The resurfacing work is due to be completed by November 1991. As with all structures, further works will be necessary from time to time.

Highway Code

Mr. Flynn: To ask the Secretary of State for Transport (1) pursuant to his reply to the hon. Member for Newport, West on 22 April, if he will give special attention in his advertising to highlight important sections of the Highway Code;

(2) if he will take special action to advertise the information contained in paragraphs 50, 65, 105 and 108 of the Highway Code.

Mr. Chope: All the rules in the Highway Code contain important safety advice which road users should follow. In promoting the safety measures in the code, my Department will continue to stress the need for drivers of all vehicles to leave a safe gap for stopping, to give way to pedestrians at road junctions and to take care when making any manoeuvre at a road junction.

Bus Priority Schemes

Mr. Flynn: To ask the Secretary of State for Transport (1) what new proposals he has to promote the introduction of bus priority schemes; and if he will make a statement;

(2) what is his most recent assessment of the value of bus priority schemes.

Mr. Freeman: Bus priority schemes have an important role to play in keeping buses moving in congested areas. It is for local authorities to introduce such measures. I have recently set up a working group, including representatives from the industry, local authorities and the police to consider ways to promote bus use. A sub-group is considering new guidance for local authorities to assist them in adopting appropriate schemes. We hope to be able to provide support for some bus priority measures in 1992-93 if suitable proposals are put forward by local authorities.

Traffic Signs

Mr. Flynn: To ask the Secretary of State for Transport if he will reconsider the design of prohibiting traffic signs, to ensure a consistent pattern to avoid confusion between those carrying a diagonal red bar and those without a bar, particularly for those affecting cyclists.

Mr. Chope: There are no plans to change the design of prohibitory traffic signs. The red circle around a sign barring particular categories of road user indicates the prohibition. Red bars are used only on signs banning left, right or U-turns. This is consistent both internally in the United Kingdom and with the European convention on road signs and signals.

Railways (West Yorkshire)

Mr. Madden: To ask the Secretary of State for Transport what representations he has received concerning delays to parts of the West Yorkshire rail electrification scheme.

Mr. McLoughlin *[holding answer 17 June 1991]:* Since the middle of May we have received four letters.

Mr. Madden: To ask the Secretary of State for Transport if he will make it his policy to ensure that all parts of the West Yorkshire rail electrification scheme proceed as a matter of urgency; and if he will make a statement.

Mr. McLoughlin *[holding answer 17 June 1991]:* Credit approvals have already been reserved for the infrastructure costs of this project, and we shall be considering resources for the rolling stock as a matter of urgency when decisions are taken on the allocation of credit approvals for 1992-93.

Maritime Safety

Mr. Terry Davis: To ask the Secretary of State for Transport what was the result of the meeting of the maritime safety committee of the international maritime organisation to discuss the report of its specialist sub-committee on the stability of roll on/roll off ferries in May.

Mr. McLoughlin *[holding answer 17 June 1991]:* One of the many subjects given detailed consideration by the maritime safety committee was the residual stability standards of existing roll on/roll off passenger ships. After two weeks discussion the committee agreed that:

(a) the standard of residual stability applicable to new passenger ships should be applied to existing roll on/roll off passenger ships;

(b) the implementation of that standard should be phased-in, dealing first with those ships having the lowest standard of survivability and that the starting date of the first phase should be October 1994;

(c) the length of the phasing-in period would depend to a significant extent on the results of calculations undertaken to determine the survivability standards of individual ships but it should not exceed 5 years.

Final decisions on the phasing-in period and the adoption of an amendment to the convention will be made by the committee in April 1992, after considering the further advice requested from the specialist stability sub-committee.

Trinity House Mast, Alnwick

Mr. Beith: To ask the Secretary of State for Transport whether he was notified by Trinity House in advance that it was its intention to notify Alnwick district council that it proposed to erect a Loran C mast at Amble as a permitted development which did not currently enjoy permitted development status.

Mr. McLoughlin *[holding answer 17 June 1991]:* My right hon. and learned Friend was aware that Trinity House intended to consult Alnwick district council, as the local planning authority, and others about the proposal to erect a Loran C transmitter mast near Amble as a permitted development in advance of its having powers to carry the proposal forward in that manner. This was on the basis that Trinity House would acquire these powers on the Government's signature of an international agreement on a Loran C system in north-west Europe. My right hon. and learned Friend is considering urgently whether to proceed with such an agreement following the receipt of a revised offer from Racal Electronics plc for the automation and operation of the Decca Navigator chains in the United Kingdom into the next century.

Air misses

Mr. Redmond: To ask the Secretary of State for Transport, pursuant to his answer 3 May, *Official Report*, columns *360-62*, to the hon. Member for Don Valley, what was *(a)* the height, *(b)* risk category and *(c)* the findings of the joint air miss working group for any incidents that were reported and which were above 5,000 ft.

Mr. McLoughlin: The information requested by the hon. Gentleman, with other details to identify the incident, is as follows:

Incident number	*Date*	*Risk*	*Aircraft*	*Aircraft*	*Latitude*	*Longditude*	*Altitude (ft)*
81/230	25 November 1981	C	Friendship F27	F4/Phantom	5342N	00006W	12,000
82/189	8 December 1982	C	Model 727	One-Eleven (BAC)	5342N	00011E	35,700
89/042	24 April 1989	A	Jet Provost	Jet Provost	5340N	00023W	06,000
90/131	31 July 1990	C	Super King Air 200	Super Jet 747	5344N	00001W	27,000

The findings of the Joint Airmiss Working Group were as follows:

81/230 Unauthorised entry into Airway B1 by the Phantom.

82/189 Prescribed horizontal separation not maintained by air traffic control.

89/042 Very late sighting by the pilots of both Jet Provosts.

90/131 Prescribed separation not maintained by air traffic control.

Risk Category A (incident 89/042) denotes an actual risk of collision. Category C (incidents 81/230, 82/189 and 90/131) denotes no risk of collision.

Mr. Redmond: To ask the Secretary of State for Transport, pursuant to his answer on 3 May, *Official Report*, columns *360-62*, to the hon. Member for Don Valley, about air misses, what was *(a)* the height, *(b)* the risk category and *(c)* the findings of the joint air miss working group for the incidents on (i) 28 April 1988, (ii) 21 June 1988 and (iii) 16 February 1990; and if he will make a statement.

Mr. McLoughlin: The information requested by the hon. Gentleman is as follows:

Date of incident	*Height (ft)*	*Risk category*	*Findings of joint airmiss working group*
28 April 1988	3,000	C	No risk of collision. Both pilots fulfilled their lookout responsibility.
21 June 1988	1,500	C	Sighting report without risk.
16 February 1990	2,000	C	The Buccaneer pilot flew close enough to the Sikorsky S76 to cause concern. However, there was no risk of collision, and the Buccaneer pilot underook his responsibility to avoid collision.

Note: Category C is the lowest category, and denotes that there was no risk of collision.

M56

Dr. Marek: To ask the Secretary of State for Transport if he will give details of the reasons why the M56 has worn out and needs to be comprehensively relaid at its junction with the M53.

Mr. Chope *[holding answer 17 June 1991]:* Because the amount of traffic using it—now 68,000 vehicles every day, with 20 per cent. of them heavy goods vehicles—proved to be far higher than forecast when the motorway was designed in the 1970s. The road surface is being replaced to new higher standards.

Totton Western Bypass

Mr. Colvin: To ask the Secretary of State for Transport if the public inquiry into the side road and compulsory purchase orders in relation to the A326 Totton Western bypass stage 3 is now complete; and when he expects to announce his decisions.

Mr. Chope *[holding answer 3 June 1991]:* The public inquiry into these orders is complete and the inspector's report is currently being considered by my Department as a matter of priority. I hope that it will be possible to announce a decision before the end of July.

ATTORNEY-GENERAL

Criminal Injuries Compensation Board

Mr. Simon Hughes: To ask the Attorney-General how many cases are currently under consideration by the Criminal Injuries Compensation Board, broken down by year of application.

Mr. John Patten: I have been asked to reply.

The number of applications under consideration at the end of May 1991 was 58,834. A further 10,876 cases were awaiting the applicant's response to an award offer, and 11,324 were awaiting decision on appeal.

The board does not record the age of applications in the form requested, but the percentages of cases resolved within certain periods from the date of registration are shown in the board's annual reports, copies of which are in the Library.

HOME DEPARTMENT

Assaults on Police Officers

Mr. Gwilym Jones: To ask the Secretary of State for the Home Department (1) what is the average sentence for assaults on police officers in each of the last five years for each constabulary; and what consideration he has given as to the adequacy of the range of sentences available;

(2) how many assaults on police officers have resulted in successful prosecutions in each of the last five years for each constabulary.

Mr. John Patten: Statistics on court proceedings for violence against the person do not distinguish the occupation of the victim. We are planning to carry out a survey of the sentences given for assaults against police officers later this year. We shall consider in the light of the results whether any further action is needed.

Mr. Gwilym Jones: To ask the Secretary of State for the Home Department how many police officers have been assaulted in the course of their duty in each of the last five years, for each constabulary.

Mr. John Patten: The available information is for 1990 and is given in the table.

Numbers of police officers assaulted in the course of their duty England and Wales 1990

Police force area	*Number of officers assaulted*
Avon and Somerset	437
Bedfordshire	241
Cambridgeshire	176
Cheshire	651
Cleveland	..
Cumbria	130
Derbyshire	359
Devon and Cornwall	416
Dorset	158
Durham	256
Essex	193
Gloucestershire	189
Greater Manchester	1,216
Hampshire	343
Hertfordshire	181
Humberside	320
Kent	192
Lancashire	397
Leicestershire	189
Lincolnshire	145
London, City of	27
Merseyside	971
Metropolitan Police District	4,172
Norfolk	235
Northamptonshire	208
Northumbria	677
North Yorkshire	146
Nottinghamshire	354
South Yorkshire	308
Staffordshire	515
Suffolk	167
Surrey	198
Sussex	356
Thames Valley	427
Warwickshire	88
West Mercia	286
West Midlands	1,034
West Yorkshire	650
Wiltshire	261
Dyfed-Powys	112
Gwent	413
North Wales	193
South Wales	793
ENGLAND AND WALES	18,780

.. Not available.

Immigration

Mr. Foulkes: To ask the Secretary of State for the Home Department if he will list the number of people from each Caribbean country not permitted to enter the United Kingdom, for each year since 1979; and what percentage this represents in each case of the known number of entrants from each country.

Mr. Peter Lloyd: The available information is given in the following table:

Caribbean citizens refused leave to enter and removed from the United Kingdom 1979 to 1990

Year	*Barbados*		*Guyana*		*Jamaica*		*Trinidad and Tobago*	
	Total refused leave to enter and removed	*Removal rate*[1]	*Total refused leave to enter and removed*	*Removal rate*[1]	*Total refused leave to enter and removed*	*Removal rate*[1]	*Total refused leave to enter and removed*	*Removal rate*[1]
1979	9	0·1	26	0·3	48	0·1	20	0·1
1980	10	0·1	23	0·3	82	0·3	17	0·1
1981	7	0·1	10	0·1	54	0·2	17	0·1

Year	Barbados		Guyana		Jamaica		Trinidad and Tobago	
	Total refused leave to enter and removed	Removal rate[1]	Total refused leave to enter and removed	Removal rate[1]	Total refused leave to enter and removed	Removal rate[1]	Total refused leave to enter and removed	Removal rate[1]
1982	7	0·1	19	0·3	63	0·2	13	0·1
1983	5	0·1	17	0·3	60	0·2	10	[2]—
1984	4	0·1	29	0·5	44	0·2	10	0·1
1985	2	[2]—	16	0·2	69	0·2	6	[2]—
1986	7	0·1	16	0·3	131	0·4	20	0·1
1987	9	0·1	27	0·5	269	0·8	31	0·2
1988	20	0·2	27	0·5	424	1·4	42	0·2
1989	31	0·3	44	0·7	803	2·4	76	0·4
1990	36	0·4	57	0·9	580	1·9	131	0·7

[1] As a percentage of passenger admissions plus removals.
[2] — 0·05 per cent. or less.

Ms. Harman: To ask the Secretary of State for the Home Department how many people have *(a)* applied to enter the United Kingdom from India on the basis of marriage in each of the last five years and *(b)* been refused under the primary purpose rule.

Mr. Peter Lloyd: The information requested is given in the table.

Applications for an entry clearance for settlement, by spouses and fiance(e)s in India

Number of persons

	Newly received[1]	Applications Refused solely because of primary purpose rule[2]	Refused partly because of primary purpose rule[2]
1986	3,240	670	60
1987	3,450	600	60
1988	2,910	550	70
1989	3,310	400	50
1990	3,300	520	60

[1] Including applications subsequently withdrawn. Many wives who applied before August 1988 were not required to satisfy the primary purpose rule, because they were covered by section 1(5) of the Immigration Act 1971.
[2] Applications refused initally minus applications granted on appeal.

Ms. Harman: To ask the Secretary of State for the Home Department how many people *(a)* applied to enter the United Kingdom as visitors from Caribbean countries and *(b)* were refused entry in each of the last five years.

Mr. Peter Lloyd: The available information for 1986 to 1989 is published in table 1 of the annual Home Office Command Papers "Control of Immigration Statistics, United Kingdom"—Cm 166, 415, 726 and 1124 for each year from 1986 to 1989 respectively—copies of which are in the Library. The available information for 1990 is given in the table.

Caribbean visitors admitted to, and Caribbean passengers refused leave to enter and removed from, the United Kingdom in 1990.

Nationality	Total visitors admitted	Total passengers refused leave to enter and removed
Barbados	5,160	36
Guyana	3,740	57
Jamaica	18,200	580
Trinidad and Tobago	9,780	131

Animal Experiments

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many exemptions have been granted to the requirements in section 10(3) of the Animals (Scientific Procedures) Act 1986 in each year since 1987; and if he will list the suppliers of non-purpose bred animals in each case.

Mrs. Rumbold: Section 7 of the Animals (Scientific Procedures) Act 1986, which required the designation of breeding and supplying establishments, came into effect on 1 January 1990. A number of exemptions were granted at that time to project licence holders to obtain animals from non-designated sources until animals from designated sources became available. Many of these have now lapsed because of the subsequent increase in availability of purpose bred animals. The remaining exemptions are principally for those types of primate and dog which are not available from designated breeders. No statistical information is held centrally about the granting of exemptions, which is done on a case-by-case basis.

It is not our practice to publish the names of suppliers of animals for use in scientific procedures.

Mr. McAllion: To ask the Secretary of State for the Home Department whether papers relating to scientific procedures on animals performed by Professor Wilhelm Feldberg while not holding a valid project licence in respect of those procedures are to be submitted to the Director of Public Prosecutions for consideration of a prosecution under the Animals (Scientific Procedures) Act 1986.

Mrs. Rumbold: We are currently considering a number of documents received on 16 April from the Medical Research Council together with further correspondence received yesterday.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what measures are currently taken by the Home Office inspectorate to ensure that experimentation using non-purpose bred animals does not contravene the Animals (Scientific Procedures) Act 1986.

Mrs. Rumbold *[holding answer 14 June 1991]:* The controls applied by the inspectorate to the use in scientific procedures of animals obtained from non-designated sources are exactly the same as the controls which are applied to the use of animals obtained from designated sources.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will make it his policy to stop the supply of non-purpose bred animals for experimentation.

Mrs. Rumbold *[holding answer 14 June 1991]*: No. The Animals (Scientific Procedures) Act 1986 provides that the most commonly used laboratory species, mice, rats, guinea pigs, hamsters, rabbits, together with dogs, cats and non-human primates may be used in scientific procedures only if they have been bred at a designated breeding establishment or obtained from a designated supplying establishment. However, exemptions to this requirement may be granted under section 10(3). Exemptions to obtain animals from non-designated sources are rare. All requests for exemptions are carefully examined. For less commonly used species there may well be no alternative other than to obtain them from non-designated sources.

Asylum Seekers

Mr. Bernie Grant: To ask the Secretary of State for the Home Department how many claims for political asylum were outstanding for people giving as an address any residence in the constituencies of *(a)* Tottenham and *(b)* Hornsey and Wood Green as at (i) 31 December 1988, (ii) 31 December 1989 and (iii) 31 December 1990.

Mr. Peter Lloyd: The information requested is not available.

Rule 43 Prisoners

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of *(a)* men and *(b)* women on rule 43 in prisons in England and Wales on 1 June.

Mrs. Rumbold: The latest readily available information is given in the table.

Prisoners held in Prison Service establishments in England and Wales under prison rule 43 and young offender institution rule 46, 31 December 1990

	Males		*Females*		
	Aged under 21	*Adults*	*Aged under 21*	*Adults*	*All*
Own interests	140	1,629	3	17	1,789
Good order or discipline	42	210	2	8	262
All	182	1,839	5	25	2,051

Rape

Sir Michael McNair-Wilson: To ask the Secretary of State for the Home Department what details about the ethnic background of rapists and their victims are collected by his Department; and whether he will publish the most up to date facts and figures available to him.

Mrs. Rumbold: Neither victim details nor ethnic origin of defendants are recorded in the national criminal statistics system. Information on a sample of offenders from six prisons and their victims was given on pages 15-17 and 54 of "The imprisoned rapist and rape" by D. Grubin and J. Gunn, published by the Home Office on 4 March 1991, a copy of which is in the Library. The latest readily available information about offenders serving custodial sentences for rape is published in table 1.12 of "Prison statistics England and Wales 1989"—Cm. 1221—a copy of which is in the Library.

Wild Birds

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what responsibilities his Department has for *(a)* conservation, *(b)* transport and *(c)* the welfare of imported wild birds.

Mrs. Rumbold: The Home Office has responsibility for general legislation relating to the welfare of domestic, captive and performing animals and to pet shops. In addition, scientific work concerned with conservation, the development of veterinary techniques and the prevention and treatment of disease is conducted under the Animals (Scientific Procedures) Act 1986.

Offenders

Ms. Richardson: To ask the Secretary of State for the Home Department (1) if he will give the latest available figures for the total number and percentage of detected offenders in England and Wales broken down by *(a)* gender, *(b)* race, *(c)* type of offence and *(d)* age; and what are the peak ages for known offenders for (i) males and (ii) females, respectively;

(2) what are the latest available figures and percentages for people sentenced by the courts for indictable offences broken down by *(a)* gender, *(b)* ethnic background and *(c)* age;

(3) what are the latest available figures and percentages for the total numbers of people receiving non-custodial sentences broken down by *(a)* type of sentence, *(b)* gender and *(c)* ethnic background;

(4) what are the latest available figures and percentages for the total numbers of people cautioned for summary and indictable offences broken down by *(a)* gender, *(b)* age, *(c)* ethnic minority origin and *(d)* type of offence.

Mr. John Patten: In England and Wales in 1989 the peak age of offending for males was 16 to 18 years and for females 15 years, respectively. The other information requested, excluding data on race and ethnic background which is not collected centrally, is published in the Command Paper "Criminal statistics England and Wales 1989", tables 5.2, 5.12, 7.4 and 7.6 to 7.13, a copy of which is in the Library. Data for 1990 are not yet available.

Ms. Richardson: To ask the Secretary of State for the Home Department what are the latest available figures and percentages for the total numbers of people receiving custodial sentences broken down by *(a)* type of sentence, *(b)* gender and *(c)* ethnic background.

Mrs. Rumbold: The information requested is not recorded centrally. The readily available information is given in the table.

Receptions into Prison Service establishments in England and Wales under immediate custodial sentence: by sex, type of sentence and ethnic origin, 1989

Number of persons

Type of sentence	*White*	*Ethnic origin West Indian Guyanese African*	*Indian Pakistani Bangladeshi*	*Chinese Arab Mixed origin*	*Other, not recorded (including refusals)*	*All persons*
All males	49,403	4,330	1,162	945	972	56,812
Imprisonment	34,385	3,248	784	593	601	39,611
Detention in a young offender institution	14,875	1,056	370	345	367	17,013
Section 53 C & YP Act 1933	122	22	8	6	4	162
Custody for life	21	4	—	1	—	26
All females	2,077	374	21	63	115	2,650
Imprisonment	1,652	334	19	53	102	2,160
Detention in a young offender institution	421	37	2	10	13	483
Section 53 C & YP Act 1933	4	3	—	—	—	7
Custody for life	—	—	—	—	—	—

Ms. Richardson: To ask the Secretary of State for the Home Department if he will provide statistics on the total number of prisoners between the years 1978 to 1990 broken down by *(a)* gender, *(b)* ethnic background and *(c)* type of offence; and of these how many had (i) no previous convictions, (ii) one conviction and (iii) two or more convictions.

Mrs. Rumbold: An extensive analysis of the ethnic origins of prisoners was published in "The ethnic origins of prisoners: the prison population on 30 June 1985 and persons received July 1984 March 1985". This included analyses by previous convictions and type of offence, table 13. A copy of the statistical bulletin 17/86 is available in the Library. Information on the sentenced population on 30 June analysed by previous convictions, sex and type of offence has been published annually from 1982 onwards in "Prison statistics England and Wales"—tables 3.5, 4.2 and 5.2 of the latest volume, for 1989, Cm. 122—and by ethnic origin and type of offence since 1985—table 1.12—copies of which are in the Library. Information for 1985 and 1990 on previous convictions and ethnic origin is given in the table.

Further information could be provided only at disproportionate cost and the information by ethnic origin is not available for years before 1985.

Sentenced population[1] in Prison Service establishments in England and Wales on 30 June: by ethnic origin and previous convictions, 1985 and 1990

Number of persons

Number of previous convictions	*White*	*Ethnic origin West Indian Guyanese African*	*Indian Pakistani Bangladeshi*	*Chinese Arab Mixed origin*	*Other, not recorded (including refusals)*	*All persons*
MALES						
All males						
1985	30,322	2,657	821	763	1,084	35,647
1990[2]	27,829	3,505	980	614	598	33,526
Not recorded						
1985	4,607	603	225	145	222	5,802
1990[2]	8,885	1,402	408	230	354	11,279
All previous convictions						
1985	25,715	2,054	596	618	862	29,845
1990[2]	18,944	2,103	572	384	244	22,247
No previous convictions						
1985	1,050	146	192	72	63	1,523
1990[2]	1,625	445	209	63	67	2,409
One previous conviction						
1985	1,387	167	96	52	46	1,748
1990[2]	1,081	126	77	26	18	1,328
Two previous convictions						
1985	1,630	168	81	42	53	1,974
1990[2]	1,071	125	64	35	13	1,308
Three and over						
1985	21,648	1,573	227	452	700	24,600
1990[2]	15,167	1,407	222	260	146	17,202
FEMALES						
All females						
1985	915	132	18	26	43	1,134
1990[2]	812	294	24	33	65	1,228

Number of previous convictions	Ethnic origin: White	West Indian Guyanese African	Indian Pakistani Bangladeshi	Chinese Arab Mixed origin	Other, not recorded (including refusals)	All persons
Not recorded						
1985	336	55	9	8	17	425
1990[2]	336	142	16	13	39	546
All previous convictions						
1985	579	77	9	18	26	709
1990[2]	476	152	8	20	26	682
No previous convictions						
1985	66	23	5	3	12	109
1990[2]	105	90	6	4	18	223
One previous conviction						
1985	68	5	2	—	2	77
1990[2]	54	19	—	3	2	78
Two previous convictions						
1985	67	7	—	2	2	78
1990[2]	44	10	—	4	—	58
Three and over						
1985	378	42	2	13	10	445
1990[2]	273	33	2	9	6	323

[1] Excluding those committed in default of payment of a fine.
[2] Provisional figures.

Police Service

Ms. Richardson: To ask the Secretary of State for the Home Department what are the latest available figures for (i) the total numbers of people employed in the police service broken down by *(a)* occupation, *(b)* grade, *(c)* gender and *(d)* ethnic background, (ii) the percentage increase of women employed in the service between 1978 and the latest available figures broken down by occupation and grade and (iii) the percentage increase of ethnic minorities employed in the service between 1978 and the latest available figures broken down by occupation and grade.

Mr. Peter Lloyd: The percentage increase in the number of women police officers between 1978 and February 1991 was 71·6 per cent. The percentage increase in the ethnic minority representation in the police service between 1985, when records were first kept, and February 1991 was 92·5 per cent. The tables show what is available from central records. To provide figures by occupation, by rank and gender, could be done only at disproportionate cost.

(i) Police strength as at 28 February 1991

	Police strength[1]	Ethnic minorities
Male Ranks		
Chief Constable	48	0
Deputy Chief Constable	59	0
Assistant Chief Constable	136	0
Chief Superintendent	593	0
Superintendent	1,521	2
Chief Inspector	2,322	1
Inspector	6,790	16
Sergeant	19,259	74
Constable	82,003	1,076
Total male ranks	112,731	1,169
Female Ranks		
Chief Constable	0	0
Deputy Chief Constable	0	0
Assistant Chief Constable	1	0
Chief Superintendent	11	0
Superintendent	29	0
Chief Inspector	55	0
Inspector	186	0
Sergeant	873	2
Constable	13,526	295
Total female ranks	14,681	297
Total police ranks	127,412	1,466

(ii) Women police officers: strength 31 December 1978 and 28 February 1991 by rank

	1978	1991
Assistant Chief Constable	—	1
Chief Superintendent	11	11
Superintendent	33	29
Chief Inspector	55	55
Inspector	133	186
Sergeant	407	873
Constable	7,916	13,526

(iii) Ethnic minority police officers: strength at 31 December 1985[2] and 28 February 1991 by rank

	1985	1991
Superintendent	1	2
Chief Inspector	—	1
Inspector	5	16
Sergeant	44	76
Constable	711	1,371

(iv) Deployment of police officers as at 31 December 1990 by gender and ethnic minority

Deployment[4]	*Male*	*Female*	*Ethnic minorities*[3]
Patrol	54,802	8,128	909
Special Branch/Protection	3,019	211	13
Crime (CID)	16,771	1,855	121
Community relations[5]	2,043	343	8
Traffic	8,556	397	17
Other operations	13,473	1,707	111
Training	2,267	880	77
Management	7,948	935	118

[1] Includes ethnic minority officers.
[2] Records not kept prior to 1985.
[3] Ethnic minority classification not held centrally.
[4] Occupational categories identified by Her Majesty's Inspectorate of Constabulary.
[5] In the Metropolitan Police officers in the ranks of constable and sergeant are included in patrol.

Shotguns

Mr. William Ross: To ask the Secretary of State for the Home Department if he will publish a table showing for each constabulary in England and Wales *(a)* the number of shotgun certificates held, *(b)* the number granted, *(c)* the number renewed, *(d)* the number of shotguns surrendered or handed over to the police, *(e)* the number of certificates cancelled by the police and *(f)* the number of certificates not renewed and of the guns covered by them handed over to the police in each of the last four years; and what became of any shotguns handed in.

Mr. Peter Lloyd: The available information, relating to England and Wales, is published annually in Home Office statistical bulletins as follows: "Statistics on the Operation of the Firearms Act 1968", issue 2/88, issue 33/88, and issue 18/89, for the years 1986 to 1988 and "Statistics on the operations of the Firearms Acts 1968 to 1988", issue 26/90, for 1989. Home office statistical bulletins are held in the Library.

These bulletins contain the information by police force area on the number of shotgun certificates on issue at 31 December each year, the number of new certificates granted, the number renewed and the number revoked during these years. For revocations in 1986, some limited information is given for England and Wales as a whole in paragraph 6 of bulletin issue 2/88.

Statistics on the number of certificates not renewed and on the number of disposal of shotguns surrendered or handed over to the police are not available.

In 1989, the Home Office published guidance to the police urging them not to destroy a shotgun of an unusual type if it was of interest to a museum or the government's forensic science laboratories.

Mr. William Ross: To ask the Secretary of State for the Home Department under which provisions of the Firearms Acts or other provisions, chief constables are empowered to require persons seeking the grant or renewal of a shotgun certificate to give details of the shoots the applicant attended during the preceding 12 months, and as to whether the shoots were organised or otherwise.

Mr. Peter Lloyd: Under section 28 of the Firearms Act 1968, as amended by section 3 of the Firearms (Amendment) Act 1988, a chief officer of police may refuse to grant or renew a shotgun certificate if he is satisfied that the applicant does not have a good reason for possessing, purchasing or acquiring a shotgun. The Act does not specify the inquiries that a chief officer may make when considering the good reason requirement, but where a chief officer has genuine doubts about an applicant's reasons for possessing a shotgun it is for him to make such inquiries as he reasonably considers necessary.

Mr. William Ross: To ask the Secretary of State for the Home Department if he will list such information he has as to which police forces in England and Wales require applicants for the grant or renewal of a shotgun certificate to give details of *(a)* the shoots the applicant attended during the preceding 12 months and *(b)* the lands over which they have shot during the preceding 12 months.

Mr. Peter Lloyd: Under the Firearms Acts 1968 to 1988 the administration of the firearms licensing system is a matter entirely for local chief officers of police. To help to ensure consistency of practice where appropriate the Home Office published "Firearms Law: Guidance to the Police" in 1989. A copy was placed in the Library. The information requested is not readily available and could be obtained only at disproportionate cost.

Dog Attacks

Mr. David Young: To ask the Secretary of State for the Home Department if he will review the compilations of statistics on dog attacks on humans to make them nationwide and more detailed; and if he will make a statement.

Mrs. Rumbold: We shall continue to monitor nationally criminal offences under the appropriate legislation including the new offences created by the Dangerous Dogs Bill. No central records are kept of those attacks by dogs which do not lead to criminal proceedings, except in the context of an annual sample survey of home and leisure accidents involving dogs.

Prisoners

Mr. Harry Barnes: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Derbyshire, North-East of 13 June, at column *624*, if he will make a statement on the progress of the review.

Mrs. Rumbold: The review is under way and the results should be available by the autumn.

Wakefield Prison

Mr. Hinchliffe: To ask the Secretary of State for the Home Department what were the projected staffing levels agreed under "fresh start" for Her Majesty's prison Wakefield for 18 June; what is the actual staffing figure for the same date; and what are the reasons for any difference.

Mrs. Rumbold: The present target staffing level for prison officers at Wakefield, including principal and senior officers and specialists, is 462. There are currently 462 officers at Wakefield, 10 of whom are on detached duty from other establishments.

Televisions (Hospitals)

Mr. Graham: To ask the Secretary of State for the Home Department (1) how many times hospitals have been visited by television detector teams; and if he will list the hospitals;

(2) how many television licences are held by patients in hospitals in the United Kingdom; and if he will list the hospitals and number of licences held by patients in each hospital showing separately the figures for the national health service and private hospitals.

Mr. Peter Lloyd: Under the Broadcasting Act 1990 responsibility for issuing TV licences and enforcing the licensing requirement was transferred to the BBC with effect from 1 April 1991. It also now controls the TV licensing records. Such questions therefore fall to be answered by the BBC.

Police (Malpractice)

Mr. Corbett: To ask the Secretary of State for the Home Department how many *(a)* former and *(b)* serving officers of the Metropolitan police are currently under investigation but not charged, following complaints of alleged malpractice in the course of criminal investigations.

Mr. Peter Lloyd: Figures are not collected in a form that enables the information requested to be readily obtained, and it can be supplied only at disproportionate cost.

Voluntary Repatriation

Mr. Cran: To ask the Secretary of State for the Home Department what are the terms of the revised agreement with the International Social Service of the United Kingdom to continue operating the Government's voluntary repatriation scheme.

Mrs. Rumbold: A small scheme providing financial assistance in certain circumstances from public funds for non-British citizens settled in this country who wish to return permanently overseas to a non-European country has been administered since 1971 on behalf of the Government by International Social Service (UK), under section 29 of the Immigration Act 1971.

I have placed in the Library a copy of the recently revised agreement with International Social Service (UK), together with an information sheet on the scheme. Some minor changes have been made to an earlier 1984 agreement, to update and refine the scheme's criteria and procedures.

Charing Cross and Westminster Medical School

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many visits by Home Office inspectors were made to the laboratories of Charing Cross and Westminster medical school within the last year.

Mrs. Rumbold *[holding answer 14 June 1991]:* During the past 12 months the establishment has been visited by the inspectorate on five occasions involving 15 visits to departments with the establishment.

National Identification Bureau

Mrs. Mahon: To ask the Secretary of State for the Home Department if he will publish the number of subject access requests under the Data Protection Act 1984 which have been dealt with by the National Identification Bureau, by police force area, for the years 1988, 1989 and 1990; and if he will make a statement.

Mr. Peter Lloyd *[holding answer 11 June 1991]:* The information requested is as follows.

Requests submitted to NIB by:	*1988*	*1989*	*1990*
Avon and Somerset	29	47	369
Bedfordshire	47	336	311
British Transport Police	3	1	1
Cambridgeshire	21	17	26
Cheshire	163	225	391
City of London	8	5	15
Cleveland	8	6	49
Cumbria	3	92	7
Derbyshire	1	4	953
Devon and Cornwall	70	245	543
Dorset	5	10	28
Durham	4	2	3
Dyfed Powys	6	65	61
Essex	13	241	187
Fife	1	2	9
Gloucestershire	6	46	143
Grampian	6	8	5
Greater Manchester	68	138	236
Gwent	37	117	174
Hampshire	40	55	99
Hertfordshire	23	33	48
Humberside	157	755	697
Jersey	2	7	2
Kent	51	63	396
Lancashire	248	932	776
Leicestershire	7	13	32
Lincolnshire	9	14	207
Lothian	0	2	3
Metropolitan	395	1,094	1,609
Merseyside	24	43	47
Norfolk	4	15	33
Northumbria	55	62	77
Northamptonshire	8	7	11
Northern Constabulary	3	7	7
North Wales	2	1	10
North Yorkshire	20	382	212
Nottinghamshire	15	47	89
RUC	4	4	15
South Wales	152	1,294	1,892
South Yorkshire	219	565	780
Staffordshire	295	813	1,295
Strathclyde	12	12	15
Suffolk	7	58	210
Surrey	56	378	419
Sussex	49	130	175
Tayside	1	3	1
Thames Valley	103	176	276
Warwickshire	6	44	114
West Mercia	18	24	19
West Midlands	9	25	567
West Yorkshire	51	94	189
Wiltshire	4	18	36
Yearly totals	2,628	8,758	13,848

PRIME MINISTER

Sign Language

Mr. Ashley: To ask the Prime Minister what is Her Majesty's Government's policy towards the recommendation of the EEC resolution of June 1988 to give official recognition to British sign language for the deaf.

The Prime Minister: The Government have noted the terms of the resolution on sign languages for deaf people adopted by the European Parliament in June 1988. We fully recognise the right of deaf people to use their preferred method of communication, including British sign language and have grant aided a variety of

organisations concerned with the promotion and development of sign languages and other communication techniques.

Cruise Missiles

Sir Michael McNair-Wilson: To ask the Prime Minister if he will make a statement on the departure to the United States of America of the last flight of Cruise missiles and the de-activation of 501 missile wing USAF at Greenham common.

The Prime Minister: The departure of the last cruise missiles from RAF Greenham Common on 5 March and the deactivation of the 501st Tactical Missile Wing on 4 June mark an important milestone in the implementation of the INF treaty. As well as making a vital contribution to the NATO alliance, the 501st Tactical Missile Wing has been a valuable presence in this country and welcome neighbours to the people of Newbury. The United States presence in Newbury will continue at a reduced level with the base returning to standby status.

Kurdish People

Mr. Flynn: To ask the Prime Minister, pursuant to his answer to the hon. Member for Newport, West, of 25 April, *Official Report*, column 520; if he will now consider establishing safe havens in southern Iraq.

The Prime Minister: We remain very concerned by the situation of refugees in southern Iraq. We believe the best way forward is to continue our support for the work of the United Nations, including the establishment of a humanitarian centre in Basra and the expansion of relief efforts in the area. We welcome the Secretary General's decision to send a high-level fact finding mission to the south to assess humanitarian needs.

Mr. Harry Barnes: To ask the Prime Minister when he will answer the letters on behalf of the organisation British Aid for the Kurds of 17 April and 11 June sent to him by Mrs. Judith P. Stubbs of Culthorpe, Chesterfield.

The Prime Minister: The letter sent in April by Mrs. Stubbs was among the 3,500 letters about Iraq and kind offers of help for the Kurds received by my office at that time. These were sent as appropriate to the Foreign and Commonwealth Office and the Overseas Development Administration to take forward.

The ODA has been in frequent contact with British Aid for Kurds since April to offer advice on the changing types of aid that would be most useful to the Kurds as the situation developed. The ODA chartered two Iran Air flights which carried over 90 tonnes of aid collected by British Aid for the Kurds. A reply to Mrs. Stubbs's latest letter will be sent shortly.

Energy Efficiency

Mr. Dobson: To ask the Prime Minister if he will list the main items of expenditure included in the £78,000 spent in 1990-91 on improving the energy efficiency of the Cabinet Office.

The Prime Minister: The main items of expenditure in the £78,000 spent during 1990-91 on improving energy efficiency in the Cabinet Office were:

	£
Energy efficient lighting for the new residential block and roads and pathways in the grounds of the Civil Service College, Sunningdale	48,766
Energy audits of various buildings including Nos. 10-12 Downing Street	7,245
Energy efficient lighting scheme for 70 Whitehall	22,000

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

Mr. Ray Powell: To ask the Prime Minister if he will list his official engagements for Tuesday 18 June.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

"Blueprint for Football"

Mr. Pendry: To ask the Prime Minister what support Her Majesty's Government intend to offer to the "Blueprint for Football" launched by the Professional Footballers Association on 6 June; and if he will make a statement.

The Prime Minister *[holding answer 17 June 1991]:* We welcome any new initiative that will promote greater unity in the leadership of the game and help football raise the necessary funds to implement Lord Justice Taylor's recommendations and thereby improve standards of safety and comfort for spectators. My hon. Friend the Minister for Sport has had discussions with the Professional Footballers Association, the Football Association, the Football League and representatives of the supporters' associations to hear their various proposals for the future of the game. He has not indicated a view on any of them other than to welcome them as a contribution to the debate. He has made it clear that decisions are for football alone to take.

Birmingham Olympiad

Sir Neil Macfarlane: To ask the Prime Minister if he has any plans to meet the president of the International Olympic Committee during the Olympiad in Birmingham; what functions the Government intend to host during that event; and if he will make a statement.

The Prime Minister *[holding answer 17 June 1991]:* I have not yet had the opportunity of meeting the president of the International Olympic Committee. However, the Minister for Sport was present at the opening of the 97th congress of the IOC in Birmingham and had discussions with the president, other senior officials and members of the IOC. The Government were not invited to host any functions.

OVERSEAS DEVELOPMENT

Czechoslovakia

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom help for Czechoslovakia through the know-how fund and the Council of Europe's demonsthenes programme.

Mrs. Chalker: The know-how fund was extended to Czechoslovakia in March 1990. Its objective is to help the transition to democracy and a market economy through the provision of British advice, skills and training. Some £2 million was spent in 1990-91 and we expect to spend £5 to £6 million in 1991-92. For details of the projects on which money has been spent, I refer my hon. Friend to the reply I gave to the hon. Member for Birmingham, Erdington (Mr. Corbett) on 17 January at column *563*. Additional activities agreed since then are as follows:

Financial services and macroeconomic advice
Title: Assistance to Investicni bank.
Description: Provision of advice and training to enable the Czechoslovak Investment bank to set up and run unit trusts/mutual funds.
Status: Under way.
Cost: £30,000.

Title: Assistance to Komercni Bank
Description: Secondment of two United Kingdom nationals to help set up a merchant/investment banking division.
Status: To be implemented.
Cost: £400,000.

Title: Accountancy training.
Description: A five day introduction to accountancy course to be delivered by the Chartered Association of Certified Accountants.
Status: To be implemented.
Cost: £17,500.

Title: Assistance to the Insurance sector.
Description: Advice on the restructuring of the Czech State Insurance company.
Status: Under way.
Costs: £150,000.

Title: Privatisation advice.
Description: The second phase of a major consultancy advising the Czechoslovak government on privatisation policy, in particular the scheme for mass privatisation by voucher.
Status: Under way.
Cost: £575,000.

Title: Assistance to the Slovak Securities Market.
Description: Advice on the establishment and development of a Stock Exchange in Bratislava.
Status: To be implemented.
Cost: £50,000.

Employment services
Title: Further assistance to the Czechoslovak employment service.
Description: Provision of courses to train future trainers of job centre directors.
Status: Under way
Cost: £50,000.

Title: Assistance with health and safety at work.
Description: An exploratory mission to look at requirements for assistance in this field.
Status: Completed.
Cost: £2,000.

Management training and small business advice
Title: Management training.
Description: An initial programme of assistance in the management field aimed at preparing the ground for a major programme of institutional development. Initial programme will cover training of Czechoslovak management trainers, a management links scheme and basic management training seminars.
Status: Under way.
Cost: £200,000.

Title: Assistance to small businesses.
Description: Provision of training courses to be run by the London Enterprise Agency in conjunction with the Czechoslovak Union of Entrepreneurs.
Status: Under way.
Cost: £18,000.

Education and ELT
Title: Academic Links.
Description: A general scheme to encourage academic/institutional links in the areas of priority for the KHF.
Status: Under way.
Cost: £150,000

Title: Scholarships programme.
Description: A programme of ad hoc training awards for candidates from the public and private sector in areas of priority for the KHF.
Status: under way.
Cost: £250,000.

Political projects
Title: Commercial law seminar.
Description: Two day seminar in Prague to familiarise Czechslovak lawyers with UK commercial law, to be organised by the British-Czechoslovak Law Association.
Status: To be implemented.
Cost: £19,000

Title: Social science teaching.
Description: A two week summer school for social science teachers/lecturers covering curriculum reform and teaching methods.
Status: To be implemented.
Cost: £2,000.

Title: Placement scheme for journalists.
Description: A programme of month long placements for young Czechoslovak journalists with UK regional and national newspapers.
Status: To be implemented.
Cost: £15,500.

The Council of Europe's Demosthenes programme is one of the regular programmes of activity of the Council of Europe, the budget of which is funded by member states. The United Kingdom contributes almost 17 per cent. of the total budget of the Council of Europe. The Demosthenes programme has agreed to fund the following activities in Czechoslovakia in 1991:

Human rights

An information meeting on the European Convention on Human Rights, Strasbourg 17-18 June 1991; follow up meeting, Prague, Autumn 1991.

Information meetings for lawyers in Prague, Bratislava and Brno, Autumn 1991.

Visit by delegation from Federal Supreme Court (and possibly also Constitutional Court) to the European Court and Commission for Human Rights, late 1991.

Social Affairs

Seminar on reform of social security system for parliamentarians and senior officials focusing on financing of medical care, sickness, old age and invalidity benefits took place in Prague, March 1991.

Youth

Training seminar for leaders of youth movements, Autumn 1991.

Health

Study visit of senior officials from the Ministry of Health to France, the United Kingdom and the Netherlands in 1991.

Expert mission on health education to Prague and Bratislava, Autumn 1991.

Study visit on rehabilitation to the Netherlands, September 1991.

Nursing course in Prague.

Study visit for group of Czechoslovak nurses to United Kingdom, organised in cooperation with the Department of Health, September 1991.

Seminar on organ transplantation in Prague, October 1991.

Local Government

Expert mission on regional development policy to help draw up legislation in this field, Prague, February 1991.

Seminar for directors of local government training institutions to discuss training systems and define priorities for action, Bratislava, May 1991.

Study visit by delegation from Czechoslovak Institute for Public Administration to France and Spain, May 1991.

Two week training seminar for 25 Czech and Slovak local authorities, in cooperation with the Norwegian Association of Local Authorities, Oslo, June 1991.

Legal cooperation

Training seminars for Slovak notaries, Slovakia, June and September 1991.

Seminar on problems of juvenile delinquency and the organisation of justice for minors, supplemented by study visits to specialised institutions in the region, Strasbourg, September 1991.

Seminar on data protection aimed at helping with drafting of new legislation on the subject, Prague, October 1991.

Study visit for officials responsible for drafting data protection legislation to Austria, Germany the Netherlands and France.

Training courses for judges organised in cooperation with relevant institutions in France, the Netherlands and Germany.

Seminar on the exercise of judicial functions (training, recruitment, status, independence, competence and powers, application of the principle of the rule of law) organised with the assistance of the International Union of Judges, Prague, November 1991.

Seminar on the exercise of the functions of the Clerk of the Court of Justice (training, recruitment, status, identification of responsibilities, competence and powers) organised with the assistance of the European Union of Clerks of Justice.

Seminar on alternatives to imprisonment (probation, supervision, fines community service etc.), Czechoslovakia late 1991.

Seminar on public administration and the citizen, covering the application of the rule of law, openness in public administration administrative procedures, complaints mechanisms etc, Czechoslovakia, late 1991.

Development Education

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of the Minister for Overseas Development of 28 March, *Official Report*, column *498*, if he will give a breakdown of the £560,000 spent on development education in 1979-80 and the £312,000 spend in 1990-91.

Mrs. Chalker: The breakdown of development education expenditure in 1990-91 was as follows:

Centre for World Development Education £165,000; Gemini News Service £6,000; International Broadcasting Trust £17,000; Local Government International Bureau £53,000; Schools Partnership Worldwide £50,000; Scottish Development Education Centre £3,000; Scottish Education and Action for Development £16,000; Trust for Education and Development £2,000.

A list of expenditure on development education projects in 1979-80 has been placed in the Library of the House.

WALES

Children Act 1989

Mr. Michael: To ask the Secretary of State for Wales what formula has been used to determine the element within standard spending assessment for local authorities in Wales for the costs of implementing the Children Act 1989 in the current financial year.

Mr. Nicholas Bennett: The formulae for calculating authorities' standard spending assessment in 1991-92 are set out in the Welsh Revenue Support Grant Distribution Report (No. 2) approved by Parliament on 29 January 1991.

Medical Negligence

Mr. Michael: To ask the Secretary of State for Wales what assessment he has made of the implications of the impending changes in the legal aid system in respect of the working practices and financial commitments of *(a)* health authorities in Wales, *(b)* his Department and *(c)* patients in Wales in regard to situations where individuals believe they have suffered through medical negligence.

Mr. Nicholas Bennett: None of the proposals for change in the legal aid provisions about which the Lord Chancellor is consulting should affect working practices in health authorities or in the Department. The effect, if at all, which any changes may have on financial commitments is very difficult to assess with any degree of accuracy since the incidence of medical negligence is so variable. Nevertheless, it is our view that where people suffer loss or damage resulting from negligence they must be adequately compensated. The proposals for widening the scope of the legal aid provisions to those who may be currently ineligible are to be welcomed and will enhance the ability of patients to seek redress where previously financial considerations may have militated against commencing action.

Road Construction

Mr. Flynn: To ask the Secretary of State for Wales when work will start on the proposed new road near the Dinas Arms hotel, Lowerton, Fishguard, Dyfed.

Sir Wyn Roberts: A scheme to widen part of the A487 by the Dinas Arms hotel and a further proposal for a local diversion are under consideration, but a decision on whether to proceed has yet to be taken.

Departmental Video Purchases

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his reply of 18 March, *Official Report*, column *34*, from where he purchased the television receiver and the video recorder.

Mr. David Hunt: Dixons Ltd., Queen street, Cardiff.

Mr. Morgan: To ask the Secretary of State for Wales if he will list the titles of each video cassette recording bought by his Department in 1991, indicating in each case the relevant sub-head of his Department's estimates.

Mr. David Hunt: This information is not collected centrally.

Ministerial Travel Costs

Mr. Morgan: To ask the Secretary of State for Wales if he will give total expenditure on hire and use of helicopters for official Ministerial travel in each of the past five years.

Mr. David Hunt: Expenditure on helicopter hire and use is not disaggregated from other costs.

Grants, Neath

Mr. Hain: To ask the Secretary of State for Wales if he will provide details of public grants and moneys made available in the Neath constituency for each year since 1979 for existing and new enterprises; how many enterprises were involved; and what was the number of jobs affected.

Mr. David Hunt: The information is not available in the form requested.

Housing Management Advisory Panel

Mr. Morgan: To ask the Secretary of State for Wales what arrangements he has made for support and secretarial services for the housing management advisory panel.

Mr. Nicholas Bennett: The housing management advisory panel is supported by a part-time salaried research associate and by the salaried Housing Options Wales administrator, a proportion of whose time is spent on work for the panel.

Training Places

Mr. Ray Powell: To ask the Secretary of State for Wales (1) how many training places are available under *(a)* TECs, *(b)* other Government programmes and *(c)* local authority programmes; and how many were available under Government and local authority programmes in 1989 and 1990 in the Ogmore constituency;

(2) how many people from the borough of Ogmore were employed in training agencies and how many were engaged in full-time courses on 1 February 1991 in local TECs; how many people are now so employed; and what is the change in the number of full-time training places since February 1990.

Mr. David Hunt: This information is not available.

Redundancies, Neath

Mr. Hain: To ask the Secretary of State for Wales, if he will give the number of redundancies notified in the Neath constituency for each of the last four years.

Mr. David Hunt: The information is not available in the form requested.

Labour Statistics, Ogmore

Mr. Ray Powell: To ask the Secretary of State for Wales, what were the unemployment figures for Ogmore in *(a)* April 1990 and *(b)* April 1991.

Mr. David Hunt: In April 1990 the unadjusted unemployment total for the Ogmore constituency stood at 2,281. In April 1991 the figure was 3,132.

Cancer

Mr. Wigley: To ask the Secretary of State for Wales if he will sponsor an urgent independent investigation into the incidence of cancer, by type, by location and by age group of the sufferer, in the counties of Gwynedd and Dyfed.

Mr. Nicholas Bennett *[holding answer Thursday 6 June]:* The Welsh Office is, of course, aware of the long-known higher than average incidence of cancer in North Wales, as well as the below-average incidence in Dyfed. Preliminary analysis of data for the period 1984-86 shortly to be published by the Wales Cancer Registry confirms that the pattern has not changed significantly since 1983.

In 1987 the Department commissioned Professor Hubert Campbell to undertake an investigation into cancer rates along the North Wales coast for the period 1974-83. The report was published in July 1988 and concluded that though there was an excess of 5 per cent. in cancer registrations over the whole period on the North Wales coast when compared with the whole of Wales, this pattern was the same as that known to affect North Wales many years ago. I see no reason for the Welsh Office to commission an independent investigation of the incidence of each type of cancer in Gwynedd and Dyfed at this time.

FOREIGN AND COMMONWEALTH AFFAIRS

Nuclear Weapons

Mr. Macdonald: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the Government's policy towards the complete removal of land-based short-range nuclear weapons at the forthcoming negotiations on these weapons; and when these negotiations will begin.

Mr. Douglas Hogg: NATO has agreed on the need to maintain nuclear forces based in Europe and kept up to date where necessary. Work is continuing within the alliance with a view to significant reductions in short-range nuclear forces in Europe.

British Embassy, Paris

Mr. Andrew Bowden: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the programme for the internal and external re-decoration of the British embassy in Paris in the next 12 months.

Mr. Lennox-Boyd: The principal internal and external redecoration/refurbishment works programmed for the embassy at Paris in the next 12 months are as follows:

1. Residence:
   - *(a)* Redecoration of State Dining Room
   - *(b)* Redecoration and refurbishment of a guest bedroom
   - *(c)* Repair and refurbishment of entrance gates
   - *(d)* Repair and renewal of gallery to rear garden

2. Chancery:
   - *(a)* Redecoration and restoration of Minister's office and Chancery conference room
   - *(b)* Uplift of Chancery Information Department
   - *(c)* Renewal of Chancery roof.

Korea

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government towards the application of the Republic of Korea and of the Democratic People's Republic of Korea to join the United Nations; and if he will make a statement.

Mr. Lennox-Boyd: We support membership of the United Nations for all the people of Korea. North Korea's recent announcement that it intends to apply to join the United Nations is a positive step towards breaking the impasse on this question between the two Koreas.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the human rights situation in South Korea at the most recent date.

Mr. Lennox-Boyd: We believe that the Republic of Korea's human rights record has substantially improved since President Roh took office in February 1988.

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next expects to meet the Minister for Trade of the Republic of Korea to discuss trade policy; and if he will make a statement.

Mr. Garel-Jones: My right hon. Friend the Secretary of State for Trade and Industry will discuss a range of trade issues with Dr. Lee Bong-suh during his visit to Britain this week. British companies are keen to trade with Korea, but there are problems, particularly over free and fair access to Korean markets. Exporters of consumer goods are faced with a wide range of hindrances, including high and discriminatory fiscal barriers. This applies particularly to Scotch whisky. Foreign securities houses applying for licences are subject to excessive capital requirements and Korea has not granted the Community's request for similar intellectual property protection to that given to the United States.

We understand from the Commission that when Vice-President Andriessen visited Korea recently, President Roh expressed to him the firm conviction that a solution would soon be found to the intellectual property problem. We shall remain in close touch with the Commission about the need to ensure that the Koreans live up to this. We also hope that there will be rapid progress in the other areas outlined.

South Atlantic

Mr. Sayeed: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures Her Majesty's Government undertake to maintain a visible demonstration of United Kingdom sovereignty and presence in the South Atlantic.

Mr. Lennox-Boyd: The Government's administration of its South Atlantic dependent territories and the British Antarctic Territory is backed by Her Majesty's forces, including military garrisons on the Falkland Islands and South Georgia, and a presence on Ascension Island, together with naval patrols in the area.

Vietnamese Boat People

Mr. Temple-Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on any discussions he has had with the United States Government on the question of the Vietnamese boat people.

Mr. Lennox-Boyd: I refer my hon. Friend to the press release of 5 June entitled "Vietnamese asylum seekers," copies of which have been placed in the Library of the House.

Mr. Temple-Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to ease the flow of Vietnamese boat people into Hong Kong; and if he will make a statement.

Mr. Lennox-Boyd: The best way to stem the flow of Vietnamese asylum seekers is to convince them that if screened out, they stand no chance of resettlement and will be returned to Vietnam whether they wish to go or not. To this end, we are pursuing urgently the possible creation of an internationally managed centre in Vietnam to which non-refugees who do not volunteer could be returned, pending their reintegration into their local communities.

Mr. Temple-Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Vietnamese boat people are expected to be in Hong Kong by the end of 1991.

Mr. Lennox-Boyd: It is impossible to predict this figure for 1991.

Mr. Temple-Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Vietnamese boat people have entered Hong Kong so far this year; and how many during 1990.

Mr. Lennox-Boyd: In 1990, a total of 6,599 Vietnamese migrants arrived in Hong Kong. As of 14 June, there have been 10,786 arrivals this year.

Mr. Temple-Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Vietnamese boat people are now in Hong Kong; and where they are being kept.

Mr. Lennox-Boyd: On 14 June 1991 there were 59,504 Vietnamese migrants in Hong Kong. Those awaiting screening or screened out as non-refugees are housed in 10 detention centres while those granted refugee status are accommodated in three open centres.

Mr. Temple-Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs what approaches he has made to the Government of Vietnam to seek a solution to the problem of the Vietnamese boat people; and if he will make a statement.

Mr. Lennox-Boyd: Following United States-United Kingdom-Hong Kong consultations in Washington on 3-4 June, we have sought discussions, as a matter of urgency, with the Government of the Socialist Republic of Vietnam on the establishment of an internationally managed centre in the territory provided by Vietnam for those asylum seekers who are determined not to be refugees and have not taken advantage of the existing voluntary return programmes. We await a reply.

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs what written statements or similar record of Vietnamese boat people's experiences on their journeys are recorded on arrival by UNHCR officals or Hong Kong Government officials.

Mr. Lennox-Boyd: The Hong Kong immigration department asks Vietnamese migrants on their arrival in Hong Kong a range of questions including details of their point and date of departures and any en-route stopovers.

Missile Technology Control Regime

Mr. Macdonald: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the Government's policy towards lowering the range and payload criteria for ballistic missiles under the terms of the missile technology control regime; what consideration he has given to the transfer of any items from category I to category II of that regime; and what is his policy towards establishing confidence and security building measures as a means of strengthening the regime.

Mr. Douglas Hogg: The missile technology control regime parameters were established to combat the proliferation of delivery systems for nuclear weapons. We would need to look carefully at any proposal to change those parameters. We and our partners in the missile technology regime keep the equipment and technology annexe under constant review. We are also seeking to strengthen the regime through expanded membership and enhanced and harmonised implementation.

Kuwait

Mr. Blunkett: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Kuwaiti Government arising from the continuing prosecution of those alleged to have collaborated with the Iraqi invasion of that country and, in particular, juveniles under the age of 16 years; and if he will make a statement.

Mr. Douglas Hogg: We have repeatedly stressed to the Kuwaiti authorities our hope that trials of detainees of war crimes or collaboration will follow due processes of law and respect the fundamental human rights of the defendants.

A 12-year-old boy detained at a juvenile detention centre accused of stealing was mistakenly brought before the martial law court on 5 June but released by the judge into the custody of his guardian without charge. We understand that there are no other juveniles in detention who will be brought before the martial law court: under Kuwait law no one under 15 years old can be prosecuted in an adult court.

Southern Iraq

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Newport, West of 25 April, *Official Report*, column *521-22*, if he will now consider what steps can be taken to assist the Shias and other people under threat in southern Iraq.

Mr. Douglas Hogg: We remain very concerned by the situation of refugees in southern Iraq. We have supported the United Nations in its efforts to establish a humanitarian centre in Basra and to expand its operations in the area. We welcome the decision of the Secretary-General to send a high-level fact-finding mission to assess humanitarian requirements.

Gibraltar

Mr. David Young: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent complaints he has received about the conduct of Spanish officials at the border with Gibraltar; and if he will make a statement.

Mr. Lennox-Boyd: We receive periodic complaints about delays to traffic at the border between Spain and Gibraltar. We are, of course, also aware of the Gibraltar Government's concerns about this. We are in regular contact with the Spanish authorities about the problem.

Northern Somalia

Mr. Michael: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the ability of the administration now controlling most of northern Somalia to achieve stability and peace in that part of the country.

Mrs. Chalker: It is hard to make a reliable independent assessment of the situation on the ground in northern Somalia. It appears that the Somali National Movement is in control of most of the area, but there have been reports of fighting in the east.

HMS Endurance

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs what assurances the Minister of State, the hon. Member for Watford (Mr. Garel-Jones) gave to the Falkland Islands Council about the continued deployment of HMS Endurance when he recently visited the Falkland Islands; and if he will make a statement on his current position on this.

Mr. Lennox-Boyd: I understand from my hon. Friend that this matter was not discussed when he met Falkland Islands councillors during his visit to the Falkland Islands in February.

Radioactivity, Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what response he is making to the findings of the International Atomic Energy Authority report on the extent and effects on the local population of release of radioactivity from Iraq's nuclear installations.

Mr. Lennox-Boyd: We understand that no such report has been issued by the IAEA.

Hong Kong

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs how many children and babies have been immunised by the free immunisation service in Hong Kong since the service was introduced.

Mr. Lennox-Boyd *[holding answer 14 June 1991]*: The total number of persons immunised and the diseases covered since the service began in 1952 up to 1989-90 are as follows:

	Million
1952-1989	
BCG (Anti-Tuberculosis)	3·99
1956-1989	
CV (Anti-Tetanus Anti-Diphtheria)	
1st dose	0·21
2nd dose	0·20
Booster	2·08
Total	2·49
1957-1989	
TV (Anti-Tetanus Anti-Diphtheria Anti-Pertussis)	
1st dose	1·54
2nd dose	1·31
3rd dose	1·46
Booster	0·87
Total	5·38
1963-1989	
Oral Polio	
1st dose	2·79
2nd dose	2·59
Booster	2·72
Total	8·10
1966-1989	
Polio (type 1)	1·72
1967-1989	
Measles	1·39
1978-1989	
Rubella	0·49
1985-1989	
Hepatitis B	0·27
1990	
MMR (Measles, Mumps and Rubella)	0·63

In 1990, the average coverage for BCG and polio were 99 per cent. and 91 per cent. respectively. Vaccinations against other diseases are well over 80 per cent.

SOCIAL SECURITY

Income Support

Mr. Meacher: To ask the Secretary of State for Social Security, pursuant to his answer of 3 June, *Official Report*, column *116-18* on the value of income support, if he will give the figures for columns D and E for the period on which each year's uprating was based.

Miss Widdecombe: The information requested is in the table, although from 1974 only. The production of figures for earlier years could be obtained only at disproportionate cost.

A Benefit uprating date	*B* Benefit rate	*C* Percentage increase in 'B'	*D* Earnings percentage increase	*E* RPI percentage increase
22 July 1974	8·40	17·5	17·1	17·1
7 April 1975	9·60	14·3	20·2	17·7
17 November 1975	10·90	13·5	15·0	13·2
15 November 1976	12·70	16·5	12·5	15·0
14 November 1977	14·50	14·2	9·3	13·0
13 November 1978	15·55	7·2	14·9	8·1
12 November 1979	18·30	17·7	19·1	17·4
24 November 1980	21·30	16·4	18·4	15·3
23 November 1981	23·25	9·2	10·7	12·0
22 November 1982	25·70	10·5	7·4	6·3
21 November 1983	26·80	4·3	6·6	3·7
26 November 1984	28·05	4·7	8·3	5·1
25 November 1985	29·50	5·2	7·7	7·0
28 July 1986	29·80	1·0	5·0	1·1
6 April 1987	30·40	2·0	5·1	2·1
11 April 1988	33·40	9·9	8·7	4·2
10 April 1989	34·90	4·5	9·4	5·8
9 April 1990	36·70	5·2	9·6	7·6
8 April 1991	39·65	8·0	9·8	10·9

Notes:
Column B—shows the Supplementary Benefit basic single householder scale rate for the years 1974-87 excluding housing costs. These were paid through Supplementary Benefit until 1982-83 (not included in the scale rates) and then paid via Housing Benefit. From April 1988 the figures are the Income Support basic personal allowance for a single person over 25. No Supplementary Benefit additional requirements or Income Support premiums for special needs have been included.
Column C—shows the percentage increase from one uprating date to the next. This will not necessarily reflect the uprating index for that year because of rounding. Also in the earlier years uprating was calculated by forecasting likely changes in the RPI and this sometimes meant that adjustments had to be made the following year.
Column D—gives the percentage increase in the average gross weekly earnings of all adult males from the New Earnings Survey. This percentage is for the period on which each year's uprating was based.
Column E—shows the actual movement in the Retail Price Index for all items calculated for the period on which each year's uprating was based.

Mr. Michael: To ask the Secretary of State for Social Security what level of basic income support would be provided currently to a single individual under 24 years of age who claims as a result of being refused unemployment benefit and has no other form of income.

Mr. Jack; For a claimant aged 18 or over, the level of basic income support would be £31·15, assuming the normal conditions of entitlement are satisfied.

Cold Weather Payments

Mr. Redmond: To ask the Secretary of State for Social Security in which newspapers and on what dates his Department's local offices in the Doncaster area advertised the availability of both qualifying conditions and application forms for special cold weather payments during the winter of 1990-91.

Mr. Scott: Advertisements showing the qualifying conditions and including an application form appeared in local newspapers as follows:

Doncaster Free Press (weekly)	14 February 1991
Doncaster Advertiser (weekly)	14 February 1991
Doncaster Star (daily)	12, 13, 14 February 1991
South Yorkshire Times (weekly)	22 February 1991

Benefits Agency

Mr. Meacher: To ask the Secretary of State for Social Security whether he will make it his practice to request the chief executive of the Benefits Agency when answering parliamentary questions transferred to him to send all replies under his signature rather than under those of his staff.

Miss Widdecombe: It is the chief executive's practice, whenever possible, to sign all such letters personally.

Advertising

Mr. Cox: To ask the Secretary of State for Social Security what budget his Department has for advertising in ethnic newspapers or magazines the services and responsibilities of his Department; and what amount of money has been spent on this publicity in each of the last five years.

Miss Widdecombe: Although the departmental budget for national publicity does not contain a specific amount for publicity to ethnic minority groups, national publicity campaigns take fully into account the need to reach ethnic minorities. In the current year the Benefits Agency has a budget of £205,000 for publicity materials in ethnic minority languages. Expenditure in 1990-91 was £141,592 and in 1989-90 it was £127,239. Figures for earlier years are not available.

Armed Forces (Benefits)

Mr. Atkinson: To ask the Secretary of State for Social Security if he has any plans to change the residency and presence conditions for entitlement to non-contributory benefits for members of the armed forces.

Mr. Scott: Special rules already exist to help serving members of the armed forces and their families to satisfy the presence tests for non-contributory disability benefits. On 7 March, my noble Friend, the Parliamentary Under-Secretary of State, Lord Henley, announced the Government's intention to extend these provisions to the residence condition for severe disablement allowance. We have no present plans to make any further changes.

Social Fund

Mr. Terry Davis: To ask the Secretary of State for Social Security how many applications for review by a social fund inspector were outstanding for more than one month on 31 May.

Mr. Scott: On 31 May 1991, there were 1,355 such applications.

Mr. Terry Davis: To ask the Secretary of State for Social Security how many social fund inspectors were employed on 31 December 1990, 31 January, 28 February, 31 March, 30 April and 31 May.

Mr. Scott: The number of social fund inspectors employed between December 1990 and May 1991 is shown in the table. The figures in brackets denote the number of those who were in training on those dates. An exercise to recruit a further eight inspectors is in progress.

	Number
31 December 1990	39
31 January 1991	41 (4)
28 February 1991	39
31 March 1991	39
30 April 1991	46 (7)
31 May 1991	55 (8)

Appeals

Mr. Pendry: To ask the Secretary of State for Social Security if he will publish the returns from each local office requested in circular RD/Tech 5/91 showing the number of late appeals admitted and total arrears payable as a result of late appeals inspired by commissioners' decisions CIS/144/89 (Crompton) and CIS/372/90 (Foster).

Miss Widdecombe: The information requested is not yet available.

Student Support

Mr. Corbyn: To ask the Secretary of State for Social Security how many applications he has received each year since 1988 for extra statutory support for students in full-time education; how many applications he has granted in each year; and what was the total cost in each year.

Miss Widdecombe *[holding answer 12 June 1991]:* No records, other than the number of payments made, is kept for extra-statutory payments. They indicate that none have been made to students over this period.

Students (Benefits)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security what assessment his Department has carried out on the impact of the withdrawal of benefit to students has made on the total number of students in further and higher education in England and Wales.

Mr. Alan Howarth: I have been asked to reply.

Student numbers in further and higher education are growing steadily. Provisional figures show a 10 per cent. increase in new enrolments in higher education in 1990-91 compared to 1989-90. Applications for places in 1991-92 are 8·1 per cent. higher than at the same time last year, suggesting a further increase in numbers. We intend periodically to monitor student income and expenditure. Questions about the withdrawal of benefits are a matter for my right hon. Friend the Secretary of State for Social Security.

NORTHERN IRELAND

Prisoners

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many persons are serving prison sentences at each prison; and how many of these persons at each prison are identified with *(a)* Presbyterian, *(b)* Church of Ireland, *(c)* Methodist, *(d)* Roman Catholic and *(e)* Free Presbyterian religions.

Dr. Mawhinney: The information which is readily available is set out in the table:

	Belfast	*Maze*	*Maghaberry*	*Magilligan*	*YOC*
Presbyterian	82	41	50	59	30
Church of Ireland	106	52	80	72	43
Methodist (and others under Methodist pastoral care)	12	27	40	23	34

	Belfast	Maze	Maghaberry	Magilligan	YOC
Roman Catholic	216	328	130	145	73
Free Presbyterian	12	52	35	16	8
Total prison population (at 10 June 1991)	428	500	335	315	188

Countryside Preservation

Mr. McGrady: To ask the Secretary of State for Northern Ireland what areas of South Down are now covered by areas of outstanding natural beauty and sites of special scientific interest; and what are the relevant figures for 1981.

Mr. Needham: In 1981 there were three areas of outstanding natural beauty—AONBs—in South Down designated under the Amenity Lands Act (Northern Ireland) 1965:—

Mourne AONB—approximately 46,000 hectares;
Lecale Coast AONB—approximately 3,000 hectares;
Strangford Lough AONB—approximately 19,000 hectares, only part of which falls within South Down.

In 1981 there were eight areas of scientific interest—ASIs—in South Down designated under the 1965 Act, but the category areas of special scientific interest—ASSIs—did not exist at that time.

The 1965 Act was repealed by the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 which introduced a new framework for the conservation of nature and the countryside. Under the 1985 order, the Mourne AONB has been reviewed and now measures 57,000 hectares approximately. The other two AONBs have not been reviewed.

The ASSI category was introduced by the 1985 Order; South Down contains part of two ASSIs:—

Strangford Lough (Part II) ASSI—approximately 700 hectares.
Strangford Lough (Part III) ASSI—approximately 1,900 hectares.

The ASI designations under the 1965 Act are still operative but they do not afford as much protection as ASSI declarations.

EDUCATION AND SCIENCE

Youth Service, London

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what assessment he has made of the level of provision for the youth service in Inner London since the abolition of the inner London education authority.

Mr. Atkins: The level of provision for education for all local authorities is made by standard spending assessment. It is entirely for individual local authorities to decide how to deploy the resources available to them, including provision for the youth service.

Special Schools

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what were the numbers of pupils attending special schools in inner London *(a)* on 1 April 1990 and *(b)* on 1 April 1991; what guidance he has given to local education authorities on the number of special school places which should be provided as a proportion of all school places; and if he will make a statement.

Mr. Fallon: The number of pupils attending special schools in inner London in January 1990 was 6,095, the latest date for which information is available. No specific guidance has been issued to LEAs on the number of special school places they should provide: that is a matter for local decision.

Nuclear Structure Facility, Daresbury

Mr. Butler: To ask the Secretary of State for Education and Science what evaluation of the scientific quality of research at the nuclear structure facility at Daresbury was undertaken by the Science and Engineering Research Council prior to its decision to close the facility.

Mr. Alan Howarth: As part of its annual planning process, the Science and Engineering Research Council evaluates the relative priority of all its research programmes taking scientific quality into account. Following such an exercise earlier this year, the SERC decided that running the nuclear structure facility at Daresbury laboratory beyond 1992 was of lower priority than other parts of its programme.

School Entry (Appeal System)

Mr. Simon Hughes: To ask the Secretary of State for Education and Science if he will list all those types of secondary school or college catering for young people under the age of 16 years and funded in whole or part by public money, which are not required by law to have a system for appeal by pupils refused entry.

Mr. Fallon: There is no statutory obligation on city technology colleges to operate a system of appeals on admissions.

Physical Education

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Science what information he has on the amount of time spent on physical education and sport in schools in *(a)* 1978, *(b)* 1984, *(c)* 1990 and *(d)* since the introduction of the national curriculum (i) nationally and (ii) broken down by county.

Mr. Atkins: This information is not collected by the Government.

Japan (Ministerial Visit)

Mr. O'Hara: To ask the Secretary of State for Education and Science what was the purpose of his recent visit to Japan; what was the composition of his entourage; and if he will break down the costs of transport, accommodation, subsistence and other associated costs.

Mr. Kenneth Clarke: The purpose of my visit was to see at first hand the strengths and weaknesses of the Japanese education system. I was accompanied by a departmental private secretary, a senior official of my department, and my Parliamentary Private Secretary. The breakdown of the costs of the visit are as follows:

—Transport to Japan and within Japan: £23,760.
—Accommodation and subsistence in the British Embassy and in hotels: £2,322.
—Other costs, including interpreters and telephone calls on official business: £3,659.

School Governors

Mr. Fatchett: To ask the Secretary of State for Education and Science if he will set out the latest information available to his Department about the number of school governors who have resigned during the last 12 months.

Mr. Fallon: The Department does not collect statistics on school governors. A sample survey conducted by the National Foundation for Educational Research last year indicated a 10 per cent. resignation rate in the 1989-90 school year.

Residential Colleges

Mr. Worthington: To ask the Secretary of State for Education and Science what is the annual expenditure on each of the long-term residential colleges supported by his Department.

Mr. Eggar: Grants to the long-term residential colleges for the academic year 1990-91 are as follows:

	£
Co-operative College, Loughborough	96,000
Fircroft College, Birmingham	326,000
Hillcroft College, Surbiton	352,000
Northern College, Barnsley	66,000
Plater College, Oxford	337,000
Ruskin College, Oxford	839,000

Learning Difficulties

Ms. Armstrong: To ask the Secretary of State for Education and Science if he will list the amount per child each authority allocates in local management of schools schemes for non-statemented children who have learning difficulties.

Mr. Fallon: Under schemes of local management, local authorities fund special needs in a variety of ways. Some of the resources are distributed as part of the base funding per pupil, while some are allocated by means of special factors which take into account the unevenness in the incidence of special needs across the authorities' schools. Accordingly it is not possible to identify the totality of the resources allocated in respect of special needs for pupils without statements.

Northumberland Schools

Mr. Beith: To ask the Secretary of State for Education and Science what recent visits have been made by officials of his Department to first schools in Northumberland; and whether any advice has been given to the education authority about possible closures of these or other schools in the area.

Mr. Fallon: Officials of the Department visited a number of first schools in Northumberland on 9 and 10 May this year. The visit was made in response to a request from the local education authority for advice from the Department on how they might best deal with serious structural deficiencies present in some of their timber-framed schools.

Officials did not advise on the closure of individual schools. The decision to repair, replace or close structurally unsound timber-framed schools is one entirely for the Northumberland LEA in the first instance.

East Birmingham Task Force

Mr. Terry Davis: To ask the Secretary of State for Education and Science what visits or other engagements were undertaken by the Parliamentary Under-Secretary of State for Education and Science during his visit to the East Birmingham task force area on 3 September 1990.

Mr. Alan Howarth: The programme contained visits to the multilingual job club, a joint venture between the East Birmingham task force and the Employment Service; the hotel and catering job shop; lunch at the Birmingham chamber of industry and commerce; and visits to two probation service projects—Community and Village Entertainment and a day activity centre.

Mr. Terry Davis: To ask the Secretary of State for Education and Science what contribution was made by his Department and the East Birmingham task force to the cost of publication of the "Asian Business Handbook"; who organised the launch attended by the Parliamentary Under-Secretary of State on 23 April 1990; and who published the book.

Mr. Alan Howarth: The East Birmingham task force contributed £1,500 to the project. The launch was organised by Birmingham Venture, part of the Birmingham chamber of commerce. The handbook was published by the Institute of Asian Business.

Local Authority Expenditure

Mr. Fatchett: To ask the Secretary of State for Education and Science what representations he has received about the future payment of debt charges by local authorities arising out of expenditure on further education colleges, and sixth-form colleges; and if he will make a statement.

Mr. Eggar: In response to representations from local authorities, my right hon. Friend announced on 9 May that from April 1993 the Further Education Council will take responsibility for debt charges arising from capital projects which commence from 1 April 1991 and are approved by the Secretary of State. Since that announcement, the Department has received representations from 21 authorities, seeking clarification on the scope of the scheme. Officials will be writing to all local education authorities shortly with further details.

Colleges (Expenditure)

Mr. Worthington: To ask the Secretary of State for Education and Science what is the annual expenditure by his Department on City Literary institute, Morley college, Mary Ward centre, Working Men's college, Cordwainers college, National Sea Training trust and College of the Sea.

Mr. Alan Howarth: In financial year 1990-91 the Department gave grants of £343,000 to the National Sea

Training trust and £85,000 to the College of the Sea. No annual expenditure is incurred by the DES on the City literary institute, Morley college, Mary Ward centre, Working Men's college and Cordwainers college. Cordwainers college is an assisted college maintained by Hackney local eduation authority. The City literary institute, Morley college, Mary Ward centre and Working Men's college are independent adult education institutions, formerly maintained by the inner London education authority, which receive grant from the London residuary body.

Special Needs

Ms. Armstrong: To ask the Secretary of State for Education and Science if he will list in rank order the amount spent by each local education authority on special needs.

Mr. Fallon: For 1988-89, the latest year for which information on actual spending is available from local education authorities' returns, their spending on special schools, home and hospital tuition, child guidance and educational psychological services was as shown in the table. These figures exclude expenditure to meet the special needs of pupils in primary and secondary schools, and of further education students, as information on this expenditure is not collected separately.

Local education authority	*Net recurrent expenditure*[1] *£000's*
ILEA	63,950
Hampshire	32,481
Lancashire	30,451
Kent	26,858
Essex	26,628
Avon	22,555
Nottinghamshire	21,240
Birmingham	20,638
Surrey	19,462
Hertfordshire	18,937
Derbyshire	18,155
Cheshire	16,803
Berkshire	16,504
Staffordshire	15,838
Devon	15,424
East Sussex	13,107
Liverpool	12,817
Buckinghamshire	12,691
Gloucestershire	12,565
Humberside	12,315
Cleveland	12,236
Leicestershire	11,637
North Yorkshire	11,480
Bradford	10,868
Dorset	10,760
Warwickshire	10,491
Norfolk	10,302
Northamptonshire	10,267
Cambridgeshire	10,230
Hereford and Worcester	9,906
West Sussex	9,830
Durham	9,583
Leeds	9,406
Bedfordshire	9,218
Lincolnshire	9,134
Wiltshire	8,981
Ealing	8,526
Oxfordshire	8,481
Somerset	8,424
Croydon	8,408
Sheffield	8,244
Suffolk	8,177
Wirral	7,941
Enfield	7,578
Sandwell	6,863
Coventry	6,768
Hounslow	6,667
Shropshire	6,642
Kirklees	6,281
Cumbria	6,178
Rotherham	6,115
Newcastle-upon-Tyne	6,035
Wigan	6,014
Waltham Forest	5,548
Wolverhampton	5,523
Newham	5,297
Barnet	5,189
Northumberland	5,172
Brent	5,157
Stockport	5,049
Redbridge	4,992
Hillingdon	4,960
Doncaster	4,854
Cornwall	4,847
Bolton	4,797
Bexley	4,790
Rochdale	4,738
Salford	4,701
Dudley	4,636
Sefton	4,631
St. Helens	4,623
Bromley	4,540
Sunderland	4,502
Harrow	4,449
North Tyneside	4,436
Solihull	4,137
Merton	3,989
Oldham	3,850
Knowsley	3,840
Walsall	3,785
Tameside	3,680
Bury	3,551
Havering	3,343
Sutton	3,321
Gateshead	3,315
Barking	2,963
Trafford	2,848
Kingston-upon-Thames	2,681
South Tyneside	2,651
Calderdale	2,376
Barnsley	2,321
Richmond-upon-Thames	2,133
Isle of Wight	1,700
Haringey	n/a
Manchester	n/a
Wakefield	n/a

[1] Excluding financing costs of capital expenditure, school meals, income from specific grants, and central education department administration costs.

CIVIL SERVICE

Civil Servants

Mr. Michael: To ask the Minister for the Civil Service what steps have been taken by his officials to co-ordinate action in the civil service generally and for civil servants in the Export Credits Guarantee Department in particular to ensure that civil servants are encouraged to see the public service as a secure, worthwhile and challenging career.

Mr. Renton: Throughout the civil service, departments and agencies are being encouraged to decide how best to

recruit, retain and motivate their staff. Departments and agencies are being given increasing flexibilities to enable them to do this in ways fitted to their own circumstances.

THE ARTS

Energy Consumption

Mr. Dobson: To ask the Minister for the Arts whether sub-metering has been introduced in the buildings occupied by his Office to measure individual department's actual energy consumption.

Mr. Renton: No. My office shares accommodation with other departments and their energy consumption is estimated on the basis of the respective floor areas.

NATIONAL FINANCE

Housing

Mr. Bernie Grant: To ask the Chancellor of the Exchequer whether he will publish details of freehold residential properties transferred in 1989 and 1990 in the constituencies of Tottenham, Hornsey and Wood Green, showing in each case the number of transactions where the price was *(a)* less than £40,000, *(b)* between £40,000 and £100,000, *(c)* between £100,000 and £250,000 and *(d)* over £250,000.

Mr. Maples: The information requested is not held centrally and could be provided only at disproportionate cost.

Earnings

Sir Peter Hordern: To ask the Chancellor of the Exchequer if he will publish a table showing the increase in post-tax earnings, allowing for inflation, of each quintile of earners; and how many earners are in each band, since 1979, to the latest convenient date.

Mr. Maude: I regret that information on quintiles of earners is not readily available. The table shows earnings after tax and NIC for full-time male employees in Great Britain and assumes that no tax allowances or reliefs are available other than the personal allowance for a married man.

Earnings after tax and NIC at April 1990 prices

	April 1979 (£)	*April 1990 (£)*	*Percentage increase*
Lower quartile	133·8	153·6	15
Median	161·1	196·3	22
Upper quartile	195·8	255·3	30

In March 1979 there were 13·1 million male employees in employment, and in March 1990 there were 11·7 million.

Civil Service Pay Award

Sir John Farr: To ask the Chancellor of the Exchequer if it is his intention, in the event of disagreement, to send the civil service pay award to independent arbitration.

Mrs. Gillian Shephard: Independent arbitration is available under the terms of the long-term pay agreements between the Treasury and the unions representing non-industrial civil servants, but only if both parties agree to it.

The Government have recently rejected requests by the Civil and Public Servants Association and the National Union of Civil and Public Servants to refer offers made for this year's annual pay settlement to arbitration. The CPSA has since accepted the offer, and the NUCPS is recommending that their members to likewise.

Income Tax

Mr. Atkinson: To ask the Chancellor of the Exchequer by how much the basic rate of income tax would be increased to raise an additional half billion pound revenue.

Mr. Maude: At 1991-92 levels of income an increase of 0·25p in the basic rate of income tax would yield about half a billion pounds in a full year.

Mortgages

Mr. Allen: To ask the Chancellor of the Exchequer if he will update his answer of 20 June 1990, *Official Report*, column *558*, on the average increase in repayments per week on the average mortgage in each region since June 1988.

Mr. Maude: Information for average new building mortgages in the second quarter of 1988 is in the table. Details of average amounts outstanding on all mortgages by region are not available.

Region	*Average new building society mortgages Quarter 2 1988* £	*Weekly interest payments*[1] *June 1988 9·8 per cent. interest rate* £	*Current 12·9 per cent. interest rate* £	*Increase* £
Northern region	22,200	31·38	41·30	9·93
Yorkshire and Humberside	23,000	32·51	42·79	10·28
East Midlands	27,000	38·16	50·24	12·07
East Anglia	34,800	51·45	67·73	16·27
Greater London	54,900	89·33	117·59	28·26
South East	44,500	69·73	91·79	22·06
South West	34,900	51·64	67·97	16·33
West Midlands	28,100	39·72	52·28	12·56
North West	24,300	34·35	45·21	10·86
Wales	23,900	33·78	44·47	10·69
Scotland	24,200	34·21	45·03	10·82
Northern Ireland	24,300	34·35	45·21	10·86
United Kingdom	32,900	47·87	63·01	15·14

[1] Assuming endowment mortgage, net of basic rate tax relief.

Inland Revenue (Form P11D)

Mr. Terry Davis: To ask the Chancellor of the Exchequer how many extra posts have been provided in the Inland Revenue to deal with the outstanding P11D forms.

Mr. Maude: No extra posts that can be specifically identified were provided to clear the outstanding P11D forms; these were examined by existing staff, in part working overtime.

Insurance Industry

Mr. Churchill: To ask the Chancellor of the Exchequer what estimate he has made of the likely impact on the United Kingdom balance of payments up to the end of the decade as a result of liabilities incurred by the United Kingdom insurance industry in respect of pollution claims arising in the United States of America; and if he will make a statement.

Mr. Maples *[holding answer 14 June 1991]:* As claims are still subject to judgments pending in United States courts it is not at present possible either to quantify the liabilities incurred by the United Kingdom insurers or to estimate the impact on the United Kingdom balance of payments.

ENERGY

Video Recordings

Mr. Redmond: To ask the Secretary of State for Energy if he will list the titles of the video recordings purchased by his Department during the financial years 1990-91 and 1991-92 to date.

Mr. Wakeham: This information is not held centrally.

Gas and Electricity Bills

Mr. Alex Carlile: To ask the Secretary of State for Energy if he will make it his policy to introduce legislation to stagger the arrival of quarterly bills for gas and electricity, so that they do not arrive at the end of the same month; and if he will make a statement.

Mr. Moynihan: No. Payment arrangements are a commercial matter for the industries concerned within their statutory and other obligations. A variety of payment arrangements are available to customers.

Energy Management

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to his answer of 3 June, *Official Report*, columns *11-12*, whether the energy managers devote one third of a person year to energy management each or in total.

Mr. Wakeham: The energy managers in the premises occupied by my Department are estimated to devote around one third of a man year in total to energy management, consistent with the Audit Commission's recommendations that one man year of effort should be devoted to each £1 million spent on energy.

Coal Industry (Privatisation)

Mr. Morgan: To ask the Secretary of State for Energy whether the contract for advice on the privatisation of the coal industry was awarded to Touche Ross after *(a)* competitive tender and *(b)* open advertisement.

Mr. Heathcoat-Amory: The contract was awarded to Touche Ross after competitive tender but not open advertisement.

Privatisation

Mr. Dobson: To ask the Secretary of State for Energy what is the provision made for *(a)* monitoring electricity privatisation costs and *(b)* costs associated with coal privatisation for 1991-92.

Mr. Wakeham: In each case, my Department has arrangements in place for monitoring such costs according to the standard principles of Government accounting and against central and departmental requirements relating to financial control and audit procedures.

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to his answer to the hon. Member for The Wrekin (Mr. Grocott), of 14 December 1990, *Official Report*, column *535*, if he will list for *(a)* Amersham International, *(b)* Britoil (primary sale), *(c)* Britoil (secondary sale), *(d)* Enterprise Oil, *(e)* Wytch Farm, *(f)* British Gas, *(g)* each of the regional electricity companies, *(h)* National Power and *(i)* PowerGen, (i) the net equity proceeds to Government, (ii) the market value at the end of the first day of trading and, where appropriate, (iii) the current market value.

Mr. Wakeham: The information requested is given in the table. Between the dates of the two market values given, the companies concerned may not have maintained a constant issued share capital.

Market Value (£ million)

Company	*Net equity proceeds to Government (£ million)*	*At end of first day's trading*	*Now*[1]
Amersham International	62	94	179
Britoil (1982)	536	[3]500	—
(1985)	426	1,030	[2]—
Enterprise Oil	382	392	2,339
Wytch Farm	149	[4]—	n/a
British Gas	[5]5,292	6,121	10,653
Eastern Electricity	[6]648	776	874
East Midlands Electricity	[6]523	633	726
London Electricity	[6]523	614	737
Manweb	[6]285	363	455
Midlands Electricity	[6]503	594	720
Northern Electricity	[6]295	347	423
NORWEB	[6]415	504	591
SEEBOARD	[6]306	359	436
Southern Electric	[6]648	781	896
South Wales Electricity	[6]244	308	399
South Western Electricity	[6]295	357	431
Yorkshire Electricity	[6]497	621	775
National Power	[6][7]1,364	[3]1,625	[3]1,652
PowerGen	[6][7]836	[3]994	[3]1,043

Notes:

[1] At closing, Friday June 14.

[2] Now wholly-owned by British Petroleum.

[3] Market capitalisation of the first tranche of shares.

[4] Sold to a group of bidders.
[5] Only about 60 per cent. sold.
[6] Gross proceeds (costs have not been reported to Parliament and were not split by company).
[7] Includes the 1990 bought deal.

Mr. Dobson: To ask the Secretary of State for Energy if he will give the total costs incurred to date by his Department in the privatisation of *(a)* Amersham International, *(b)* Britoil, *(c)* Enterprise Oil, *(d)* Wytch Farm and *(e)* British Gas, breaking down each figure into (i) underwriting, (ii) selling and broking commissions, (iii) receiving bank costs, (iv) marketing, (v) advisers' fees and (vi) other costs, respectively.

Mr. Wakeham: The information requested in respect of the privatisation of British Gas, Amersham International, Britoil and Enterprise Oil and the sale of the holding in Wytch Farm is not immediately available in the form requested. I will look into the position and provide as comprehensive a reply as possible bearing in mind the need not to incur disproportionate costs in indentifying the figures requested.

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to his answer to the Member for Berwick-upon-Tweed (Mr. Beith) of 12 June, *Official Report*, column *563*, if he will provide a breakdown of the £256·5 million spent on electricity privatisation in 1990-91 by type *(a)* underwriting costs, *(b)* selling and broking commissions, *(c)* receiving bank costs, *(d)* marketing costs, *(e)* advisers' fees and *(f)* other costs.

Mr. Wakeham: A breakdown of the £256·5 million previously reported is as follows:

	£ million (VAT inclusive)
Underwriting costs	51·5
Selling and broking commissions	22·7
Receiving bank costs	49·1
Marketing	25·8
Advisers' fees	52·1
Other costs[1]	55·3

[1] Mainly stamp duty, the costs of setting up and running the Share Information Office and costs associated with the design, printing and distribution of the prospectus.

Final figures for 1990-91 will be published in the appropriation account later this year.

TRADE AND INDUSTRY

ECGD Insurance Services Group

Mr. Morgan: To ask the Secretary of State for Trade and Industry what arrangements he is making with the existing central training section of the Export Credits Guarantee Department based at Ty Glas road, Llanishen, Cardiff to provide a service to the continuing ECGD after privatisation of the Insurance Services Group.

Mr. Sainsbury: The invitation to tender for the Insurance Services Group includes a draft training agreement which provides for the supply of services to the Export Credits Guarantee Department by the information technology training section based at Llanishen. The terms of the eventual contract will be subject to negotiation with the preferred purchaser, but the draft agreement provides for a call-off contract. Information concerning the terms of sale will be made public after privatisation, which is subject to the successful passage of the Export and Investment Guarantees Bill through Parliament.

Mr. Morgan: To ask the Secretary of State for Trade and Industry when he will announce the length of contract to be awarded by the continuing Export Credits Guarantee Department to the computer section of ECGD Insurance Services Group at Ty Glas road, Llanishen, Cardiff.

Mr. Sainsbury: The invitation to tender for the Insurance Services Group includes a number of different draft agreements for the continuing provision of information technology services to the Export Credits Guarantee Department. The terms of the eventual contracts will be subject to negotiation with the preferred purchaser, but the principal draft information technology agreements in the invitation to tender provide for a two-year contract. Information concerning the terms of the sale will be made public after privatisation, which is subject to the successful passage of the Export and Investment Guarantees Bill through Parliament.

Mr. Morgan: To ask the Secretary of State for Trade and Industry what consultation he has had with the computer programme development section of the Export Credits Guarantee Department located at Ty Glas road, Llanishen, Cardiff, concerning the development of information technology systems for the continuing ECGD after the sale of the Insurance Services Group; and if he will make a statement.

Mr. Sainsbury: The invitation to tender for the Insurance Services Group includes draft development agreement which sets a framework for selecting, defining, and carrying out suitable information technology development work for the Export Credits Guarantee Department. The terms of the eventual contract will be subject to negotiation with the preferred purchaser, but the draft agreement provides for a two-year contract and thereafter individual projects continue until completed. Information concerning the terms of the sale will be made public after privatisation, which is subject to the successful passage of the Export and Investment Guarantees Bill through Parliament.

Mr. Morgan: To ask the Secretary of State for Trade and Industry when he intends to announce the length of contract to be awarded for computer maintenance and servicing within the Export Credits Guarantee Department, London, to the Insurance Services Group computer support unit at Ty Glas road, Llanishen, Cardiff; and if he will make a statement.

Mr. Sainsbury: Computer maintenance and servicing within the Export Credits Guarantee Department, London, are not provided by computer staff in the Insurance Services Group, Cardiff, and there are no plans to introduce such a service. A service for maintenance of certain computer programs is currently provided by Insurance Services Group staff and the invitation to tender for the Insurance Services Group includes a draft maintenance and minor enhancement agreement. The terms of the eventual contract will be subject to negotiation with the preferred purchaser, but the draft agreement provides for a two-year contract and until terminated thereafter. Information concerning the terms

of sale will be made public after privatisation, which is subject to the successful passage of the Export and Investment Guarantees Bill through Parliament.

Israel (Arab Boycott)

Mr. Batiste: To ask the Secretary of State for Trade and Industry if he will list the documents he has published since January 1990 relating to the Arab boycott of Israel.

Mr. Sainsbury: There are no DTI publications on the Arab boycott other than the guidance note for exporters to which I referred in my reply to my hon. Friend the Member for Rutland and Melton (Mr. Latham) on 11 June, *Official Report*, column *489*.

Co-operatives and Voluntary Organisations

Mr. Michael: To ask the Secretary of State for Trade and Industry what initial response he has made to the proposal for a European statute on co-operatives, mutuals and voluntary organisations; what consultations he intends to carry out on this proposal before it is adopted by the European Commission as a draft regulation; and what further steps he intends to take.

Mr. Sainsbury: The Commission has asked the Government for their views on a proposal for a European statute on co-operatives, mutuals and voluntary organisations. I welcome the fact that the Commission has consulted member states' Governments. After proper consideration, we shall make our views known to the Commission.

Price Indications Directive

Mr. Michael Brown: To ask the Secretary of State for Trade and Industry when he intends to implement the EC directive on price indications.

Mr. Leigh: I yesterday laid before the House the Price Marking Order 1991. The order will require traders to show clearly the selling price of goods which they sell to the private consumer. For some goods, mainly those sold from bulk or prepacked in variable quantities, they will also be required to show the unit price.

Traders will be allowed to show unit prices in imperial or in metric units. However, if they use metric units for food, they must also show the unit price in imperial units. They will generally be free to choose how they show their prices, provided that the consumer can readily identify the items to which particular prices apply. Thus, prices may be shown on the goods individually or on tickets, or by means of notice near to them.

Traders selling goods to the private consumer will have to show prices inclusive of VAT, but shops selling mainly to businesses may alternatively display prominent notices that their prices are subject to VAT.

The price shown for the goods must include, or state with equal prominence, the price of any further goods or services for which the consumer must also pay in order to obtain the goods in question.

The order also contains provisions which allow traders to display prominent notices giving information about general reductions rather than having to re-price goods individually.

Similarly, prominent notices may be used for a period of 14 days after any change in the rate of VAT to inform consumers of adjustments to marked prices.

The order will apply to advertisements in which retailers choose to include prices, and to mail order advertisements. It will not apply to manufacturers or other suppliers who do not sell goods directly to the consumer.

It will come into force on 1 September 1991. It will not apply to catalogues and some advertising material produced before 1 November 1991.

Shell Suits

Sir George Gardiner: To ask the Secretary of State for Trade and Industry what success he has had in persuading the European Commission to end the restrictive classification rules governing import quotas for clothing under which woven shell suits are treated as separate tops and bottoms even though they are designed, made, sold and intended to be worn together.

Mr. Sainsbury *[holding answer 17 June 1991]:* The United Kingdom and some other member states have argued that EC classification rules should allow shell suits to be treated as clothing ensembles. However we have not been successful in persuading the Commission and the majority of member states of this and separate classification and quota treatment is to be maintained.

Expo 92

Dr. Marek: To ask the Secretary of State for Trade and Industry, pursuant to the answer of 10 June, *Official Report*, column *417*, if he will give details of the single integrated theme that will be presented at the British pavilion at Expo 92 in Seville.

Mr. Sainsbury *[holding answer 17 June 1991]:* The single integrated theme of the British pavilion is "Original Britain", showing the very best of our technological, commercial and cultural achievements.

Inside the pavilion an exhibition, linking with the overall Expo 92 theme of "Discovery", has been created to demonstrate modern British discoveries, particularly in the fields of communication, exploration and harnessing the natural elements.

HOUSE OF COMMONS

Animal Cruelty

Mr. Tony Banks: To ask the Lord President of the Council what efforts are made to ensure that products used in the House do not involve cruelty to animals in their production.

Mr. MacGregor: Wherever possible the Refreshment Department and other House authorities seek to avoid the use of products that are known to involve in their manufacture or preparation cruelty to animals or the putting in peril of endangered species.

Veal

Mr. Mullin: To ask the Lord President of the Council what steps he has taken to exclude veal from the menu of restaurants and cafeterias in the Palace of Westminster.

Mr. MacGregor *[holding answer 17 June 1991]:* None. Veal forms a substantial proportion of the meat consumed in the dining rooms of the House.

LORD PRESIDENT OF THE COUNCIL

Public Appointments

Mr. Redmond: To ask the Lord President of the Council if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. MacGregor: My Department is responsible for the procedures leading to a large number of Crown, Privy Council and Lord President appointments, including visitors and members of governing bodies of universities and colleges, members of councils regulating the medical and paramedical professions, high sheriffs and inspectors of schools. The vast majority of these appointments are part-time and unpaid, while the salaries of inspectors of schools are a matter for the Department of Education and Science. Full details of all appointments made during the last five years could not be compiled except at disproportionate cost.

DUCHY OF LANCASTER

Hospitality Fund

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster if he will list the expenditure covered by his Office's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Mr. Chris Patten: None.

Video Recordings

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster if he will list the titles of the video recordings purchased by his office during the financial year 1990-91 and 1991-92 to date.

Mr. Chris Patten: None.

Public Appointments

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. Chris Patten: None.

AGRICULTURE, FISHERIES AND FOOD

Megrim

Mr. Morgan: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to improve the marketing of megrim caught within the British fishing limits.

Mr. Maclean: This is a matter for the Sea Fish Industry Authority which operates schemes to promote the marketing of British-caught sea fish, including megrim, in both the United Kingdom and export markets.

Hospitality Fund

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food if he will list the expenditure covered by his Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Mr. Maclean: The final figure for expenditure in 1989-90 is £62,303. The provisional figure for expenditure in 1990-91 is £65,229. The figure for expenditure in 1991-92 to date is £7,598.

Pesticides

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what estimates his Department has made of the stocks of pesticides, prohibited under European Community and United Kingdom legislation, currently being held in Britain.

Mr. Maclean: In 1990 the British Agrochemicals Association—BAA—and the United Kingdom Agricultural Supply Trade Association—UKASTA—carried out a survey which suggested that there might be 1,000 to 2,000 tonnes of non-approved pesticides on farms in Great Britain. The BAA and UKASTA are developing, with support from Government Departments, a scheme to encourage farmers to dispose of these and other unwanted pesticides safely. We hope to launch the scheme jointly in the very near future.

Blue-eared Pig Disease

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if he will re-consider his plans to close the Lincoln veterinary investigation centre, in the light of the suspected outbreak of blue-eared pig disease in the area.

Mr. Maclean: As blue-eared pig disease is now a notifiable disease the responsibility for action rests with the veterinary field service operating through the divisional veterinary officer. Suspected disease should be reported to divisional veterinary officers and the necessary on-farm investigations and inquiries are carried out by the divisional veterinary officers and their veterinary staff. Samples taken at these visits are sent to the central veterinary laboratory, Weybridge for examination.

The proposed closure of the Lincoln veterinary investigation centre will not, therefore, affect the situation in the Humberside area.

Stocking Levels

Mr. Maginnis: To ask the Minister of Agriculture, Fisheries and Food what are the stocking levels for cattle, sheep and pigs for each region within Great Britain; and what stocking density per hectare this represents for cattle and sheep.

Mr. Maclean: Information on stocking levels is given in the table; data are taken from the June 1990 agricultural census, and therefore cover all main holdings in the annual census. Information on stocking density is not readily available but grazing area has been shown in the final column of the table.

Stocking levels and grazing area in Great Britain by region

	Pigs '000 head	*Cattle* '000 head	*Sheep* '000 head	*Grazing area*[1] '000 hectares
North	176·1	902·3	5,054·2	838·4
Yorkshire and Humberside	1,692·2	672·1	2,664·6	529·1
East Midlands	607·6	658·3	1,763·7	432·0
East Anglia	1,296·8	220·1	310·7	182·7
South-East	860·2	827·6	2,304·3	674·0
South-West	883·1	2,195·8	4,365·7	1,301·3
West Midlands	432·9	970·0	3,026·8	576·4
North-West	342·7	601·3	1,096·4	358·4
England	6291·7	7,047·4	20,586·4	4,892·3
Wales	998·3	1,354·8	10,866·6	1,377·1
Scotland	449·0	2,086·1	9,400·9	5,090·7
GREAT BRITAIN	7,738·9	10,488·3	40,853·9	11,360·1

[1] Temporary grass, permanent pasture, sole rights rough grazing and crops for stockfeeding for all grazing animals.

Whaling

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food whether he has any plans to discuss the results of the International Whaling Commission conference with ministers from Iceland, Norway and Japan.

Mr. Maclean: The Governments of Iceland, Norway and Japan are well aware of our policy on whaling and we shall continue to use appropriate opportunities to raise the issue with them.

Set-aside Scheme

Mr. Ashby: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the one-year set-aside scheme recently agreed by the EC Council of Ministers.

Mr. Gummer: The scheme will be available to producers who set aside at least 15 per cent. of their 1991 arable area for 1991-92 and also reduce their cereals area by 15 per cent. in that period. Participants will receive a payment of £121·20 per hectare set-aside—£109·20 per hectare in the less-favoured areas—or £91·20 per hectare —£79·20 per hectare in the LFAs—where areas of more than 100 hectares and more than 75 per cent. of arable area are set aside. Those who sell grain between 1 July 1991 and 30 June 1992 and have co-responsibility levy deducted will be entitled to refund of this levy at the rate of £6·70½ p per tonne. Detailed rules are still being finalised.

Farmers setting land aside under this scheme will be required to plant a green cover. In other respects, land set aside will be subject to similar environmental conditions as the existing five year set-aside scheme.

Producers wishing to participate in the scheme will be required to register details of their arable cropping in the year 1990-91. Registration forms will be available from local divisional offices by the end of this month and those wishing to register in England and Wales should contact divisional offices for copies: in Scotland and Northern Ireland producers should contact their local area offices or county agricultural offices respectively where forms will be available. Registration forms must be completed and returned no later than 31 July. Registration will not commit producers to apply for the one-year scheme.

Producers who do not register will not be eligible for the one-year scheme.

Producers who register for the one-year scheme will be contacted by the agriculture Departments and given fuller details, including application forms, as soon as these are available.

Participants in the existing five-year scheme will receive partial refund of the co-responsibility levy paid between the dates mentioned above. This will be at the rate of £2·68 per tonne, the equivalent of 2 per cent. co-responsibility levy, subject to final agreement in Brussels on the method of calculation.

ENVIRONMENT

Dogs

Mr. Michael Spicer: To ask the Secretary of State for the Environment what is the latest estimate of the fee that would be charged for a dog registration scheme in order to cover its costs.

Mr. Trippier: We have no intention of introducing a dog registration scheme and have therefore not made any independent cost estimate of this nature.

Noise

Mrs. Ann Taylor: To ask the Secretary of State for the Environment if he will list the draft codes of practice for minimising noise currently being considered by his Department for approval under section 71 of the Control of Pollution Act 1974; when he intends to approve these codes of practice; and whether he intends to consult on any further codes of practice.

Mr. Trippier: The Department is currently involved in work relating to four draft codes of practice which are at various stages of advancement. These are:

(i) Code of practice on noise from clay pigeon shooting. This has been drawn up by the Clay Pigeon Shooting Association. Complex technical issues have arisen and it has been necessary to carry out two consultation exercises. It is anticipated that the results of the latest consultation exercise will be discussed with the CPSA when these have been fully analysed.

(ii) Code of practice on noise from audible birdscarers. The department set up a working party which included representatives from the Ministry of Agriculture, Fisheries and Food, the National Farmers Union, the Institution of Environmental Health Officers and the Building Research Establishment. There have been two consultation exercises and the results of the later one have yet to be analysed in order to determine what further work may be necessary.

(iii) Code of practice on noise from off-road motorcycle sport. A consortium comprising members from the Noise Council, the National Society for Clean Air and Environmental Protection and representatives from the motorcycle manufacturers and user groups have recently drawn up a draft which has been discussed with officials. The consortium is to carry out a consultation exercise shortly.

(iv) Code of practice on noise control at open air pop concerts. A Noise Council working party recently submitted a draft to the Department for initial comments and officials are to meet with them in July to discuss it. There will be consultation.

In its report the noise review working party recommended that codes of practice be used as a means of controlling environmental noise and that work should proceed as quickly as possible on the above codes. The Government have undertaken to complete work on codes under discussion. This we will do as soon as our work in responding to the recommendations of the noise review working party will allow.

We will consider the case for further codes if a need arises. There would be consultation on the drafts.

Council House Sales

Mr. Redmond: To ask the Secretary of State for the Environment if he will list for each local authority for the last year for which he has figures the average right-to-buy discounts made available to council tenants.

Mr. Yeo: A table showing the available information will be placed in the Library shortly.

Water Pollution

Mr. Morgan: To ask the Secretary of State for the Environment what discussions he has had with the chairman of the National Rivers Authority concerning the means of improving the biological control of filamentous algae of the cladophora family in British rivers, lakes and reservoirs.

Mr. Baldry: None. However, I understand that cladophora growth occurs from time to time when nutrient concentrations, flow and organic conditions are suitable. The National Rivers Authority will be addressing its possible control as part of its wider research into eutrophication.

Hazardous Waste

Mr. Redmond: To ask the Secretary of State for the Environment, if he will list by year for the last 10 years, and for each port in the United Kingdom, the number of tonnes of hazardous waste that was imported.

Mr. Trippier: Information on the importation of waste through ports in the United Kingdom is available only since the introduction of the Transfrontier Shipment of Hazardous Waste Regulations in October 1988.

The information in respect of imports of waste through English ports for financial years 1988-89—October to March only—and 1989-90 is shown in the following table.

The provision of similar information for Wales, Scotland and Northern Ireland is a matter for my right hon. Friends the Secretaries of State for Wales, for Scotland and for Northern Ireland respectively.

Ports of Entry	Waste imported (tonnes) [1]1988-89	1989-90
Chatham	76·0	456·2
Dartford	—	1,138·4
Dover	20·4	5,185·1
Felixstowe	7,550·2	8,865·4
Fleetwood	3·3	154·0
Flixborough	—	1,189·2
Gravesend	152·5	42·5
Grimsby	—	38·8
Harwich	104·0	153·6
Heysham	32·4	718·4
Immingham	3,213·0	9,161·4
Ipswich	—	205·9
Liverpool	280·8	792·6
Middlesbrough	138·1	203·1
Poole	—	30·0
Portsmouth	—	1·9
Purfleet	99·8	12·1
Ramsgate	233·8	1,876·7
Seaforth	—	72·9
Southampton	—	10·3
Teesport	1,341·8	83·0
Tilbury	83·1	13·1
Great Yarmouth	—	7·7
GRAND TOTAL	13,329·2	30,412·5

[1] October to March.

Housing (London)

Ms. Gordon: To ask the Secretary of State for the Environment how many housing units were built in London each year from 1961 to 1990 by *(a)* boroughs, *(b)* London-wide authorities, *(c)* housing associations and *(d)* private units.

Mr. Yeo: The available information is in the table.

Permanent dwellings completed: Greater London

(number of dwellings)

Year	Private sector	Housing associations	Local authorities: London boroughs[1]	Local authorities: LCC/GLC[1,2]	Other public sector[3]	All dwellings
1961	9,557	38	9,310	3,867	272	23,044
1962	9,133	202	11,006	2,889	295	23,525
1963	9,564	257	10,279	4,035	231	24,366
1964	11,482	227	10,005	4,470	332	26,516
1965	10,802	283	12,266	5,516	190	29,057
1966	10,770	769	14,802	5,057	243	31,641
1967	9,943	469	16,934	5,398	282	33,026
1968	10,273	739	16,422	6,223	205	33,862
1969	8,198	1,979	17,734	5,279	113	33,303
1970	8,769	1,114	22,088	5,147	318	37,436
1971	8,342	2,223	18,158	4,984	150	33,857
1972	7,452	1,467	15,212	3,821	472	28,424
1973	7,718	1,224	11,276	4,410	90	24,718
1974	6,991	1,597	14,409	5,319	325	28,641
1975	8,513	2,316	13,407	5,502	453	30,191
1976	6,063	2,825	15,555	7,120	15	31,578
1977	5,590	2,347	16,112	6,442	281	30,772
1978	5,291	1,491	13,164	6,449	43	26,438
1979	3,773	1,928	10,372	5,000	161	21,234
1980	4,426	2,402	11,974	4,275	67	23,144
1981	4,021	1,979	10,206	3,200	31	19,437
1982	5,807	1,612	5,730	1,524	0	14,673
1983	7,289	1,563	4,155	994	2	14,003
1984	7,185	1,560	2,968	526	0	12,239
1985	6,445	1,122	2,653	120	0	10,340
1986	8,345	700	2,337	0	0	11,382
1987	10,295	1,142	1,260	—	0	12,697
1988	12,049	1,108	1,419	—	0	14,576
1989	12,700	1,467	922	—	0	15,089
1990	13,807	1,737	1,904	—	0	17,448

[1] Figures show the number of dwellings completed by the authority concerned, some of these, particularly for the GLC, were outside the Greater London region.

[2] The London County Council (LCC) was replaced by the Greater London Council (GLC) in 1965 and the GLC was abolished in 1986.

[3] Covers housebuilding by government departments and by local authorities acting other than as housing authorities for example accommodation for school caretakers, park keepers etc.

Bathing Water

Mr. Simon Hughes: To ask the Secretary of State for the Environment what representations he has received from surfers in respect of bathing water quality.

Mr. Baldry: Representations by surfers have covered the scope and speed of the £3·5 billion programme of improvements to bathing and coastal water quality now under way.

Glass

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will list the percentage of glass recovered as a percentage of consumption in (i) the United Kingdom and (ii) each of the other European Community countries.

Mr. Baldry: I understand from the British Glass Manufacturers Confederation that the provisional figures for 1990 are:

		Per cent.
(i)	Great Britain[1]	21
(ii)	Belgium[2]	60
	Denmark	40
	France	45
	Germany[4]	54
	Greece	16
	Ireland	18
	Italy	[3]50
	Netherlands	66
	Portugal	30
	Spain	27

[1] Excludes Northern Ireland from which glass is sent to the Republic of Ireland for reprocessing.
[2] Includes glass collected in Luxembourg which has no glass manufacturing facilities.
[3] 1989 figures.
[4] Excluding the former German Democratic Republic.

Water Conservation

Mr. Redmond: To ask the Secretary of State for the Environment if he will issue a direction to the National Rivers Authority to conserve water in the Doncaster metropolitan borough council area by restricting the amounts extracted by individuals and businesses.

Mr. Baldry: No. It is for the National Rivers Authority to consider how best to safeguard water resources in the Doncaster area as elsewhere. I understand that the authority is already well aware of, and actively investigating solutions to, certain water resource problems in that area.

Freedom of Information

Mr. Simon Hughes: To ask the Secretary of State for the Environment which organisations, individuals and statutory bodies he intends to consult regarding the implementation of the EC directive on freedom of access to information on the environment; and if he will make a statement.

Mr. Trippier: My Department will be consulting a wide range of bodies including those which are directly affected by the directive. I am always willing to consider specific suggestions for the circulation list.

Mr. Simon Hughes: To ask the Secretary of State for the Environment what consideration he has given to the implementation of the European Community directive on freedom of access to information into domestic law; and if he has set a target date for its implementation.

Mr. Trippier: My Department will be issuing a consultation paper shortly on our proposals. All member states are required to implement the directive in domestic law by the end of 1992. The Water Act 1989 and the Environmental Protection Act 1990 have already provided for public access to registers of pollution consents.

Landfill Sites

Mr. Martyn Jones: To ask the Secretary of State for the Environment (1) how many unauthorised emissions of leachate have taken place from landfill waste sites to the environment in the last five years, giving details of where they took place and the names of the site owners;

(2) how many formal compliance notices have been issued by waste disposal authorities to landfill waste site operators in England during the past five years, with details of why these notices were served and the names of the site operators concerned.

Mr. Baldry: This information is not held centrally and I refer the hon. Member to the waste disposal authorities.

Community Charge

Mr. Alton: To ask the Secretary of State for the Environment if he will introduce provisions to reimburse charge payers forced to pay an additional community charge in 1990-91 as payment for other people's debts; and if he will make a statement.

Mr. Key: As part of its budgetary process and in line with proper accounting practice every local authority has to estimate the level of non-recoverable charges for the forthcoming year and then set a community charge which takes this into account. This is in principle no different from the position under the old rating system. Authorities must, of course, make every effort to collect the community charge from those who have not paid using the wide-ranging enforcement powers at their disposal. There will be no amnesty for non-payers. Nor would it be appropriate for the national taxpayer to make good the shortfall in local authority income caused by charges that they have failed to collect.

Uncollected Refuse (Liverpool)

Mr. Alton: To ask the Secretary of State for the Environment if he will now use his powers under the Environmental Protection Act 1990 to secure the removal of accumulated refuse from the streets and alleyways of Liverpool; and if he will make a statement.

Mr. Baldry: The relevant provisions of the Environmental Protection Act 1990 have not yet been implemented. The corresponding powers under section 97 of the Control of Pollution Act 1974 are far-reaching and it is considered that they should be used only in the most serious circumstances. It has not yet been deemed necessary to use them in respect of waste collection and disposal and I am not persuaded that it would be appropriate to employ them to deal with the current situation in Liverpool.

Environmental Council

Mr. Robert G. Hughes: To ask the Secretary of State for the Environment if he will make a statement on the outcome of the Environment Council on 13 and 14 June.

Mr. Trippier: I represented the United Kingdom at this meeting.

The Council agreed a directive to protect water from nitrate pollution from agricultural sources. This important new measure should help to secure improvements in water

quality throughout the Community. It strikes a fair balance between protecting the environment and maintaining an efficient agriculture. Up to 2 million hectares of the United Kingdom may be designated as nitrate vulnerable zones under this directive, although we will only know the precise areas once the National Rivers Authority and the Government have completed the necessary monitoring and other studies. Within these zones farms will be required to comply with good agricultural practice, for example through controls on the timing and quantity of fertiliser and manure application. Member states will take additional measures where necessary to achieve the directive's objectives, taking account of their cost and effectiveness.

The Council finalised agreement of a directive setting tougher limits for car emissions following receipt of the European Parliament's views. The Council reaffirmed new standards, agreed in principle last year, which will mean that three-way catalysts must be fitted to all new petrol-engined cars from the end of 1992. The directive also sets tight limits on particulate emissions from diesel-engined cars. It was agreed that the standards will be reviewed in 1993 with a view to still tighter limits being introduced in 1996. The Commission indicated that it would also consider proposing a third stage of standards for introduction at the end of the decade.

Agreement was reached, subject only to a reservation from France, on a regulation on the importation of certain furs and the use of leghold traps. The use of all such traps will be banned throughout the Community by January 1995 at the latest. There will be a ban from January 1995 on the importation into the Community of furs of certain animals from countries which have not prohibited the use of the trap or which do not use traps that meet internationally agreed standards. There is provision for the import ban to be suspended for one year if progress is seen to be made in these countries towards applying internationally agreed standards.

The Council welcomed the progress achieved to date in discussions on the development of a European scheme for labelling environmentally less harmful products. Although some further work was still required, notably on the role of interest groups and simplification of the procedures for ensuring consistency in the award of labels at national level, it was anticipated that agreement should be reached at the next meeting of the Council.

Broad agreement was reached, subject to receipt of the European Parliament's opinion, on a regulation establishing a fund, NORSPS for the protection of the Community's northern coastal waters. This will largely parallel a similar instrument established last year for the protection of the Mediterranean and, when finally agreed, will provide financial assistance for certain types of measures aimed at reducing marine pollution.

Substantial progress was made in resolving many outstanding issues on a proposed directive to protect the habitats of wild flora and fauna. In the absence of final agreement on this directive the Council agreed a restricted version of a proposed regulation for a new Community-fund on action by the community relating to nature conservation ACNAT. For the present funding will be limited to projects related to the objectives of the existing wild birds directive and to the conservation of habitats and species in danger of extinction.

The Council also briefly discussed a proposal for a new all-embracing Community financial instrument for the environment, LIFE, and the draft environmental protocol to the Antarctic treaty currently under discussion in Madrid.

Royal Armouries Collection

Mr. Ken Hargreaves: To ask the Secretary of State for the Environment what plans he has for the future of the Royal Armouries collection and the Tower of London; and if he will make a statement.

Mr. Yeo: I wish to announce today developments of major significance at the Tower of London, associated with the Royal Armouries' proposal for the establishment of a new museum in Leeds to take a major part of its collection. In recent years the tower and the armouries, two major features of our national heritage, have been less attractive to visitors than they deserve to be. Space is restricted and it is not possible to display the Crown Jewels, the collection of arms and armour and the many other treasures of the Tower in a manner worthy of them, or satisfying to visitors and people who wish to see them.

While the Royal Armouries will continue to display a significant part of its collection in the Tower of London it is proposing to develop a major new centre in Leeds, provided that the necessary resources can be found, including private sector funding. This would enable the greater part of the collection currently held in store to be put on display to the public. It would provide a new focus of national importance in the north of England attracting large numbers of people to a major tourist and educational centre. It would display a priceless part of our national heritage in new and exciting ways. No less important, it would help to revitalise the inner area of Leeds and have major benefits for the whole city. The project has the wholehearted support of the city council, the urban development corporation, and the whole community in the city.

Consultants have carried out an investment appraisal of the project for the Department and have concluded that it is likely to be an attractive investment. The Government are therefore funding further preparatory work by the Royal Armouries during this year. The extent of private sector funding of the new museum will be a key factor in the Government's consideration of public sector funding for the project. The Royal Armouries and all those involved in Leeds will therefore be working to achieve the maximum amount of private funding.

The move of part of the Royal Armouries collection out of the Tower would provide the Historic Royal Palaces Agency with an outstanding opportunity to relocate and re-display its most potent visitor attraction, the Crown Jewels, and in partnership with the Royal Armouries to re-present the white tower as one of the nation's most important historic buildings. I have now approved the agency's corporate plan containing these proposals.

If all these changes proceed, a review of the present staffing arrangements at the tower will be necessary in consultation with staff and all interested parties to ascertain the most effective ways of staffing the tower in the future.

Finally, in response to public demand, and to assist with the funding of these major changes, the tower is to be opened to visitors on Sunday mornings in summer. It is already open on Sunday afternoons in summer. This will bring the tower in line with other major tourist attractions in London, including other historic royal palaces. This

change is planned to take place next summer to give time for full consultation with interested parties, including the trade unions, which represent the staff concerned.

Euratom Treaty

Mr. Flynn: To ask the Secretary of State for the Environment whether Her Majesty's Government have any plans to propose an amendment to the Euratom treaty to address environmental aspects of nuclear energy along the lines of the environmental amendment being proposed by the Government for the Single European Act.

Mr. Trippier *[holding answer 14 June 1991]:* No. The Euratom treaty already covers environmental aspects of nuclear energy.

HEALTH

GP Budgets

14. **Mr. Michael Brown:** To ask the Secretary of State for Health how many general practitioner budget holders are now established in the health authorities of Scunthorpe and Grimsby.

Mrs. Virginia Bottomley: I am pleased to tell my hon. Friend that there are six general practices within the areas of the Grimsby and Scunthorpe health authorities participating in the first wave of fundholding. Together they provide high quality primary care services to more than 16 per cent. of the population of those authorities.

North Manchester Health Authority

15. **Mr. Eastham:** To ask the Secretary of State for Health if he will make a statement on the public health report published by the North Manchester health authority in December 1990.

Mr. Dorrell: The North Manchester health authority has determined its priorities in the light of its annual public health report.

NHS Trusts

17. **Mr. Turner:** To ask the Secretary of State for Health if he will make a statement on his proposals for the appointment of chairmen or chairwomen-designate for the second wave of NHS trusts.

Mr. Waldegrave: No NHS trust chairmen or non-executive directors can be formally appointed until an NHS trust is established. Our current programme for second-wave NHS trusts envisages formal establishment in the autumn of this year. The names of the chairmen will be provided around the same time.

Mr. Lewis: To ask the Secretary of State for Health what are the means by which service users will be consulted when Salford and Wigan district health authorities submit applications for trust status.

Mr. Dorrell: No expressions of interest in trust status have been received from the hospitals or other units in either Salford or Wigan.

22. **Mr. Cryer:** To ask the Secretary of State for Health whether business plans for the second applications for trust status of hospitals will be published; and if he will make a statement.

Mrs. Virginia Bottomley: No. The financial projections which second-wave trust applicants have been asked to submit have been prepared in confidence for the NHS management executive and it would not be appropriate to publish them.

23. **Mr. Canavan:** To ask the Secretary of State for Health how many applications have now been submitted to self-governing trust status for national health service hospitals and other units.

Mrs. Virginia Bottomley: To date, 105 hospitals and other units have applied to become NHS trusts in April 1992.

24. **Mr. McKelvey:** To ask the Secretary of State for Health when he last met representatives of the BMA to discuss trust status hospitals.

Mr. Waldegrave: I frequently meet members of the medical profession to discuss a range of issues. My last formal meeting with the BMA was on 9 May.

Preventive Medicine

18. **Mr. Devlin:** To ask the Secretary of State for Health in what ways preventive medicine has been taken into account in general practitioners' contracts.

Mrs. Virginia Bottomley: Health promotion and disease prevention are among the key principles of the GPs' new contract. GPs are now required to offer all patients advice on how to stay healthy and to offer health checks to specific groups of patients.

RU 486

19. **Mr. Hind:** To ask the Secretary of State for Health if he has reached any conclusions on licensing RU 486; and if he will make a statement.

Mrs. Virginia Bottomley: I am afraid that I am unable to make a statement today regarding the licensing of RU 486. This is because of the obligation of confidentiality imposed upon Ministers and the Medicines Control Agency by virtue of section 118 of the Medicines Act 1968.

Erythropoietin

Mr. Barron: To ask the Secretary of State for Health what is his estimate for the growth in use of erythropoietin for the treatment of patients suffering from anaemia.

Mr. Dorrell: Like other new treatments, erythropoietin is being introduced progressively across the health service. It is for health authorities to assess their patients' requirements for the drug and make appropriate plans to ensure that need is met.

Mid-Essex DHA

Mr. Burns: To ask the Secretary of State for Health if he has any plans to meet the chairman of the North East Thames regional health authority to discuss health service provision in Mid-Essex district health authority.

Mr. Dorrell: I have no plans for meeting the regional chairman to discuss Mid-Essex health provision, but I am always happy to meet RHA chairmen both on a routine basis and whenever there is a specific need to discuss health service provision in their region.

Hip and Eye Operations

Mr. Riddick: To ask the Secretary of State for Health how many *(a)* hip replacement operations and *(b)* eye cataract operations were carried out by the national health service in 1979 and in the last year for which figures are available.

Mr. Dorrell: In 1979 the national health service carried out almost 29,000 hip replacement operations and almost 40,000 eye lens operations, most of which were for cataracts. The latest statistics show that in 1988-89 hip replacement operations had increased to almost 42,000 and eye lens operations to almost 79,000.

Capital Expenditure

Mr. Dunn: To ask the Secretary of State for Health if he will indicate capital expenditure on the national health service for the year 1978-79 and the last full year for which figures are available at current prices; and if he will make a statement.

Mr. Dorrell: The information requested is given in the table:

Gross national health service capital expenditure

	Cash	*1991-92 prices*
Presentation A		
1971-72	158	1,061
1972-73	201	1,248
1973-74	245	1,422
1974-75	246	1,193
1975-76	332	1,283
1976-77	361	1,228
1977-78	321	961
1978-79	373	1,007
Presentation B		
1978-79	418	1,128
1979-80	469	1,085
1980-81	630	1,232
1981-82	761	1,357
1982-83	791	1,317
1983-84	828	1,317
1984-85	925	1,401
1985-86	1,013	1,455
1986-87	1,096	1,521
1987-88	1,137	1,498
1988-89	1,229	1,507
1989-90	1,461	1,684
1990-91	1,713	1,833
1991-92	1,725	1,725
[1]1991-92	1,899	1,899

[1] Includes estimated expenditure by national health service trusts of £174 million.

Because of the redefinition of capital it is not possible to provide a consistent run of figures over the whole period. Figures in Presentation B have been adjusted to reflect the redefinition of capital. The figures in Presentation A do not reflect this and therefore are not comparable with those for later years.

Surgery

Mr. Steinberg: To ask the Secretary of State for Health what are the latest figures available for 1990 on the number of operations carried out by the national health service, and the number of private operations carried out by the national health service; and what information is held on the number carried out by private health services.

Mr. Dorrell: In the year ending March 1989, the latest year for which information is available centrally, an estimated 3·27 million operations were performed in NHS hospitals in England, of which an estimated 48,000 were on private patients. These numbers are provisional estimates based on incomplete data and may be subject to revision. Figures from the Independent Health Care Association indicate that there were some 510,000 operations carried out by the private sector in 1988.

Infant Mortality

Mr. Morgan: To ask the Secretary of State for Health if he will list those Organisation for Economic Co-operation and Development countries which had lower infant mortality rates than England in *(a)* 1974, *(b)* 1979 and *(c)* 1984.

Mrs. Virginia Bottomley: The infant mortality rate in England has continued to fall since 1984. In 1990 it reached its lowest level at 7·9 per 1,000 live births.

The table lists the countries out of the Organisation for Economic Co-operation and Development's membership of 23 which, according to international sources of information, had lower infant mortality rates than England in *(a)* 1974, *(b)* 1979 and *(c)* 1984.

OECD Countries with lower infant mortality rates than England

1974	*1979*	*1984*
Australia	Australia	Australia
Canada	Belgium	Canada
Denmark	Canada	Denmark
Finland	Denmark	Finland
France	Finland	France
Iceland	France	Iceland
Japan	Iceland	Japan
Luxembourg	Japan	Netherlands
Netherlands	Netherlands	Norway
New Zealand	Norway	Sweden
Norway	Sweden	Switzerland
Sweden	Switzerland	—
Switzerland	—	—

Drug Abuse

Mr. Lawrence: To ask the Secretary of State for Health what assistance, financial or otherwise, has been given to non-governmental organisations in each of the past five years for the control of drug abuse or for the care of victims.

Mr. Dorrell: The provision of treatment and rehabilitation services for drug misusers is the responsibility of local health authorities to whom the Government have made increasing sums available as set out in the table. Non-governmental organisations form an important part of service delivery, supported by regional earmarked allocations. Information is not held centrally on the proportion of money spent by regions on statutory and non-governmental organisations.

Between 1983 and 1991 £17·5 million was also made available under the time-limited central funding initiative (CFI). Details of this and other moneys made available by the Department for allocating direct to non-governmental organisations in the years in question are included in the table.

	Monies to non-governmental organisations directly funded by DoH		Monies direct to Health Authorities
	Section 64 £	C. F. I. £	£
1986-87	511,278	1,784,234	5,000,000
1987-88	568,258	1,564,097	6,367,000
1988-89	701,700	809,869	9,470,000
1989-90	777,875	432,498	14,793,000
1990-91	819,375	100,000	15,532,000

Air Ambulances

Mr. Evenett: To ask the Secretary of State for Health how many ambulance services in England currently operate helicopter air ambulances or have such ambulances available to them.

Mr. Dorrell: Helicopter services operate in Cornwall, the London area, Kent and the west midlands. In addition there are a number of shared facilities with the police. Ambulance services are the responsibility of the relevant health authority and details of helicopter ambulance provision are not therefore collected centrally.

General Practitioners

Mr. Michael Morris: To ask the Secretary of State for Health what is his Department's policy on computer reimbursement for general practitioners for the current financial year 1991-92.

Mr. Dorrell: Up to 50 per cent. of the cost of purchasing, leasing, maintaining and upgrading practice systems, and up to 70 per cent. of initial staff costs will be reimburseable in 1991-92. The limit related to list size which previously applied has been abolished. Separate arrangements apply to GP fundholders. We hope to be able to issue, in the near future, detailed guidelines to enable regional health authorities to implement this policy.

HIV

Mr. Butler: To ask the Secretary of State for Health what is his latest estimate of the number of HIV positive individuals in the populations.

Mrs. Virginia Bottomley: At the end of 1990, 13,292 laboratory reports of HIV-antibody positive tests in England, Wales and Northern Ireland had been received. Since this figure is based on persons who request an HIV test and proceed with the test after being counselled it represents an under-estimate of the total number of infected persons.

The Day report, "Acquired Immune Deficiency Syndrome in England and Wales to end of 1993" published by the Public Health Laboratory Service in January 1990 provided an upper estimate of the number of HIV infected persons in England and Wales at the end of 1990 of 46,500, a copy of the report is available in the Library.

Advertising

Mr. Cox: To ask the Secretary of State for Health what budget his Department has for advertising in ethnic newspapers or magazines, the services and responsibilities of his Department; and what amount of money has been spent on this publicity in each of the last five years.

Mr. Dorrell: The Department does not have a budget specifically for advertising in ethnic newspapers or magazines. Publicity campaigns which included this type of advertising are as follows:

		£
1986-87	Asian Mother and Baby	9,120
	AIDS Informtion	10,000
1987-88	AIDS Ethnic Dial and Listen	87,056
1988-89	AIDS—Ethnic Telephone Helpline	78,655
1989-90	None	—
1990-91	NHS Reforms and You	15,525
	Food Hygiene Regulations	2,398

Health Charges

Mrs. Dunwoody: To ask the Secretary of State for Health (1) if he will simplify the application form for low income health benefits;

(2) if he will extend the validity of a prescription charges exemption certificate to 12 months;

(3) if he will extend to 12 months the time limit during which a refund may be obtained for health charges;

(4) if he will include the recipients of low income health benefits in the class eligible for refunds on spectacles.

Mrs. Virginia Bottomley: I refer the hon. Member to the reply I gave the hon. Members for Caernarfon (Mr. Wigley) and for Nottingham, North (Mr. Allen) on 6 June at columns *300-1*.

As my reply made clear, the review of the NHS low income scheme which is now under way will examine all aspects of the administration of the scheme and this will include optical refunds.

Consultant Merit Awards

Mr. Benyon: To ask the Secretary of State for Health whether the consultant merit awards count towards the level of final superannuation for the consultant concerned.

Mrs. Virginia Bottomley: Yes, since they form part of a consultant's total salary.

Mr. Benyon: To ask the Secretary of State for Health what was the average age of the recipients of merit awards for consultants in 1989-90.

Mrs. Virginia Bottomley: The distinction awards system operates on a calendar year and the average age of recipients for the various grades of awards granted in the year ended 31 December 1990 were:

A+	57
A	55
B	51
C	47

Mr. Benyon: To ask the Secretary of State for Health what the cost of consultants' merit awards was for the years 1979-80 and 1989-90.

Mrs. Virginia Bottomley: The actual amounts paid out for distinction awards are not collected centrally. Award holders are paid pro rata to their sessional commitments to the NHS. Take-up is estimated to be 88·14 per cent. of the total amount authorised by the Review Body on Doctors' and Dentists' Remuneration.

For England and Wales the estimated payments in the years concerned were:

	Authorised by DDRB £	*Estimated paid* £
1979-80	19,991,000	17,621,000
1989-90	69,075,760	60,883,000

Blood Transfusions

Sir David Steel: To ask the Secretary of State for Health if he will make immediate payments to non-haemophiliacs who contracted HIV/AIDS through infected national health service blood transfusions.

Mr. Waldegrave: The Government have no plans to extend further the special financial help available for haemophiliacs.

Exercise and Diet

Mr. Harry Greenway: To ask the Secretary of State for Health what steps he has taken to implement his proposals for individual exercise and diet programmes to improve the health of individuals; and if he will make a statement.

Mr. Dorrell: Our Green Paper "The Health of the Nation" published on 4 June, a copy of which is available in the Library, proposes a strategy for achieving a positive improvement in the nation's health, indentifying key areas for action, including diet and exercise, and setting targets to encourage and measure progress. It provides the basis of an extensive consultation process, running to 31 October 1991, during which the views of a wide range of professional bodies and organisations throughout the country will be sought. The results of the consultation will influence a White Paper on the health of the nation to be published later.

Nurses

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health what assessment his Department has made of the numbers of nurses of all grades that will be required to work in the national health service by the year 2000.

Mrs. Virginia Bottomley: The setting of staffing levels is a matter for individual health authorities.

Hospitals (Patient Care)

Mr. Arbuthnot: To ask the Secretary of State for Health how many non-fund-holding general practitioners are involved in the new national health service contracts for patient care in hospitals.

Mrs. Virginia Bottomley: Contracts for health services provide the mechanism through which all NHS services will be secured in future. All GPs, of which over 23,000 are non-fundholding, are involved in contracts. District health authorities have consulted GPs extensively on their referral preferences. GPs have also been involved in considering quality improvements in services.

Tobacco Advertising

Mr. Amos: To ask the Secretary of State for Health if he will invite and consider submissions concerning the effectiveness of a ban on tobacco advertising.

Mr. Waldegrave: Yes.

Alternative Medicine

Mr. Tredinnick: To ask the Secretary of State for Health whether he plans to meet practitioners of alternative and complementary medical treatments to discuss his Green Paper; and if he will make a statement.

Mr. Dorrell: It is open to any group or individual to make representations on the Green Paper during the consultation period.

Midwives

Mr. Evennett: To ask the Secretary of State for Health how many midwives are currently in post in each of the health districts within the south-east Thames health region.

Mrs. Virginia Bottomley: The latest information held centrally reflects the position at 30 September 1990 and is currently being validated. Figures are expected to be available in six weeks and I will write to my hon. Friend at that time.

Mr. Evennett: To ask the Secretary of State for Health (1) how many students are currently training as midwives in England; and what proportion are men;

(2) how many places are available in England for direct entry midwifery students for the coming year.

Mrs. Virginia Bottomley: Provisional information from the English National Board for Nursing Midwifery and Health Visiting is that on 31 March 1991 there were 3,243 students training as midwives in England, including 24 men. The board's current estimate is that 147 places for pre-registration—direct entry—midwifery students will be available in England in the 1991-92 financial year.

Waiting Lists

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Health what initiatives his Department intends to take to reduce waiting lists for elective surgery.

Mr. Waldegrave: The NHS management executive is agreeing targets with all 14 regional health authorities for substantial reductions, by March 1992, in the number of patients who wait too long. We are continuing the special waiting list fund in 1991-92 to help health authorities tackle this problem.

Residential Care Homes

Ms. Harman: To ask the Secretary of State for Health what responsibility residential care home owners and members of staff have to disclose any criminal record to the registration authority when applying to be registered under the Registered Homes Act 1984.

Mrs. Virginia Bottomley *[holding answer 17 June 1991]:* Local authorities should ask applicants for registration in respect of residential care homes to declare any convictions they may have incurred. They should check with the police for the existence and content of any criminal record an applicant may have.

Ms. Harman: To ask the Secretary of State for Health whether people who are found unfit to run a residential care home or nursing home are automatically barred from running another home.

Mrs. Virginia Bottomley *[holding answer 17 June 1991]:* The names of people found unfit to run a residential care or nursing home are recorded on a national list of cancelled or refused registrations maintained by the Department since 1985. The list is available to local authorities.

Ms. Harman: To ask the Secretary of State for Health (1) if there are formal complaints procedures for people in homes registered under the Registered Homes Act 1984;

(2) if all residents of homes registered under the Registered Homes Act 1984 are given information about how to make a complaint.

Mrs. Virginia Bottomley *[holding answer 17 June 1991]:* The proprietors of residential care homes are required by regulation made under the Registered Homes Act 1984 to advise residents in writing as to how to make a complaint and to whom complaints should be addressed. The name and address of the registration authority must also be given for the same purpose.

In addition, the complaints procedures introduced in social services departments from 1 April 1991 provide for complaints made to registration authorities by or on behalf of residents to be dealt with under the terms of those procedures.

Ms. Harman: To ask the Secretary of State for Health whether nursing procedures in homes registered under the Registered Homes Act 1984 are carried out by care assistants.

Mrs. Virginia Bottomley *[holding answer 17 June 1991]:* Residential care homes are served by the community nursing service who are responsible for carrying out any nursing procedures that the residents health care requires. Residential care home staff may carry out any nursing tasks specifically delegated to them by the community nurse. Nursing homes are required to have a qualified nurse on duty at all times; care assistants may carry out nursing tasks under their supervision.

Ms. Harman: To ask the Secretary of State for Health if there are national guidelines on standards in homes registered under the Registered Homes Act 1984 in relation to accommodation requirements, staffing levels and staff qualifications.

Mrs. Virginia Bottomley *[holding answer 17 June 1991]:* Regulations made under the Registered Homes Act 1984 require that all homes should provide adequate suitably qualified staff and reasonable accommodation in relation to the needs of residents. Registration may be refused under the Act where these requirements are not met.

The Act is supplemented by "Home Life: a code of practice for residential care", by the social services inspectorate publications in the "Caring for Quality" series, and by the National Association of Health Authorities and Trusts' handbook on registration and inspection, copies of which are available in the Library.

Life Expectancy

Mr. Cousins: To ask the Secretary of State for Health if he will publish an estimate for the life expectancy of males and females at birth in 1988 for each national health service region in England.

Mr. Maples: I have been asked to reply.

Figures by region are not available. The estimate for England as a whole is 72·7 for males and 78·3 for females.

DEFENCE

The Gulf

Mr. Wilson: To ask the Secretary of State for Defence how many merchant vessels have been chartered by Her Majesty's Government for use in the Gulf in the period since 25 January; how many of these were registered in the United Kingdom; and if he will list *(a)* the rate of charter and *(b)* the normal charter rate in respect of each vessel.

Mr. Archie Hamilton: Seventy-five ships have been chartered in the period. Two were registered in the United Kingdom. Rates paid by Her Majesty's Government for the charter of ships are commercial in confidence. There is no definitive normal charter rate.

Mr. Wilson: To ask the Secretary of State for Defence if he will make a statement on the availability of *(a)* British and *(b)* non-British crews willing to enter the Gulf before and during the period of hostilities; if he will list the instances of non-British crews, on vessels chartered by his Department, refusing to enter Gulf waters; and if he will establish an inquiry into the impact of (i) the availability of ships and (ii) the availability of seafarers on the military operation.

Mr. Archie Hamilton: No problems were reported over the availability of British or non-British crews before or during hostilities. There were no reports of non-British crews refusing to enter Gulf waters.

The Government continue to keep a close watch on the state of the British flagged merchant fleet and on the availability of ships and seafarers to support military operations.

Mr. Wilson: To ask the Secretary of State for Defence if he will make a statement on occurrences of operational or communications problems involving any of the foreign-flagged merchant vessels hired by Her Majesty's Government for service in the Gulf.

Mr. Archie Hamilton: No significant operational or communications problems involving foreign flagged merchant vessels hired by Her Majesty's Government have been reported.

Mr. O'Neill: To ask the Secretary of State for Defence whether the RAF and the Army Air Corps provided support to foreign military forces during operations to liberate Kuwait.

Mr. Archie Hamilton: RAF and Army Air Corps aircraft provided a variety of assistance to coalition forces during Operation Granby, including air-to-air refuelling, airlift assistance and search and rescue support.

Redundant Sewage Plant

Mr. Rogers: To ask the Secretary of State for Defence what is the location of, and when he expects to place a contract for the decommissioning of a redundant sewage plant and surrounding area as advertised in the Ministry of Defence contracts bulletin of 11 October 1989.

Mr. Alan Clark: The plant in question is located at the AWE Aldermaston site. We expect to place an initial contract in September of this year.

Chieftain Tanks

Mr. Rogers: To ask the Secretary of State for Defence when he last met representatives of Krauss Maffei to discuss the Chieftain replacement programme.

Mr. Alan Clark: My right hon. Friend the Secretary of State for Defence has had no meetings with representatives of the company to discuss this issue since taking up office. Representatives of Krauss Maffei called on me on 6 June 1991.

British Army of the Rhine

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his answer of 23 May, *Official Report*, column *614*, whether the information provided includes or excludes those armoured regiments and infantry battalions that are currently deployed to Northern Ireland.

Mr. Archie Hamilton: The information provided includes armoured regiments and infantry battalions currently deployed to Northern Ireland.

Divisions

Mr. O'Neill: To ask the Secretary of State for Defence what is the number of infantry battalions and armoured regiments that will constitute a British division within the new NATO force structure.

Mr. Archie Hamilton: The number of infantry battalions, armoured regiments and other units will vary.

Spare Parts

Mr. O'Neill: To ask the Secretary of State for Defence whether he will make it his policy to increase the quantity of spare parts available for the British armed forces.

Mr. Alan Clark: Our policy will continue to be to maintain spares holdings at the levels required.

Romania

Mr. O'Neill: To ask the Secretary of State for Defence what discussions he has had with his Romanian counterpart regarding *(a)* the export of British military equipment to Romania and *(b)* the development of closer links between British and Romanian armed forces.

Mr. Archie Hamilton: General Spiroiu called on my right hon. Friend the Secretary of State for Defence on Thursday 6 June. They discussed a range of issues, the details of which are confidential.

RAF Wildenrath and Gutersloh

Mr. O'Neill: To ask the Secretary of State for Defence what redunancy terms will be offered to German civilians working at RAF Wildenrath and RAF Gutersloh; and what discussions have taken place with the German Government regarding redundancy arrangements for German civilians working at RAF Wildenrath and RAF Gutersloh.

Mr. Kenneth Carlisle: Discussions are continuing.

Mr. O'Neill: To ask the Secretary of State for Defence why United Kingdom dependants employed at RAF Wildenrath and RAF Gutersloh are not entitled to redundancy payments.

Mr. Kenneth Carlisle: The terms and conditions of service for dependant employees serving with the British Forces in Germany do not make provision for redundancy payments. The average length of service for a dependant is 18 months, a period which would not normally attract an entitlement to redundancy terms. They are, however, entitled to two months' notice of dismissal. Where a dependant is to remain in Germany but their current post is to be cut, they will be offered any suitable vacancy on the same terms as German civilian employees.

Mr. O'Neill: To ask the Secretary of State for Defence whether those service personnel who are due to be redeployed from RAF Wildenrath and RAF Gutersloh will be transferred into positions that are suitable to their particular skills.

Mr. Archie Hamilton: It is the intention that those personnel who are due to be redeployed from RAF Wildenrath and RAF Gutersloh will be posted to positions that utilise their particular skills wherever possible.

Defence Industries (Diversification)

Mr. O'Neill: To ask the Secretary of State for Defence what consideration he has given to providing assistance to defence industries in eastern Europe and the Soviet Union to diversify into other areas of production.

Mr. Alan Clark: None.

Departmental Courses

Mr. O'Neill: To ask the Secretary of State for Defence if he will state the number, rank and nationality of military personnel from the Soviet Union or former Warsaw pact nations who have been invited to attend his Department's courses.

Mr. Archie Hamilton: Two members of the Hungarian armed forces are undergoing training at defence establishments in the United Kingdom, and the Polish Government have also been invited to nominte a member of the Polish armed forces to attend a course in the United Kingdom. Details of the training provided are generally confidential between Her Majesty's Government and the Government concerned.

UN Military Staff Committee

Mr. O'Neill: To ask the Secretary of State for Defence whether his representative at the United Nations Military Staff Committee has raised the question of *(a)* the monitoring of the transfer of conventional arms or *(b)* the possible restriction on the export of military equipment to the middle east by France, the United Kingdom, the Union of Soviet Socialist Republics, the United States of America and China in that committee.

Mr. Archie Hamilton: No.

Mr. O'Neill: To ask the Secretary of State for Defence whether he will list the dates of all meetings of the United Nations Military Staff Committee in the last 10 years and the work that has been undertaken by this committee.

Mr. Archie Hamilton: The United Nations Military Staff Committee meets formally every fortnight. There have been 272 such meetings since the beginning of 1981, the latest taking place on 14 June 1991. The formal meetings of the UNMSC have been a useful forum for an exchange of views between the military representatives of the five permanent members of the UN Security Council. During the Gulf crisis, ad hoc meetings of the members of the UNMSC proved valuable for sharing information on naval deployments.

Nuclear Submarines

Dr. Thomas: To ask the Secretary of State for Defence which docks in the United Kingdom have had Z-berth safety assessments produced for them but were subsequently refused Z-berth status by the nuclear powered warships safety committee.

Mr. Archie Hamilton: None. Proposed new Z-berths are put forward to the nuclear-powered warship safety committee only when there is confidence in the berth's suitability.

Dr. Thomas: To ask the Secretary of State for Defence at what dates *(a)* Cardiff and *(b)* Barry docks were designated as sites for nuclear powered submarine berths; and how many nuclear-powered submarines have visited the Cardiff and Barry docks to date.

Mr. Archie Hamilton: Z-berths were designated at Cardiff and Barry in 1970 and 1972 respectively. Nuclear-powered submarines have visited Barry on three occasions; visits to Cardiff have been more numerous—typically one or two per year.

Range Safety

Mr. John Browne: To ask the Secretary of State for Defence (1) whether on 7 July 1989 paragraphs 240(a)(1) and 240(a)(3) (c) of chapter II (Range Safety) of the Suffield (Batus) Range standing orders were fully complied with;

(2) if paragraph 123 (a and b) of chapter 1 of the Suffield (Batus) Range standing orders was complied with between 1 January 1983 and 7 July 1989; and if he will make a statement;

(3) if paragraphs 202, 203 and 206 of chapter II (Range Safety) of the Suffield (Batus) Range standing orders were complied with between 1 January 1983 and 7 July 1989; and if he will make a statement.

Mr. Archie Hamilton: I will write to my hon. Friend.

Batus Training Area (Accident)

Mr. John Browne: To ask the Secretary of State for Defence if he will place in the Library annexes C and D to the summary report of the board of inquiry into the 7 July 1989 accident at Batus training area; and if he will make them available immediately to the solicitors acting for Grenadier Guardsmen Hicks, Ray and Povey.

Mr. Archie Hamilton: This information, though referred to in the summary, is part of the report of the board of inquiry and it is not our practice to release such material.

Mr. Winnick: To ask the Secretary of State for Defence if he will state the total cost to date for his Department in dealing with parliamentary questions and all correspondence regarding the case of guardsmen Povey, Hicks and Ray.

Mr. Archie Hamilton: Information on the costs incurred on this specific case has not been collected.

Metal Detectors

Mr. John Browne: To ask the Secretary of State for Defence why metal detectors were not used to clear the specific areas in which the 1st Battalion Grenadier Guards were planning to dig trenches whilst engaged on an exercise in July 1989 on the battalion's live firing training area where blind rounds could be expected to be encountered.

Mr. Archie Hamilton: There is considerable amount of metal debris on the range, making the use of metal detectors to locate live ammunition impracticable.

Household Division

Mr. John Browne: To ask the Secretary of State for Defence if he will make a statement on the changes in the field and public duties roles of the Household Division, consequent upon manpower cuts.

Mr. Archie Hamilton: The Army will continue to undertake public duties in an appropriate manner. We shall be looking at how best to meet these commitments from within a smaller Army while maintaining standards. Decisions on the future of individual regiments have yet to be taken.

Sellafield (Visit)

Mr. Flynn: To ask the Secretary of State for Defence what was the purpose of the visit to Sellafield of the King's Own Border Regiment; and whether the soldiers visiting the site were carrying firearms.

Mr. Archie Hamilton: It is the intention of the permanent staff at HQ 4th (Volunteer) Battalion the King's own Border Regiment to visit Sellafield power station at some future date as part of their employer liaison programme. None of the staff will be carrying firearms.

HMS Endurance

Mr. Foulkes: To ask the Secretary of State for Defence what is the annual cost of HMS Endurance; what discussions he has had about retaining its presence in the South Atlantic; what decision he has made; and if he will make a statement.

Mr. Archie Hamilton: The approximate annual running costs of HMS Endurance are £2·4 million, excluding maintenance and refit. Her future programme is under consideration, but no decision has yet been taken.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Defence what was *(a)* the expenditure on energy efficiency measures in each of the last two available years, *(b)* the number of dedicated energy managers and the number of years devoted to energy management in each of the last

two available years and *(c)* the number of energy audits carried out in the last five years in relation to the civil estate.

Mr. Archie Hamilton: Prior to 1 April 1990, responsibility for energy efficiency on the MOD civil estate lay with the Department of the Environment (PSA). Any historical expenditure on energy efficiency is not separately identifiable. MOD staff effort now devoted wholly or mainly to energy efficiency represents about three person/years. Three energy audits were carried out in 1990-91.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Defence if he will publish in the *Official Report* an up-to-date version of table 3·6 on energy consumption in volume 2 of the 1990 statement on the defence estimates, giving figures for both 1989-90 and 1990-91.

Mr. Archie Hamilton: My noble Friend the Under-Secretary of State for the Armed Forces will write to the hon. Member.

Chemical Plant, Samarra

Mr. Dalyell: To ask the Secretary of State for Defence what assessment has been made of the chemical plant at Samarra.

Mr. Archie Hamilton: The United Nations special commission set up under Security Council resolution 687 has concluded a preliminary inspection of Samarra. United Kingdom experts were provided to the commission for the inspection team, whose report is now awaited.

Jordan

Mr. Rogers: To ask the Secretary of State for Defence whether Jordan has maintained its repayment schedule in connection with recent arms deals.

Mr. Sainsbury: I have been asked to reply.

Jordan defaulted on its external debts in 1989. Debts guaranteed by ECGD, including those involving defence sales, are included in multilateral rescheduling arrangements through the Paris Club.

SCOTLAND

Hostel Deficit Grant

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland (1) what was the amount of hostel deficit grant paid to housing associations in each of the last five years;

(2) what was the total number of units of accommodation provided for from hostel deficit grant in each of the past five years.

Lord James Douglas-Hamilton: I refer the hon. Member to the answer given to the hon. Member for Monklands, West (Mr. Clarke) on 13 June at column *652*.

Special Needs Accommodation

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland how the target of 300 new units of special needs accommodation, announced in the second strategic plan of Scottish Homes, is to be met; and if he will place any relevant material produced by Scottish Homes in the Library.

Lord James Douglas-Hamilton: Scottish Homes finances special needs accommodation provided by housing associations from within its traditional rented programme, which in 1990-91 was approximately £149 million.

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he has any plans to introduce the payment of the special needs management allowance currently available in England and Wales; and if he will make a statement.

Lord James Douglas-Hamilton: I refer the hon. Member to the answer given to the hon. Member for Monklands, West (Mr. Clarke) on 13 June 1991 at col *652*.

Child Maintenance

Mr. McLeish: To ask the Secretary of State for Scotland if he will give for each of the last three years, *(a)* the number of child maintenance cases before the Scottish courts and *(b)* the number of cases where DNA paternity testing was involved.

Lord James Douglas-Hamilton: The information requested is not held centrally. So far as concerns DNA paternity testing, whilst it was always possible for parties to agree this procedure, the provisions of section 70 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 which enable the court to request a party to provide samples for analysis, have been in force only since 1 January 1991. There is no information available as to the extent to which use is being made of the provisions.

Hospitality Fund

Mr. Redmond: To ask the Secretary of State for Scotland if he will list the expenditure covered by his Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Mr Lang: The information is as follows:

	£
1989-90	60,173
1990-91	65,123
[1]1991-92	12,818

[1] to 7 June 1991

Housing Repossessions

Mr. McMaster: To ask the Secretary of State for Scotland how many houses were repossessed in Scotland in each year since 1980; how many were former local authority houses; and if he will make a statement.

Lord James Douglas-Hamilton: This information is not available in the form requested. The Council of Mortgage Lenders publishes statistics in its regular newsletters on various aspects of mortgage lending by building societies but this is on a GB basis and no corresponding information is available for Scotland only. No information about other mortgage lenders is held centrally.

Fish Farming

Mr. Wilson: To ask the Secretary of State for Scotland how many notifications have been made by salmon farmers for the use of ivermectin in each of the River Purification Authority areas in Scotland under the conditions of discharge consent before 6th June 1991.

Lord James Douglas-Hamilton: Ivermectin is not licensed for use in fish in the United Kingdom and accordingly river purification authorities would not expect to be notified of its use by salmon farmers. Any information on individual notifications is held by the river purification authorities and is not available centrally.

Hospitality

Mr. Maxton: To ask the Secretary of State for Scotland, pursuant to his answer in the *Official Report*, 4 June, column *215-16*, what was the amount spent on hospitality by the Scottish Office in real terms in each year since 1970.

Mr. Lang: The information requested is shown in the following table using the GDP deflator (base year 1989-90). Figures for 1970-1978 are not available.

Year	*£*	*£ using GDP deflator*
1979-80	15,283	30,667
1980-81	19,427	32,943
1981-82	20,762	32,107
1982-83	31,588	45,609
1983-84	26,287	36,277
1984-85	27,301	35,855
1985-86	35,815	44,613
1986-87	38,315	46,128
1987-88	41,983	47,984
1988-89	42,987	45,726
1989-90	60,173	60,173
1990-91	65,123	60,439

Scotvec

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will list each of the further education colleges in Scotland which *(a)* presently offer and *(b)* intend to offer from autumn 1991 languages as the principal core subjects in courses leading to Scotvec-validated qualifications at higher national certificate or diploma level.

Mr. Michael Forsyth: No courses leading to HNC/D level qualifications offered by further education colleges in Scotland have languages as the principal core subjects. However, an increasing number of courses have languages as a component.

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he has any plans to review the framework of Scotvec-validation criteria; and if he will make a statement.

Mr. Michael Forsyth: My right hon. Friend has no plans to do so.

The Scottish Vocational Education Council (SCOTVEC) recently reviewed their procedures for validating courses. In May 1991 the council issued a paper setting out new procedures, which will come into operation in 1991-92, aimed at maintaining consistent standards while delegating maximum responsibility to centres.

Mr. Andrew Welsh: To ask the Secretary of State for Scotland what representations he has received on the operation of Scotvec-validated qualifications at HNC/D level; and if he will make a statement.

Mr. Michael Forsyth: My right hon. Friend has received no representations on the operation of Scotvec-validated qualifications at HNC/D level.

Mr. Andrew Welsh: To ask the Secretary of State for Scotland what is the level of funding broken down by regional authority for *(a)* the total number of Scotvec-validated qualifications at HNC/D level and *(b)* those courses leading to Scotvec-validated qualifications at HNC/D level which have languages as the principal core subjects.

Mr. Michael Forsyth: This information is not held centrally.

Livestock Density

Mr. Maginnis: To ask the Secretary of State for Scotland what the stocking levels are for cattle, sheep and pigs for each region within Scotland; and what stocking density per hectare this represents for cattle and sheep.

Mr. Michael Forsyth: The number of cattle, sheep and pigs and the area of "grazing land" for each region within Scotland returned by main holdings at June 1990 is given in the following table. Reliable information on stocking densities is not readily available but my right hon. Friend the Minister for Agriculture, Fisheries and Food will write to the hon. Member with this information as soon as possible.

Region	*Number of cattle*[1]	*Number of sheep*[1]	*Number of pigs*[1]	*Grazing land*[2] *(hectares)*
Borders	145,232	1,491,163	17,580	297,790
Central	63,457	464,533	2,892	176,801
Dumfries and Galloway	430,842	1,542,737	29,446	410,465
Fife	61,782	136,439	24,477	36,569
Grampian	430,861	799,552	242,139	435,927
Highland	153,315	1,285,789	14,188	1,879,044
Lothian	57,867	269,835	42,366	67,863
Strathclyde	494,896	1,986,406	18,216	876,760
Tayside	137,746	889,121	56,869	472,329
Islands	110,090	535,279	787	437,123
Scotland	2,086,088	9,400,854	448,960	5,090,671

[1] Total cattle, sheep and pigs.
[2] Includes all grassland, rough grazing (including common grazing) and crops for stockfeeding.

Health Service

Mr. Graham: To ask the Secretary of State for Scotland if he will list the contracts for hospital and health board services awarded so far under the competitive tendering process by Argyll and Clyde health board, including successful tenderer and value of contract.

Mr. Michael Forsyth: Contracts awarded in the Argyll and Clyde health board area are expected to realise £2·3 million savings over the three-year contract period. These savings release resources for re-investment in direct patient care.

The information is as follows:

Hospital unit	*Service type*	*Contractor*	*Previous cost £'000s*	*Tender value £'000s*
Royal Alexandra	Domestic	In-house	997	981
Inverclyde Royal	Domestic	In-house	546	525
Dumbarton Group	Catering	In-house	595	580
Rankin Maternity, Inverclyde	Domestic	In-house	158	143
Lochgilphead	Catering	In-house	315	280
Renfrew Community Gilmour House Westward House	Domestic	In-house	149	136
Dumbarton Hospitals and Community	Domestic	In-house	818	748
Dunoon and District	Hotel	In-house	265	249
Royal Alexandra	Portering	Mediguard	635	495
Inverclyde Royal Rankin Ravenscraig Merchiston	Portering	Mediguard	379	348
Elderslie Johnstone	Hotel	In-house	569	526
Dumbarton Helensburgh	Portering	In-house	213	189
Oban	Hotel	In-house	464	422
Ravenscraig	Hotel	In-house	565	495
Dykebar Hawkhead Barshaw Gilmour House Westward House	Hotel	In-house	1,474	1,384
Argyll and Dumbarton	Transport	In-house	164	138
Renfrew and Inverclyde	Transport	In-house	286	227
Argyll	Painterwork	In-house	54	48
Dumbarton	Painterwork	John Miller and Sons	53	34
Inverclyde Dunoon Rothesay	Ground maintenance	In-house	124	106

Note: In this context "hotel" means a combined contract including cleaning, catering, portering, laundry/linen and telephone/reception duties or combination thereof.

Local Government Finance

Mr. Dewar: To ask the Secretary of State for Scotland, pursuant to his answer of 2 May, *Official Report*, column *285*, on the methodology used to produce his recent local tax exemplifications, if he will list the level of central Government grant assumed to be allocated to each Scottish local authority to produce the exemplifications; and how the distribution of grant was derived.

Mr. Lang *[holding answer 17 June 1991]:* I refer to the reply that I gave to the hon. Member on 30 April at columns *89-90*.

House Repairs

Mr. Norman Hogg: To ask the Secretary of State for Scotland what was the cost to housing authorities for repairing and maintaining houses in each of the past five years for which figures are available.

Lord James Douglas-Hamilton *[holding answer 17 June 1991]:* Information relating to the cost of local housing authorities of repairing and maintaining their own houses is as follows:

Year	*£ million*
1986-87	203·164
1987-88	211·618
1988-89	219·893
1989-90	230·480
1990-91	243·669

Note: The 1990-91 figure is provisional. All figures are at outturn prices.

Child Employment

Mr. Andrew Welsh: To ask the Secretary of State for Scotland (1) what is his estimate of the number of school children working part-time in non-industrial undertakings who are in breach of child employment regulations; and if he will make a statement;

(2) if he will provide a breakdown of the numbers of children working part-time in non-industrial undertakings who are in breach of child employment regulations by category of employment; and if he will make a statement.

Mr. Michael Forsyth *[holding answer 17 June 1991]:* Information held centrally about offences under the Children and Young Persons (Scotland) Act 1937 does not at present record separately those offences which relate to child employment.

Waiting Lists

Mr. Norman Hogg: To ask the Secretary of State for Scotland what are the percentages of total in-patients on waiting lists who have been waiting for more than one and two years at March 1991 by health boards.

Mr. Michael Forsyth *[holding answer 17 June 1991]:* The information requested is not available.

EMPLOYMENT

Training Schemes

Mr. Mudd: To ask the Secretary of State for Employment how much money his Department has contributed to training, retraining, employment schemes and job clubs and all other programmes to reduce unemployment in Falmouth and Camborne over each of the last 10 years; what forward plans have been made for the next three years; and if he will make a statement.

Mr. Jackson: The information is not available in the form requested. However, in the last 10 years the Employment Department has provided a range of opportunities to assist the unemployed in the Falmouth and Camborne area, including youth training, community programme, employment training advisory services to jobseekers and job clubs. In the last two financial years —1989-90 and 1990-91, my Department has allocated a total of £200·788 million to the south-west region to assist training and unemployment measures.

Devon and Cornwall TEC has been allocated a budget of £50,062,396 in 1991-92 to enable it to plan and deliver training and enterprise provision in their area. The TEC will be paying particular attention to the needs of the unemployed. Employment service offices in Falmouth, Redruth and Camborne offer a full range of programmes and services to help unemployed people back to work, including advisory interviews, job club, job interview guarantee, travel to interview scheme, Restart courses and help for people with disabilities. Programme development funding has also been used for a project, in the Camborne/Redruth area, called "Teamwork" which is providing long-term unemployed clients with the opportunity to increase their employment and training prospects. The employment service Cornwall-Plymouth area office has been allocated £427,825 for expenditure on programmes in 1991-92.

Approved Training Organisations

Mr. Redmond: To ask the Secretary of State for Employment if he will list for *(a)* 12 months ago and *(b)* the latest date for which he has figures how many approved training organisations there are; and what are their names.

Mr. Jackson: The numbers and names of approved training organisations is a matter for individual training and enterprise councils. TECs have agreed to ensure that providers secure approved training organisation or equivalent status within the period of time set out in each TECs agreed business plan.

Prison Training

Mr. Leighton: To ask the Secretary of State for Employment how many training and enterprise councils are involved in work and training in prisons.

Mr. Jackson: Responsibility for training in prisons lies with the Home Office prison service. It is not possible to identify which training and enterprise councils are involved in work and training in prisons. We are, however, aware of two pilot projects run by Devon and Cornwall TEC.

Earnings

Mr. Nicholas Brown: To ask the Secretary of State for Employment what are the latest figures *(a)* from the New Earnings Survey and *(b)* estimates for 1991-92 for (A) average gross earnings for full-time manual males, (B) the percentage of (i) full-time males, (ii) full-time manual males, (iii) full-time non-manual males, (iv) full-time females, (v) full-time manual females, (vi) full-time non-manual females, (vii) all full-time employees, (viii) all full-time manual employees and (ix) all full-time non-manual employees, earning less than this amount and (C) percentages earning less than this amount in the same categories as in (B) but including part-timers.

Mr. Jackson: The available information closest to that requested is shown in the following table:

Employees on adult rates, whose pay for the survey pay period was not affected by absence

	Average gross weekly earnings	*Percentage earning less than £220*		*Percentage earning less than £250*	
	Full-time	*Full-time*	*All*	*Full-time*	*All*
	£	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*
Great Britain					
All males	—	35·5	37·9	47·0	49·0
Manual males	237·2	49·3	51·3	63·4	64·8
Non-manual males	—	21·5	24·5	30·5	33·2
All females	—	67·5	78·7	76·3	84·6
Manual females	—	90·9	95·8	95·2	97·7
Non-manual females	—	61·4	71·8	71·4	79·2
All employees	—	46·6	56·1	57·2	64·8

	Average gross weekly earnings Full-time £	Percentage earning less than £220 Full-time Per cent.	Percentage earning less than £220 All Per cent.	Percentage earning less than £250 Full-time Per cent.	Percentage earning less than £250 All Per cent.
All manual employees	—	56·8	65·3	69·1	75·2
All non-manual employees	—	39·7	49·7	49·2	57·7

Source: New Earnings Survey 1990.

Mr. Nicholas Brown: To ask the Secretary of State for Employment what are the latest figures *(a)* from the New Earnings Survey and *(b)* estimates for 1991-92 for (A) average gross earnings for full-time non-manual males in the south-east, (B) the percentage of (i) full-time males, (ii) full-time manual males, (iii) full-time non-manual males, (iv) full-time females, (v) full-time manual females, (vi) full-time non-manual females, (vii) all full-time employees, (viii) all full-time manual employees and (ix) all full-time non-manual employees, both in the south-east and in the country as a whole, earning less than this amount and (C) percentages earning less than this amount in the same categories as in (B) but including part-timers.

Mr. Jackson: The available information closest to that requested is shown in the following table:

Employees on adult rates, whose pay for the survey pay period was not affected by absence

	Average gross weekly earnings Full-time £	Percentage earning less than £400 Full-time Per cent.	Percentage earning less than £400 All Per cent.	Percentage earning less than £450 Full-time Per cent.	Percentage earning less than £450 All Per cent.
South East					
All males	—	74·3	—	81·0	—
Manual males	—	91·8	—	95·3	—
Non-manual males	404·0	62·6	—	71·4	—
All females	—	93·9	—	96·2	—
Manual females	—	99·5	—	99·9	—
Non-manual females	—	92·9	—	95·6	—
All employees	—	81·4	—	86·6	—
All manual employees	—	93·2	—	96·1	—
All non-manual employees	—	76·2	—	82·2	—
Great Britain					
All males	—	83·6	84·2	88·5	88·9
Manual males	—	94·6	94·8	97·1	97·2
Non-manual males	—	72·4	73·4	79·8	80·6
All females	—	96·8	97·9	98·1	98·8
Manual females	—	99·8	99·9	99·9	100·0
Non-manual females	—	96·0	97·1	97·6	98·3
All employees	—	88·1	90·3	91·8	93·3
All manual employees	—	95·5	96·4	97·6	98·0
All non-manual employees	—	83·2	86·0	88·0	90·0

Source: New Earnings Survey 1990.
Note: "—" denotes information not available.

Mr. Nicholas Brown: To ask the Secretary of State for Employment what are the latest figures *(a)* from the New Earnings Survey and *(b)* estimates for 1991-92 for (A) average gross earnings for full-time males, (B) the percentage of (i) full-time males, (ii) full-time manual males, (iii) full-time non-manual males, (iv) full-time females, (v) full-time manual females, (vi) full-time non-manual females, (vii) all full-time employees, (viii) all full-time manual employees and (ix) all full-time non-manual employees, earning less than this amount and (C) percentages earning less than this amount in the same categories as in (B) but including part-timers.

Mr. Jackson: The available information closest to that requested is shown in the following table:

Employees on adult rates, whose pay for the survey pay period was not affected by absence

	Average gross weekly earnings Full-time £	Percentage earning less than £280 Full-time Per cent.	Percentage earning less than £280 All Per cent.	Percentage earning less than £300 Full-time Per cent.	Percentage earning less than £300 All Per cent.
Great Britain					
All males	295·6	57·2	58·8	63·2	64·6
Manual males	—	74·7	75·7	80·4	81·1
Non-manual males	—	39·5	41·8	45·8	48·0
All females	—	82·8	88·8	86·8	91·4

	Average gross weekly earnings Full-time £	Percentage earning less than £280 Full-time Per cent.	Percentage earning less than £280 All Per cent.	Percentage earning less than £300 Full-time Per cent.	Percentage earning less than £300 All Per cent.
Manual females	—	97·6	98·9	98·4	99·2
Non-manual females	—	79·0	84·8	83·7	88·2
All employees	—	66·1	72·2	71·4	76·5
All manual employees	—	78·8	83·0	83·6	86·9
All non-manual employees	—	57·5	64·7	63·2	69·4

Source: New Earnings Survey 1990.

Mr. Nicholas Brown: To ask the Secretary of State for Employment what are the latest figures *(a)* from the New Earnings Survey and *(b)* estimates for 1991-92 for (A) average gross earnings for full-time males in the south-east, (B) the percentage of (i) full-time males, (ii) full-time manual males, (iii) full-time non-manual males, (iv) full-time females, (v) full-time manual females, (vi) full-time non-manual females, (vii) all full-time employees, (viii) all full-time manual employees and (ix) all full-time non-manual employees, both in the South-East and in the country as a whole, earning less than this amount and (C) the percentages earning less than this amount in the same categories as in (B) but including part-timers.

Mr. Jackson: The available information closest to that requested is shown in the following table:

Employees on adult rates, whose pay for the survey pay period was not affected by absence

	Average gross weekly earnings Full-time £	Percentage earning less than £320 Full-time Per cent.	Percentage earning less than £320 All Per cent.	Percentage earning less than £350 Full-time Per cent.	Percentage earning less than £350 All Per cent.
South East					
All males	344·4	57·3	—	64·8	—
Manual males	—	79·2	—	85·8	—
Non-manual males	—	42·6	—	50·8	—
All females	—	84·8	—	89·5	—
Manual females	—	97·7	—	99·0	—
Non-manual females	—	82·5	—	87·9	—
All employees	—	67·3	—	73·8	—
All manual employees	—	82·5	—	88·2	—
All non-manual employees	—	60·5	—	67·4	—
Great Britain					
All males	—	68·8	70·0	75·7	76·6
Manual males	—	84·8	54·4	61·2	62·8
Non-manual males	—	52·5	85·4	89·9	90·3
All females	—	90·4	93·7	93·9	96·0
Manual females	—	98·9	99·5	99·4	99·7
Non-manual females	—	88·1	91·4	92·4	94·5
All employees	—	76·3	80·5	82·0	85·2
All manual employees	—	87·4	89·9	91·6	93·3
All non-manual employees	—	68·8	74·1	75·5	79·7

Source: New Earnings Survey 1990.
Note: "—" denotes information not available.

Mr. Nicholas Brown: To ask the Secretary of State for Employment what are the latest figures *(a)* from the New Earnings Survey and *(b)* estimates for 1991-92 for (A) average gross earnings for full-time manual females, (B) the percentage of (i) full-time males, (ii) full-time manual males, (iii) full-time non-manual males, (iv) full-time females, (v) full-time manual females, (vi) full-time non-manual females, (vii) all full-time employees, (viii) all full-time manual employees and (ix) all full-time non-manual employees, earning less than this amount and (C) percentages earning less than this amount in the same categories as in (B) but including part-timers.

Mr. Jackson: The available information closest to that requested is shown in the following table:

Employees on adult rates, whose pay for the survey pay period was not affected by absence

	Average gross weekly earnings Full-time £	Percentage earning less than £140 Full-time Per cent.	Percentage earning less than £140 All Per cent.	Percentage earning less than £150 Full-time Per cent.	Percentage earning less than £150 All Per cent.
Great Britain					
All males	—	7·3	10·6	9·8	13·1
Manual males	—	10·2	13·5	13·8	17·0
Non-manual males	—	4·4	7·8	5·9	9·2

	Average gross weekly earnings Full-time £	Percentage earning less than £140 Full-time Per cent.	Percentage earning less than £140 All Per cent.	Percentage earning less than £150 Full-time Per cent.	Percentage earning less than £150 All Per cent.
All females	—	27·3	50·6	33·3	55·0
Manual females	148·0	52·1	76·9	60·0	80·8
Non-manual females	—	20·7	39·9	26·3	44·6
All employees	—	14·2	28·4	18·0	31·7
All manual employees	—	17·7	33·5	22·1	37·1
All non-manual employees	—	11·9	24·9	15·2	28·0

Source: New Earnings Survey 1990.

Mr. Jack Thompson: To ask the Secretary of State for Employment what percentage of males, females and all workers within each of the 10 standard industrial classification divisions in the northern region earned less than £170 per week, and less than £180 per week, in 1990 and the first quarter of 1991.

Mr. Jackson: The information is not available.

Mr. Jack Thompson: To ask the Secretary of State for Employment what are the average earnings of males, females and all workers, in each of the standard industrial classification divisions in the northern region and in each county within the region.

Mr. Jackson: The information available from the New Earnings Survey is provided in the following tables.

Average gross weekly earnings by region and county within industrial division
Full-time males on adult rates, whose pay for the survey pay period was not affected by absence
April 1990

Industrial classification	Tyne and Wear MC	Cleveland	Cumbria	Durham	Northumberland	Northern region
Division 0	[1]—	[2]—	[1]—	[1]—	[1]—	[1]—
Division 1	294·2	[1]—	317·3	[1]—	[1]—	304·7
Division 2	256·0	333·4	296·1	[1]—	[1]—	305·4
Division 3	261·2	290·9	293·2	256·1	[1]—	269·6
Division 4	248·9	[1]—	269·3	267·1	[1]—	256·2
Division 5	246·5	[1]—	255·8	249·7	[1]—	250·0
Division 6	216·9	[1]—	[1]—	190·1	[1]—	215·2
Division 7	255·4	228·4	239·6	216·3	[1]—	239·7
Division 8	[1]—	[1]—	[1]—	[1]—	[1]—	282·0
Division 9	287·1	262·6	307·7	272·2	253·8	280·4
All industries	262·8	275·4	276·7	255·9	248·4	265·2

Source: New Earnings Survey 1990.

[1]— Denotes sampling error too large or numbers too small for reliable estimate.
[2]— Denotes information not available.

Average gross weekly earnings by region and county within industrial division
Full-time females on adult rates, whose pay for the survey pay period was not affected by absence
April 1990

Industrial classification	Tyne and Wear MC	Cleveland	Cumbria	Durham	Northumberland	Northern region
Division 0	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—
Division 1	[1]—	[1]—	[1]—	[2]—	[1]—	200·4
Division 2	[1]—	[2]—	[1]—	[1]—	[1]—	[1]—
Division 3	[1]—	[1]—	[1]—	[1]—	[1]—	170·0
Division 4	[1]—	[1]—	161·5	[1]—	[1]—	155·4
Division 5	[1]—	[1]—	[2]—	[1]—	[2]—	[1]—
Division 6	136·3	[1]—	131·3	[1]—	[1]—	131·0
Division 7	[1]—	[1]—	[1]—	[1]—	[1]—	172·9
Division 8	175·1	[1]—	[1]—	[1]—	[1]—	171·6
Division 9	202·6	204·3	200·9	200·9	[1]—	202·2
All industries	183·0	181·3	178·7	178·0	171·5	180·2

Source: New Earnings Survey 1990.

[1]— Denotes sampling error too large or numbers too small for reliable estimate.
[2]— Denotes information not available.

Average gross weekly earnings by region and county within industrial division
Full-time employees on adult rates, whose pay for the survey pay period was not affected by absence
April 1990

Industrial classification	Tyne and Wear MC	Cleveland	Cumbria	Durham	Northumberland	Northern region
Division 0	[1]—	[2]—	[1]—	[1]—	[1]—	[1]—
Division 1	272·1	[1]—	297·6	[1]—	[1]—	288·2
Division 2	248·1	333·4	291·6	[1]—	[1]—	295·8
Division 3	248·8	274·5	266·9	238·0	[1]—	251·9
Division 4	217·4	209·8	231·6	233·8	202·9	222·1
Division 5	242·0	254·6	255·8	243·4	[1]—	245·6
Division 6	185·5	[1]—	[1]—	162·8	[1]—	180·9
Division 7	243·4	223·2	235·6	209·4	[1]—	230·9
Division 8	241·9	243·9	[1]—	[1]—	[1]—	235·9
Division 9	239·2	229·5	250·2	233·2	225·3	236·8
All industries	234·2	246·3	246·7	230·5	221·1	236·7

Source: New Earnings Survey 1990.

[1]— Denotes sampling error too large or numbers too small for reliable estimate.
[2]— Denotes information not available.

Mr. Nicholas Brown: To ask the Secretary of State for Employment what are the latest figures *(a)* from the New Earnings Survey and *(b)* estimates for 1991-92 for (A) average gross earnings for full-time non-manual males, (B) the percentage of (i) full-time males, (ii) full-time manual males, (iii) full-time non-manual males, (iv) full-time females, (v) full-time manual females, (vi) full-time non-manual females, (vii) all full-time employees, (viii) all full-time manual employees and (ix) all full-time non-manual employees, earning less than this amount and (C) percentages earning less than this amount in the same categories as in (B) but including part-timers.

Mr. Jackson: The available information closest to that requested is shown in the following table:

Employees on adult rates, whose pay for the survey pay period was not affected by absence

	Average gross weekly earnings	Percentage earning less than £350		Percentage earning less than £400	
	Full-time £	Full-time Per cent.	All Per cent.	Full-time Per cent.	All Per cent.
Great Britain					
All males	—	75·7	76·6	83·6	84·2
Manual males	—	89·9	90·3	94·6	94·8
Non-manual males	354·9	61·2	62·8	72·4	73·4
All females	—	93·9	96·0	96·8	97·9
Manual females	—	99·4	99·7	99·8	99·9
Non-manual females	—	92·4	94·5	96·0	97·1
All employees	—	82·0	85·2	88·1	90·3
All manual employees	—	91·6	93·3	95·5	96·4
All non-manual employees	—	75·5	79·7	83·2	86·0

Source: New Earnings Survey 1990.

Mr. Nicholas Brown: To ask the Secretary of State for Employment what are the latest figures *(a)* from the New Earnings Survey and *(b)* estimates for 1991-92 for (i) median male gross earnings both in aggregate and divided into manual and non-manual, (ii) median female gross earnings both in aggregate and divided into manual and non-manual, (iii) manual and non-manual median earnings for all employees and (iv) (i), (ii) and (iii) above for the south-east, including greater London only.

Mr. Jackson: The available information is shown in the following table:

Full-time employees on adult rates, whose pay for the survey pay period was not affected by absence

	Median gross weekly earnings	
	South East £	Great Britain £
All males	294·7	258·2
Manual males	237·7	221·3
Non-manual males	347·6	312·1
All females	209·8	177·5
Manual females	152·1	137·3
Non-manual females	221·1	191·8
All employees	—	229·4
Manual employees	—	206·1
Non-manual employees	—	252·6

Source: New Earnings Survey 1990.
"—" denotes information not available.

Training (Southwark)

Mr. Simon Hughes: To ask the Secretary of State for Employment if he will list the 10 employers in Southwark with the largest number of people being trained by them.

Mr. Jackson: The information is not available in the form requested.

The recently established South Thames training and enterprise council which became operational on 17 May

with a budget of £17·971 million has, as one of its primary objectives, the improvement of commitment among employers to training their employees. The TEC chairman, John Roberts, is managing director of Post Office Counters based in Southwark, which has an exemplary record in training its employees and was national training award winners in 1989, training 1,300 employees.

Tourism, Bournemouth

Mr. Atkinson: To ask the Secretary of State for Employment whether he has any plans to provide new help to the tourist industry in Bournemouth.

Mr. Jackson: The Department's assistance to the tourism industry is channelled via the English tourist board. In the 1991-92 financial year the English tourist board will make available to the Southern tourist board, which covers Bournemouth, funds totalling £436,000.

Unemployment Benefit (Disqualification)

Mr. Michael: To ask the Secretary of State for Employment how many individuals were disqualified from unemployment benefit *(a)* in Wales as a whole and *(b)* by each employment office in Wales under section 20 of the Social Security Act 1975 in each of the last five years.

Mr. Jackson: Questions on operational matters in the employment service executive agency are the responsibility of Mike Fogden, the agency's chief executive, to whom I have referred this question for reply.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Employment, pursuant to his answer of 3 June, *Official Report*, column *108*, if he will list the main items of expenditure included in the £523,000 spent on improving energy efficiency.

Mr. Forth: The main items of expenditure are as follows:

	£
Surveys	259,000
Training	32,000
Energy saving projects	142,000
Salaries (6 man-years at £15K per year)	90,000

Coal Mining, Neath

Mr. Hain: To ask the Secretary of State for Employment if he will give figures for employees in coal mining in the Neath constituency for each of the last 20 years.

Mr. Jackson: Information for employees in employment according to industry and by parliamentary constituency is available only from the censuses of employment taken in 1984, 1987 and 1989. At September 1984, there were an estimated 2,500 employees employed in coal mining (activity heading 1113 of the standard industrial classification) in the Neath constituency. The comparable figures for 1987 and 1989—September of each of those years—are 1,300 and 600 respectively.

Kingston Area Training Consortium

Mr. Simon Hughes: To ask the Secretary of State for Employment what was the level of grant awarded by the Training Agency in 1990-91 to Kingston area training consortium; and what was the grant awarded to the Kingston area training consortium in 1991-92 by the west London training and enterprise council.

Mr. Jackson: It is not possible to provide this information. Details of financial arrangements between training and enterprise councils and their training managers are commercial in confidence.

Chelmsford

Mr. Burns: To ask the Secretary of State for Employment if he will make a statement on how much money his Department has contributed to retraining, training and employment schemes and job clubs and all other projects to reduce unemployment in the Chelmsford local authority area in each of the financial years since 1979-80; and what are his forward plans for the next three years.

Mr. Jackson *[holding answer 23 May 1991]:* The information is not available in the form requested. However in the last 10 years the Employment Department has provided a range of opportunities to assist the unemployed in the Chelmsford area, including youth training, community programme, employment training, advisory services to jobseekers and job clubs. Although, because of changes to the content and collation of statistics, comparable figures are not available for previous years, in the last financial year—1990-91—my Department has allocated to the Essex area £12,196,000 to assist training measures and £489,618 to assist unemployment measures.

The Government are determined to ensure that unemployed people have the best possible advice and support to help them find jobs and to provide special help where it is needed. On training, this year, Government are spending more than two and a half times in real terms the amount spent in 1978-79.

In the future training and enterprise provision will be delivered by the training and enterprise councils. Essex TEC has been allocated a budget of £26·5 million in 1991-92 to enable them to plan and deliver training and enterprise provision in their area. The TEC will be paying particular attention to the needs of the unemployed.

Employment Service offices in Chelmsford offer a full range of pogrammes and services to help unemployed people back to work, including advisory interviews, job club, travel to interview scheme, Restart courses and Essex "Jobsearch"—a local job club for the newly unemployed. The employment service Essex area office has a programme budget of £620,156 in 1991-92.

Written Answers to Questions

Wednesday 19 June 1991

NATIONAL FINANCE

Consultancies

Mr. Morgan: To ask the Chancellor of the Exchequer what guidelines govern the maximum length of time that the same consultancy practice may be continuously employed by a Government Department.

Mr. Mellor: I will write to the hon. Member.

Mr. Morgan: To ask the Chancellor of the Exchequer what guidelines there are governing the awarding of consultancy contracts on a cost-reimbursable basis.

Mr. Mellor: None, but advice on contracting with management consultants can be found within the Treasury's booklet, "Seeking Help from Management Consultants", and this includes at annex 7 a description of the salient points of such a contract.

Environmental Protection

Mr. Simon Hughes: To ask the Chancellor of the Exchequer what recent representations he has had on the subject of fiscal measures to increase environmental protection in the United Kingdom.

Mrs. Gillian Shephard: I have received a number of such representations.

Money Laundering

Mr. Rathbone: To ask the Chancellor of the Exchequer, pursuant to his answer of 13 May, *Official Report*, columns *23-24*, if he has yet completed consultations with law enforcement agencies about which activities and professions should now have procedures tightened in order to combat money laundering; and what discussions have started with which relevant representative bodies.

Mr. Maples: We hope to complete consultations with law enforcement agencies shortly.

Interest Rates

Mr. Cox: To ask the Chancellor of the Exchequer what have been the interest rates in the United Kingdom for each quarter since October 1979.

Mr. Maples: The information requested is available in table 13.15 of "Financial Statistics".

Inflation

Mr. Cox: To ask the Chancellor of the Exchequer what was the inflation rate in the United Kingdom in each quarter since October 1979.

Mr. Maples: Following is the information:

Retail prices index—percentage increases on a year earlier.

Year	*Quarter 1*	*Quarter 2*	*Quarter 3*	*Quarter 4*
1979	—	—	—	17·3
1980	19·1	21·5	16·4	15·3
1981	12·7	11·7	11·3	11·9
1982	11·1	9·4	8·0	6·2
1983	5·0	3·8	4·6	5·1
1984	5·2	5·1	4·7	4·8
1985	5·5	7·0	6·3	5·5
1986	4·9	2·8	2·6	3·4
1987	3·9	4·2	4·3	4·1
1988	3·4	4·3	5·5	6·5
1989	7·7	8·2	7·7	7·6
1990	7·8	9·7	10·4	10·0
1991	8·7	—	—	—

Heveningham Hall

Mr. Dalyell: To ask the Chancellor of the Exchequer how much inheritance-related tax has been received in respect of Heveningham hall.

Mr. Maude: The information requested about Heveningham hall is covered by the normal rules ensuring taxpayers' confidentiality.

Income Tax

Mr. Battle: To ask the Chancellor of the Exchequer if, further to his answer of 2 May, *Official Report*, column *296*, he will estimate the effect on Treasury revenues in 1991-92 and in a full year of introducing a higher rate band of income tax of 50 per cent. on taxable incomes over £36,705.

Mr. Maude: Compared with the income tax regime considered in the previous answer, the revenue yield at 1991-92 levels of income of introducing the rates of income tax shown in the table would be about £0·1 billion lower in 1991-92, and about £0·2 billion lower in a full year. In rounded terms the total yield, compared with the income tax regime for 1991-92 proposed in the Budget, would be about £1 billion in 1991-92 and about £2 billion in a full year. The estimates do not take account of the consequential effect on capital gains tax, nor do they allow for any behavioural effects that might result from such an increase.

Taxable income (£)	*Rate per cent.*
1 to 23,700	25
23,701 to 36,705	40
Over 36,705	50

Taxable income is income subject to tax from all sources after deducting allowances and reliefs.

VAT (Zero-rating)

Mr. Battle: To ask the Chancellor of the Exchequer if he will estimate the effect on Treasury revenues in 1991-92 and in a full year of abolishing value-added tax zero-rating on all items except food, children's clothing, and domestic fuel and power.

Mrs. Gillian Shephard: Estimates of the revenue effect of abolishing zero-rating on all items of domestic expenditure other than food, children's clothing, and fuel and power are as follows:

	£ billion
1991-92[1]	3·7
Full year[2]	5·2

[1]Assuming a 1 April change
[2]Assuming all receipts in 1991-92 reflect VAT at 17·5 per cent.

Mr. Battle: To ask the Chancellor of the Exchequer if he will list all items currently subject to the zero rate of value added tax.

Mrs. Gillian Shephard: Schedule 5 to the VAT Act 1983 applies the zero rate of VAT to a wide range of goods and services. The main areas covered are listed in table 4B.1 of the "Financial Statement and Budget Report" for 1991-92 which is available in the House of Commons Library.

Unemployment

Mr. Beith: To ask the Chancellor of the Exchequer what has been the cost to the Exchequer of the increase in unemployment from May 1990 to May 1991 in terms of *(a)* increased social security payments and *(b)* reduced taxation receipts, both direct and indirect.

Mr. Maude: A rise of 100,000 in unemployment is estimated directly to add around £305 million to benefit expenditure in 1991-92—as shown in table 24 of the DSS departmental report, Cm. 1514. Estimates of the effects on tax receipts and public finances as a whole would depend on the assumptions made.

Birds

Mr. Steen: To ask the Chancellor of the Exchequer if he will provide an estimate of the number of birds which were illegally imported into the United Kingdom for each year since 1987.

Mrs. Gillian Shephard: Customs detected the following numbers of birds being illegally imported into the United Kingdom in contravention of the laws relating to the convention on the international trade in endangered species—CITES.

	Number
1986-87	209
1987-88	208
1988-89	380
1989-90	533
1990-91	243

It is not possible to estimate how many illegal importations may have evaded Customs controls.

TRANSPORT

London Transport

Mr. Lawrence: To ask the Secretary of State for Transport whether he will increase Government grant to London Transport in 1991-92.

Mr. Rifkind: Yes. I am pleased to announce that I am increasing London Transport's grant by £53 million and its external financing limit by £39·8 million. This will be charged to the reserve and will not, therefore, add to the level of planned public expenditure. The increase is additional to the £55 million extra grant for 1990-91 announced in February this year. I have approved it because of the current downturn in LT's property receipts and revenue. It will enable LT to repay borrowing it undertook in 1990-91 and to proceed with important investment in the underground and docklands light railway.

British Rail

Mr. Lawrence: To ask the Secretary of State for Transport if he will make a statement about British Rail's external financing limit for 1991-92.

Mr. Rifkind: We have now completed discussions with the railways board about the serious financial situation that British Rail faces this year in the light of the downturn in the property market and its reduced forecasts of revenue. The Government have decided to increase British Rail's external financing limit for 1991-92 by £400 million, to a revised total of £1,522 million. This increase will be charged to the reserve, and will not therefore add to the planned total of public expenditure. Last year BR's EFL was increased in-year by £102 million, and BR subsequently overshot the revised EFL by £316 million. I am not, however, requiring BR to meet that overshoot from this year's provision, as would normally be required. I have also today told the chairman of British Rail that I have approved his proposal to invest £127 million in 188 additional Networker vehicles for commuter services in south-east London and north Kent.

HEALTH

Video Recordings

Mr. Redmond: To ask the Secretary of State for Health if he will list the titles of the video recordings purchased by his Department during the financial year 1990-91 and 1991-92 to date.

Mr. Dorrell: The information requested could be provided only at disproportionate cost.

Dentists

Mr. Robin Cook: To ask the Secretary of State for Health what proportion of dentists in each family health service authority are offering a less than full NHS service.

Mr. Dorrell: Dentists are independent contractors who are free to accept or refuse patients as they see fit. However, having accepted a patient into an NHS continuing care or capitation arrangement, a dentist is required to offer all the care and treatment that is necessary to secure and maintain oral health.

Immunology

Mr. John Morris: To ask the Secretary of State for Health if he will list the locations of consultant immunologists in England.

Mrs. Virginia Bottomley: Contracts for consultants are held by regional health authorities or, where appropriate, by teaching health districts. The table shows the locations of consultant immunologists, by regional health authority.

Number of consultant immunologists by regional and special health authority as at 30 September 1989

	Number
Northern	1
Yorkshire	2
Trent	4
East Anglia	2
North West Thames	5
North East Thames	4
South East Thames	5
South West Thames	1
Wessex	1
Oxford	1
South Western	2
West Midlands	5
Mersey	2
North Western	2
Special Health Authorities	3
TOTAL	40

(Figures include permanent paid and honorary staff).

Spectacles

Mrs. Dunwoody: To ask the Secretary of State for Health if he will increase the maximum help available to people who receive vouchers to cover the entire cost of spectacles.

Mrs. Virginia Bottomley: Voucher values were increased overall by 6 per cent. from 1 April this year. The values of the most commonly prescribed vouchers A, B and D were increased by 7·2, 6·1 and 6·5 per cent. respectively.

Nurses' Grading

Mr. Ronnie Campbell: To ask the Secretary of State for Health if he will give a breakdown of the total number of nursing clinical grading appeals already heard in the Northern region and the numbers *(a)* upheld or *(b)* rejected.

Mrs. Virginia Bottomley: The figures for nurse clinical grading regional appeals for staff employed in the Northern regional health authority area are as follows—up to 31 May 1991:

	Number
Total number heard:	77
of which	
(a) upheld	14
(b) rejected	8

No national appeals have been heard to date. Information on local appeals is not collected centrally.

Prescribing Incentive Schemes

Mr. O'Brien: To ask the Secretary of State for Health (1) what representations he has received from family health services committees and doctors over the delay in being notified over the introduction of the prescribing incentive schemes; and if he will make a statement;

(2) when he intends to take action on the prescribing incentive schemes submitted by family health services committees; and if he will make a statement;

(3) how many family health services committees were notified that the prescribing incentive schemes submitted for his consideration had been agreed by his Department before 1 April.

Mrs. Virginia Bottomley: We have received several representations from family health services authorities concerning the approval of indicative prescribing incentive scheme applications. I shall be announcing shortly which incentive scheme applications have been approved.

Mr. O'Brien: To ask the Secretary of State for Health what guidance he gives to general practices on the introduction of prescribing incentive schemes; and if he will make a statement.

Mrs. Virginia Bottomley: "Improving Prescribing", issued in June 1990, set out proposals for the operation of local, voluntary incentive schemes. Further guidance was included in NHS management letter EL(91)12, issued to family health services authorities and regional and district health authorities on 31 January 1991. Copies of "Improving Prescribing" and EL(91) 12 are available in the Library.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Health, pursuant to his answer of 3 June, *Official Report*, column *69*, if he will list the main items of expenditure included in the £100,000 spent in 1990-91 on improving energy efficiency.

Mr. Dorrell: The main items of expenditure included are: dry lining of interior walls; 8-inch cork insulation as part of flat roof replacements; replacement of ill-fitting exterior doors.

Mr. Dobson: To ask the Secretary of State for Health if he will give the number of energy audits carried out in his Department in the past five years and for each audit a statement of its main conclusions.

Mr. Dorrell *[holding answer 3 June 1991]:* For the years up to 1989-90 it is not possible to provide separate information for the Department of Health. However, some of the conclusions that emerged from audits carried out on behalf of the Department of Health and Social Security up to that time are as follows:

1. Convert tungsten lighting to compact fluorescent.
2. Change fluorescent tubes to high efficiency types.
3. Adjust boiler controls to eliminate overheating during occupancy and unnecessary heating during silent hours.
4. Maintain records of the utilities used.
5. Remedy defects to windows and doors.
6. Display "Energy Management" posters.

In 1990-91 there were no energy audits carried out in the Department. It is hoped to carry out energy audits during 1991-92 on two buildings that will remain part of the Department's estate for the foreseeable future.

Ambulance Paramedic Services

Mr. Evennett: To ask the Secretary of State for Health what progress has been made in converting NHS training directorate ambulance aid and extended ambulance, paramedic training to national vocational qualifications status; and if he will make a statement.

Mrs. Virginia Bottomley: Progress on the development of national vocational qualifications for ambulance staff is well advanced. Occupational standards for ambulance staff have been extensively tested throughout the NHS and in collaboration with the armed forces and the voluntary sector.

The proposed qualifications will be presented to the December meeting of the Care Sector Consortium, which is the lead industry body for health and social care, and on approval will go to the National Council for Vocational Qualifications for formal acceptance.

It is expected that qualifications will be available from January 1992, and will be phased in over the following two years, replacing the existing NHS training directorate qualifications.

A process for the conversion of existing NHS training directorate qualifications to NVQs is being determined and will be included in the December submission to Care Sector Consortium.

Mr. Evennett: To ask the Secretary of State for Health how many ambulance services in England operate motor cycle or other dedicated fast response paramedic services; what assessment has been made of the costs and benefit of such services; and if he will make a statement.

Mr. Dorrell: The information requested is not collected centrally, although we are aware that there are a number of fast response services operating around the country. It is for individual ambulance services to assess the costs and benefits of such services in the light of local circumstances.

Helicopter Ambulances

Mr. Evennett: To ask the Secretary of State for Health what assessment his Department has made of the cost and benefit of providing helicopter air ambulance facilities; and if he will make a statement.

Mr. Dorrell: A long-term, independent study of costs, performance and benefits of air ambulance services in London and Cornwall, funded by the Department, is under way. Any assessment will need to await the results of the study.

Food Premises

Dr. David Clark: To ask the Secretary of State for Health when he intends to lay the regulations on registration of food premises under the Food Safety Act 1990; and if he will make a statement.

Mr. Dorrell: We will make an announcement when we have fully considered the responses made during the consultation on the draft regulations.

Child Care Inquiry, Staffordshire

Mr. Hinchliffe: To ask the Secretary of State for Health what steps he is taking to obtain an independent evaluation of the role of the social services inspectorate in the events leading up to the Staffordshire child care inquiry.

Mrs. Virginia Bottomley *[holding answer 18 June 1991]:* Children's homes are the responsibility of local authorities. It is their job to see that proper management and monitoring systems are in place.

An independent inquiry has been undertaken by Mr. Allan Levy QC and Mrs. Barbara Kahan into the "pindown" experience and the protection of children in Staffordshire children's homes. They were quite satisfied that the social services inspectors who had visited homes in Staffordshire in 1987 as part of a general review on the development of family centres were not told about "pindown" and its workings.

WALES

Public Appointments

Mr. Redmond: To ask the Secretary of State for Wales if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. David Hunt: Information about the appointments for which I am responsible is set out in "Public Bodies" and "Public Appointments: A Handbook for Women's Organisations" copies of which are in the Library of the House.

Hospitality Fund

Mr. Redmond: To ask the Secretary of State for Wales if he will list the expenditure covered by his Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91, *(c)* 1991-92 to date.

Mr. David Hunt: The amounts spent on official hospitality are as follows:

	£
1989-90	38,397·87
1990-91	45,419·35
1991 to date	6,866·59

School of Instrument Making and Repair

Mr. Redmond: To ask the Secretary of State for Wales, pursuant to his answer of 14 May, *Official Report*, column 79, to the hon. Member for Don Valley, *(a)* where the equipment and the present staff at the Welsh school of instrument making and repair will be relocated when it closes at the end of the current academic year and *(b)* what alternative arrangements have been made to continue these studies.

Sir Wyn Roberts: These are matters for Mid Glamorgan county council, which administers the school, and for Ystrad Mynach college of further education.

Mr. Redmond: To ask the Secretary of State for Wales, pursuant to his answer of 14 May, *Official Report*, column 79, to the hon. Member for Don Valley, if he will list the six representations he received, and any others to date, over the closure of the Welsh school of instrument making and repair, showing in his answer whether they were for or against the closure.

Sir Wyn Roberts: The representations received were all by or on behalf of individuals and therefore I cannot give further details. All expressed concern at the closure of the Welsh school of instrument making and repair.

Mr. Redmond: To ask the Secretary of State for Wales if he will list by year for the past five years, and for the current academic year, the number of students taught at the Welsh school of instrument making and repair at Abertridwr; what nationality they were; and what was the student establishment recommended.

Sir Wyn Roberts: This information is not readily available.

Video Recordings

Mr. Redmond: To ask the Secretary of State for Wales if he will list the titles of the video recordings purchased by his Department during the financial years 1990-91 and 1991-92 to date.

Mr. David Hunt: This information is not collected centrally.

Algae

Mr. Morgan: To ask the Secretary of State for Wales what proposals he has to improve the biological control of filamentous algae of the cladophora family in Welsh rivers, lakes and reservoirs.

Mr. Nicholas Bennett: I understand that cladophora growth occurs from time to time when nutrient concentrations, flow and organic conditions are suitable. The National Rivers Authority will be addressing its possible control as part of its wider research into eutrophication.

Special Needs Education

Mr. Barry Jones: To ask the Secretary of State for Wales how many staff there are in each of the counties of Wales who teach pupils with special educational needs.

Sir Wyn Roberts: The number of full-time and part-time qualified teachers in special schools as at January 1990 is as follows:

	Number
Clwyd	120
Dyfed	47
Gwent	73
Gwynedd	50
Mid Glamorgan	104
Powys	28
South Glamorgan	131
West Glamorgan	48

Information in respect of the number of staff in maintained primary and secondary schools who teach pupils with special educational needs is not collected centrally.

Mr. Barry Jones: To ask the Secretary of State for Wales how many free-standing special educational needs schools there are in each of the counties of Wales.

Sir Wyn Roberts: The number of maintained special schools as at January 1990 is given in the table:

	Number
Clwyd	11
Dyfed	5
Gwent	6
Gwynedd	6
Mid Glamorgan	10
Powys	4
South Glamorgan	15
West Glamorgan	5

Mr. Barry Jones: To ask the Secretary of State for Wales (1) what is his policy concerning special educational needs provision in Wales;

(2) what policy initiatives he proposes concerning the special educational needs of pupils in Wales.

Sir Wyn Roberts: The Education Act 1981 provides the framework for the provision of education for pupils with special educational needs. Local education authorities have the responsibility for securing that appropriate educational provision is made for such pupils. The Education Reform Act 1988, in particular the requirements of the national curriculum, ensures that pupils with special educational needs have an entitlement to the same curriculum as their peers.

Mr. Barry Jones: To ask the Secretary of State for Wales if he has any plans to call an all-Wales conference on special educational needs provision in the schools of Wales.

Sir Wyn Roberts: There are no plans at present to do so.

Mr. Barry Jones: To ask the Secretary of State for Wales how many pupils with special educational needs there are in each of the local educational authorities in Wales.

Sir Wyn Roberts: The number of pupils with statements of special educational needs as at January 1990 is given in the table:

	Number
Clwyd	2,512
Dyfed	648
Gwent	1,978
Gwynedd	744
Mid Glamorgan	3,282
Powys	293
South Glamorgan	1,323
West Glamorgan	613

Mr. Barry Jones: To ask the Secretary of State for Wales what is his policy concerning the integration of special educational needs pupils into mainstream schools.

Sir Wyn Roberts: The Education Act 1981 provides that local education authorities shall place children with statements of special educational needs in ordinary schools, provided that parental views are taken into account, and that such placement is compatible with the child receiving the provision required, the provision of efficient education for his peers and the efficient use of resources.

River Dee

Mr. Martyn Jones: To ask the Secretary of State for Wales how many cases there have been of unauthorised discharges into the River Dee in the last 10 years, giving details of the source of the discharge and the quantities involved.

Mr. Nicholas Bennett: This is a matter for the National Rivers Authority.

Waste Disposal, Newport

Mr. Roy Hughes: To ask the Secretary of State for Wales when the public inquiry to be made into Browning Ferris's application to construct and operate a waste disposal unit in Newport, Gwent, will take place.

Mr. Nicholas Bennett: There are two appeals which will be heard jointly on 1 October 1991 in the council chamber, civic centre, Newport.

Mr. Roy Hughes: To ask the Secretary of State for Wales what representations he has received from individuals and organisations concerning the application from Browning Ferris to construct a waste disposal unit at Newport, Gwent.

Mr. Nicholas Bennett: There are four representations, one of which is a petition of 19 signatures.

Waste Exports

Mr. Martyn Jones: To ask the Secretary of State for Wales how much controlled waste is exported from Clwyd to *(a)* English counties and *(b)* Welsh counties.

Mr. Nicholas Bennett: This information is not available.

Landfill Sites

Mr. Martyn Jones: To ask the Secretary of State for Wales (1) how many formal compliance notices have been issued by waste disposal authorities to landfill waste site operators in Wales during the past five years, with details of why they were issued and the names of the site operators concerned;

(2) how many unauthorised emissions of leachate have taken place in Wales from landfill sites to the environment in the last five years, with details of where these have taken place and the names of the site owners responsible.

Mr. Nicholas Bennett: This information is not held centrally and I refer the hon. Gentleman to the waste disposal authorities.

Children Act 1989

Mr. Michael: To ask the Secretary of State for Wales what is the total sum for implementation of the Children Act 1989 which is allowed for within Government grant to local authorities in Wales *(a)* via specific grants and *(b)* via the element included in standard spending assessment in the present financial year.

Mr. Nicholas Bennett: Specific grant to local authorities in 1991-92 for implementation of the Children Act is £240,000. Standard spending assessments, supported through revenue support grant, are not hypothecated to particular items.

NHS Expenditure

Mr. Alan Williams: To ask the Secretary of State for Wales if he has anything to add by way of a correction to the oral answer to the right hon. Member for Blaenau Gwent (Mr. Foot) on 29 April, *Official Report*, column *3*, about NHS expenditure.

Mr. David Hunt *[holding answer 14 June 1991]:* The figure I used was £615 million. The mistake was made in the *Official Report*, and it will be corrected in the Bound Volume in due course.

PRIME MINISTER

Grant-maintained Schools

Mr. Matthew Taylor: To ask the Prime Minister what proposals he has for the future management of the links between the Department of Education and Science, the Treasury and individual grant-maintained schools; and if he will make a statement.

The Prime Minister: The Government have at present no plans to change the existing funding arrangements for grant-maintained schools. They will keep those arrangements under review as the number of grant-maintained schools increases.

Energy Consumption

Mr. Dobson: To ask the Prime Minister if he will give energy consumption figures for 1990-91 for the 76 per cent. of Cabinet Office holdings referred to in the answer of 6 June 1990, *Official Report*, column *613*, for electricity in kilowatt hours, for gas in therms and for liquid fuel in litres.

The Prime Minister: The 1990-91 energy consumption figures for the 76 per cent. of Cabinet Office holdings referred to in the answer of 6 June 1990, at column *613*, are as follows:

Electricity 3,641,991 kilowatt hours
Gas 36,164 therms
Liquid Fuel 504,244 litres

ATTORNEY-GENERAL

Public Appointments

Mr. Redmond: To ask the Attorney-General if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

The Attorney-General: The public appointments for which the Attorney-General has had responsibility during the last five years are for the appointment of the Director of Public Prosecutions, the Director of the Serious Fraud Office, the Director and deputy Director of Public Prosecutions for Northern Ireland as well as the Crown Solicitor for Northern Ireland. The salary and date of renewal of each appointment are listed in the table.

Appointment	*Salary*	*Date for renewal*
Director of Public Prosecutions	Grade 1	Normal date for retirement i.e. 1995
Director of Serious Fraud Office	Grade 2 post[1]	By agreement 1993
Director of Public Prosecutions for Northern Ireland	Grade 1A	Normal date for retirement i.e. 2011
Deputy Director of Public Prosecutions for Northern Ireland	Grade 3 post[1]	Normal date for retirement i.e. 2013
Crown Solicitor for Northern Ireland	Grade 2 post[1]	Normal date for retirement i.e. 1992

[1] With individually negotiated salary.

Video Recordings

Mr. Redmond: To ask the Attorney-General if he will list the titles of the video recordings purchased by his office and the Lord Chancellor's Department during the financial years 1990-91 and 1991-92 to date.

The Attorney-General: The legal secretariat to the Law Officers has purchased no video recordings for the Lord Chancellor's Department during the financial year 1990-91 or in the financial year 1991-92 to date.

Hospitality Fund

Mr. Redmond: To ask the Attorney-General if he will list the expenditure covered by his office and the Lord Chancellor's Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

The Attorney-General: The amounts expended by the legal secretariat to the Law Officers were as follows:

	£
(a) 1989-90	4,389
(b) 1990-91	3,625
(c) 1991-92 to date	557

The amounts expended by the Lord Chancellor's Department were as follows:

	£
(a) 1989-90	18,886·00
(b) 1990-91	19,022·93
(c) 1991-92 to 21 May 1991	929·04

Mortgage Repossessions

Mr. Martin Redmond: To ask the Attorney-General, how many court actions related to mortgage repossessions there were in *(a)* Hammersmith and Chelsea and *(b)* Westminster county courts in each year since 1986; and what percentage of the population this represents.

The Attorney-General: The number of mortgage actions for possession entered and orders made for possession in *(a)* West London and *(b)* Westminster county courts in each year since 1986 and the percentage of the population in the boroughs of *(a)* Hammersmith and Fulham and Kensington and Chelsea *(b)* City of Westminster for the years 1986 to 1989, the most recent year available, are shown in the table.

		West London County Court			
	Population in Boroughs of Hammersmith and Fulham and Kensington and Chelsea	*Mortgage possession actions entered*		*Mortgage possession orders made*	
		Number	*Percentage of Population*	*Number*	*Percentage of Population*
1986	288,000	189	0·07	116	0·04
1987	284,000	256	0·09	146	0·05
1988	275,000	290	0·11	133	0·05
1989	279,000	484	0·17	189	0·07
1990	n.a.	789	n.a.	571	n.a

		Westminster County Court			
	Population in City of Westminster Borough	*Mortgage possession actions entered*		*Mortgage possession orders made*	
		Number	*Percentage of Population*	*Number*	*Percentage of Population*
1986	176,000	10	0·01	14	0·01
1987	173,000	4	—	11	0·02
1988	170,000	46	0·03	62	0·04
1989	173,000	111	0·06	54	0·03
1990	n.a.	266	n.a.	102	n.a.

ENVIRONMENT

Business Rates (Appeals)

Mr. Redmond: To ask the Secretary of State for the Environment how many appeals have been lodged by the South Yorkshire valuation and community charge tribunal in respect of the uniform business rate for 1990-91; and how many have been received to date for the current financial year.

Mr. Key: The South Yorkshire valuation and community charge tribunal received about 13,200 appeals against entries in the 1990 non-domestic rating lists by the end of May 1991. Of these, 12,500 were received in 1990-91 and 700 were received in the first two months of this financial year.

Community Charge Appeals

Mr. Redmond: To ask the Secretary of State for the Environment how many appeals have been lodged by the South Yorkshire valuation and community charge tribunal in respect of the community charge for 1990-91; and how many have been received to date for the current financial year.

Mr. Key: The South Yorkshire valuation and community charge tribunal has received to date 139 appeals about the community charge. Of these, 117 were received in 1990-91 and 22 have been received so far this financial year.

Public Conveniences

Mr. Grist: To ask the Secretary of State for the Environment what policy guidance is given by his Department to local authorities regarding the provision of public conveniences.

Mr. Key: None.

Mr. Grist: To ask the Secretary of State for the Environment how many and what representations his Department has received in the last 12 months regarding the provision of public conveniences.

Mr. Key: Apart from my hon. Friend himself, one other hon. Member has written about a constituent's concern at the closure of public conveniences in his area. Three members of the public and two interested organisations have also written about the level of provision of public conveniences.

Community Charge

Mr. Gould: To ask the Secretary of State for the Environment in what circumstances an individual could receive a revised poll tax bill for 1991-92 higher than one for 1991-92 received before the announcement of the general reduction scheme and the changes to the community charge reduction scheme in March; how many people he estimates to have received higher bills; and if he will make a statement.

Mr. Heseltine: The community charge reduction scheme as it was amended in March 1991 requires local authorities to calculate reductions based on residence on 31 March 1991. This enables people who moved or became 18 during 1990-91 to qualify for the scheme. It also means that where the number of adults in a household is less than it was on 31 March 1990, account is taken of the lower household liability. No information is available on the numbers of households for which this was a consideration.

St. Andrews Gardens, Liverpool

Mr. Alton: To ask the Secretary of State for the Environment if he will make a statement on the future of the Bullring, St. Andrews gardens, Liverpool; what talks he has had about its future; if he will meet tenants' representatives to discuss the conditions in which they are living; and whether he will agree to visit this tenement block.

Mr. Yeo: The future of the council houses at the Bullring, St. Andrews gardens, Liverpool, the condition of the living accommodation there and the need to meet and consult tenants' representatives are all matters for Liverpool city council. It is responsible for the management and maintenance of its stock.

I have had no discussions about the future of the Bullring although a number of initiatives which are under way, particularly the city challenge invitation to the city, will involve some discussion with the Government later in the autumn. I understand that the city challenge area being considered by the city would include St. Andrews gardens.

I have no plans to visit Liverpool in the near future.

Emissions

Mr. Simon Hughes: To ask the Secretary of State for the Environment how many civil service personnel have been involved in considering the report into evaluation of nitrogen oxide abatement technologies for large combustion plants; what is the current total of staff hours devoted to consideration of the report; and if he will make a statement.

Mr. Baldry: For the purposes of part I of the Environmental Protection Act 1990, the technology for the control of emissions of nitrogen oxides from large combustion plant is currently being reviewed by Her Majesty's inspectorate of pollution. The report to which the hon. Member refers is being taken into account in that review. It is not possible to provide a separate estimate of the number of staff hours devoted to the report.

"This Common Inheritance"

Mr. Simon Hughes: To ask the Secretary of State for the Environment how many of the objectives set out in the White Paper "This Common Inheritance"—Cm. 1200—have so far been achieved.

Mr. Baldry: I refer the hon. Member to the answer I gave to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas) on 26 March this year detailing the major initiatives taken in the six months since the publication of the environment White Paper, "This Common Inheritance".

Since then we have continued to work hard at implementing commitments, taking the tally of initiatives so far to well over 100. Among the main achievements of the past three months have been the announcement of new planning controls over farm and forestry buildings and over the demolition of houses; the launch of a campaign of conservation awareness for farmers; announcements of future policy on environmentally sensitive areas; first offers of funding for a wide range of environmental projects by voluntary organisations under the new environmental grant fund; the first meetings of new discussion fora with business and the voluntary sector; the publication of an environmental directory for business; the report of the working group on tourism and the environment; consultation of local waste management plans for recycling; the launch of a new grant scheme for the renovation of cathedrals; and the application of substantial sections of the Environmental Protection Act on 1 April 1991.

Publicity Budget (Ethnic Publications)

Mr. Cox: To ask the Secretary of State for the Environment what budget his Department has for advertising in ethnic newspapers or magazines, the services and responsibilities of his Department; and what amount of money has been spent on this publicity in each of the last five years.

Mr. Heseltine: For the most part my Department informs the public about its services and responsibilities through an extensive range of explanatory leaflets and booklets rather than through advertising. Where a need has been identified, many of these publications are translated into languages other than English.

My Department has no specific budget for advertising in ethnic newspapers or magazines. Between 1985-86 and 1988-89 no expenditure was incurred on such advertising. In 1989-90, £21,758 was spent on advertising in the ethnic press to promote awareness of the explanatory leaflets on the community charge and the community charge benefits scheme.

Landfill Sites

Mr. Martyn Jones: To ask the Secretary of State for the Environment how many instances there have been of pollution of water courses and drinking water supplies by leachate from landfill waste sites in England, during the past five years, with details of the extent and source of pollution, and the names of the site owners responsible.

Mr. Baldry: The National Rivers Authority is responsible for monitoring water pollution. Detailed information of the nature requested is not held centrally, but details obtained from the authority's monitoring programme are entered in the public registers kept at each of its regional offices.

Environmental Protection

Mr. Simon Hughes: To ask the Secretary of State for the Environment what consultation he has had since his appointment on the subject of economic measures to increase environmental protection.

Mr. Heseltine: There is widespread debate in the United Kingdom and internationally about the use of economic measures to supplement regulation as a means of protecting the environment. My Department continues to be closely involved. The Government's approach to these matters was described in chapter 1 and annex A of the White Paper "This Common Inheritance"—Cm 1200—published last September.

Protection of Habitats

Mr. Andrew Bowden: To ask the Secretary of State for the Environment what action his Department is taking to implement the EC directive on the protection of habitats and species.

Mr. Baldry: The habitats directive has not yet been adopted by the Council. The Wildlife and Countryside Act 1981 will provide the framework for United Kingdom compliance with the directive when adopted.

Pollution Incidents, Canvey Island

Dr. Thomas: To ask the Secretary of State for the Environment what recent pollution incidents Her Majesty's inspectorate of pollution has investigated at the Shell Haven industrial plant at Canvey Island on 6 May.

Mr. Baldry: My right hon. Friend the Secretary of State for the Environment has been informed by Her Majesty's inspectorate of pollution that it did not make any pollution incident investigations at the Shell Haven industrial plant at Canvey Island on 6 May 1991.

Hedgerows

Mr. Andrew Bowden: To ask the Secretary of State for the Environment if he will increase the powers of local authorities to protect hedgerows of high amenity or wildlife value.

Mr. Baldry: In our White Paper "This Common Inheritance" we announced our intention to give local planning authorities powers to protect important hedgerows in their areas. A consultation paper issued in December gave further details. Responses to that paper have raised a number of key issues, and we are giving these careful consideration. It would therefore be premature to take action on this matter in the present Planning and Compensation Bill. My aim is to ensure that any scheme commands the widest possible agreement and will be fair and practicable.

Rural Development Commission

Mr. Latham: To ask the Secretary of State for the Environment whether he will make a statement on the level of Government grant to the Rural Development Commission for *(a)* each of the last five financial years and *(b)* the current financial year.

Mr. Baldry: This information is included in figure 23 of the "Department of the Environment's Annual Report 1991"—Cm 1508—a copy of which was put in the Library of the House on 13 February 1991.

Children Act 1989

Mr. Michael: To ask the Secretary of State for the Environment what is the total sum for implementation of the Children Act 1989 which is allowed for within Government grant to local authorities in England *(a)* via specific grants and *(b)* via the element included in standard spending assessment in the present financial year.

Mr. Key: The specific grant to local authorities in England in 1991-92 for social services training includes an element for training for the implementation of the Children Act 1989. Standard spending assessments are not disaggregated into identifiable amounts for individual functions.

Mr. Michael: To ask the Secretary of State for the Environment what formula has been used to determine the element within standard spending assessment for local authorities in England for the costs of implementing the Children Act 1989 in the current financial year.

Mr. Key *[holding answer 18 June 1991]:* Standard spending assessments are not disaggregated into identifiable amounts for individual functions. The methodology for calculating the "Social Services for Children" sub-block of the personal social services SSA is set out in the Revenue Support Grant Distribution Report (England) and the Revenue Support Grant Distribution (Amendment) Report (England), which are available in the Library.

Radioactive Waste

Mr. Wallace: To ask the Secretary of State for the Environment whether his Department has given any remit to Nirex to undertake research or exploratory drillings connected with the long-term disposal of high-level radioactive waste; and if he will make a statement.

Mr. Baldry: No such remit has been given. United Kingdom Nirex Ltd. does not have responsibility for high-level radioactive waste.

Mr. Wallace: To ask the Secretary of State for the Environment whether the written answer of the right hon. Member for Bridgwater (Mr. King) on 16 December 1981, *Official Report*, columns *171-2*, still represents the policy of Her Majesty's Government with regard to the long-term option for disposing of high-level radioactive waste.

Mr. Baldry: Government policy for high level radioactive waste is set out in the 1982 White Paper, "Radioactive Waste Management"—Cmnd 8607.

Birds

Mr. Steen: To ask the Secretary of State for the Environment what action has been taken to determine the origin of birds offered for sale in the United Kingdom for which no exemption has been granted to permit sale under the convention on international trade in endangered species.

Mr. Baldry: Under EC regulation 3626/82, which implements the convention on international trade in endangered species, only birds of certain species require sales exemptions. My Department monitors sales of these birds and investigates any apparent infringements.

Water Services

Mr. Squire: To ask the Secretary of State for the Environment whether he has received the report of the Director General of Water Services for 1990.

Mr. Baldry: I am pleased to announce that the director general has prepared his report for 1990 and copies have been placed in the Library of the House.

Sheffield Development Corporation

Mr. Blunkett: To ask the Secretary of State for the Environment, pursuant to his answer of 4 June, *Official Report*, column *166*, with regard to Sheffield urban development corporation, if he will make a statement on the part played by Sheffield development corporation in the establishment of the Meadowhall shopping complex and the jobs created there.

Mr. Portillo *[holding answer 18 June 1991]:* At the inception of Sheffield development corporation in June 1988, development of the Meadowhall complex was already under way. I expect Meadowhall, in common with other commercial enterprises in the area, to benefit from the commitment to regeneration evidenced by the urban development corporation.

Energy Management

Mr. Dobson: To ask the Secretary of State for the Environment, pursuant to his answers of 5 June 1990, *Official Report*, column *483*, and 6 June 1991, *Official Report*, column *287*, when his Department ceased to have a dedicated energy manager; and what other duties are carried out by the officials in the energy management unit.

Mr. Heseltine *[holding answer 18 June 1991]:* Since September 1990 the work of my Department's energy management unit has been broadened to include other associated environmental issues as part of a policy of developing departmental practice which preserves and enhances the environment. Energy conservation remains a key element of the unit's work and the success of the unit is demonstrated by the reduction in departmental energy consumption reported in my reply to the hon. Member of 12 June 1991.

Water Pollution

Mr. Morley: To ask the Secretary of State for the Environment if he will ask for an investigation by the National Rivers Authority, following the refusal of Dutch harbour authorities to allow a ship to empty ballast water taken aboard from the River Humber because of high levels of pollution identified in the water content.

Mr. Baldry *[holding answer 18 June 1991]:* The National Rivers Authority carries out extensive and regular monitoring of the Humber estuary's water and sediment which shows that in general the estuary meets European environmental quality standards on heavy metals. I have, however, brought the hon. Member's concern to the attention of the authority and have asked it to respond to him direct.

Dredging

Mr. Channon: To ask the Secretary of State for the Environment if he will make it his practice to refuse any more dredging orders off the Essex coast where there is evidence of potential damage to fish.

Mr. Heseltine *[holding answer 17 June 1991]:* The decision to grant a licence for the extraction of marine sand and gravel rests with the Crown Estate after consultation with those whose interests may be affected by the proposed dredging. My Department is responsible for co-ordinating these consultations and formulating the Government view. Each proposal is considered on its merits and I carefully examine all potential environmental impacts including fisheries before deciding whether or not to grant a favourable Government view. On the basis of a favourable Government view the Crown Estate will decide whether to issue a licence to dredge and will lay down appropriate conditions to protect marine and coastal interests.

Land Use

Mr. Flynn: To ask the Secretary of State for the Environment what steps have been taken by Her Majesty's Government to co-ordinate and refine land use and economic activity classifications used by the Central Statistical Office, the Ordnance Survey, the Valuation Office, Her Majesty's Land Registry and his Department, respectively, since the report "Handling Geographic Information", prepared under the chairmanship of Lord Chorley.

Mr. Yeo *[holding answer 13 June 1991]:* No specific steps have been taken to co-ordinate and refine land use and economic activity classifications, but the following closely related initiatives are under way.

In line with the Government's response to the report "Handling Geographic Information", all the bodies mentioned are represented on the inter-departmental working group on the tradeable information initiative established to facilitate the wider availability of Government-held spatially referenced data.

The national land use classification—NLUC—published in 1975, is commended by my Department for adoption in any process of compiling land use data. The categories used in my Department's land use change statistics—LUCS—are based on the NLUC, modified to take account of what it is feasible to record from Ordnance

Survey maps. None of the other bodies uses a land use classification, except the Ordnance Survey in its work for my Department on the LUCS.

The economic activity classification used by the Central Statistical Office and my Department is the standard industrial classification. Member states of the European Community are required under regulation 3037/90 to adopt a new economic activity classification by 1993. None of the other bodies uses an economic activity classification.

Nuclear Materials

Mr. Flynn: To ask the Secretary of State for the Environment what methods are known to Her Majesty's Government to carry out the destruction of nuclear materials as is set out in clause 6(4) in the Radioactive Material (Road Transport) Bill.

Mr. Chope: I have been asked to reply.

The method of destruction/disposal would be a matter for the courts to decide at the time and would depend on the nature and quantity of the material involved. While in most cases orders would be for the disposal of the radioactive material to a licensed facility, in very unusual circumstances a destruction order could be made. This would not necessarily require the destruction of the radioactive material but of the instrument or machinery which contains it in order to facilitate the safe disposal of the radioactive material. The courts would be able to seek advice from any number of organisations, including the Department of the Environment, the Health and Safety Executive, the National Radiological Protection Board and the Department of Transport, on the appropriate disposal methods.

EDUCATION AND SCIENCE

Haberdashers' Aske's CTC

Ms. Ruddock: To ask the Secretary of State for Education and Science what advice has been given by his Department to the Haberdashers' Aske's city technology college on the steps it would be appropriate to take to comply with the requirement in its funding agreement that the intake of pupils should be representative in all respects of the community in the area in which the college is situated.

Mr. Eggar: It is for the college to ensure that all requirements of the funding agreement, including those relating to admissions, are met. Advice is available as necessary.

Publicity Budget (Ethnic Publications)

Mr. Cox: To ask the Secretary of State for Education and Science what budget his Department has for advertising in ethnic newspapers or magazines the services and responsibilities of his Department; and what amount of money has been spent on this publicity in each of the last five years.

Mr. Eggar: The Department does not have a specific budget for advertising in the ethnic press and has not spent any funds on this activity in each of the last five years. However, it will shortly be advertising in the ethnic press two publications "How is your child doing at school?" and "Your child's report" which are available in eight ethnic languages. The Department has also published, in the last five years, other leaflets and guides in ethnic languages.

Further and Higher Education

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Education and Science what recent estimate has been made of the number of students in England who give up courses in further and higher education colleges due to financial difficulties.

Mr. Eggar: This information is not available for further and higher education generally. A survey of all polytechnics and colleges in England identified only 0·2 per cent. of first degree students who did not continue their studies from the first to second year because of financial reasons.

Grant-maintained Schools

Mr. Colvin: To ask the Secretary of State for Education and Science what is the number of schools which have now achieved grant-maintained status; and if he will make a statement.

Mr. Kenneth Clarke: A total of 200 schools have now voted in favour of seeking grant-maintained status. We have approved 88 and rejected 13. Fifty-four schools have published proposals which will soon come to us for decision. Forty-five schools are currently committed to publish proposals following parental ballots in favour of seeking grant-maintained status.

Mr. Batiste: To ask the Secretary of State for Education and Science if he will list the addresses of all schools which have achieved grant-maintained status, listed in his answer to the hon. Member for Leeds, Central (Mr. Fatchett) of 12 June, *Official Report*, column *532-36*.

Mr. Eggar: I shall write to my hon. Friend. A copy of the letter will be placed in the Library.

Church Schools

Mr. Pawsey: To ask the Secretary of State for Education and Science what estimate he has made of the additional public funding Church schools would receive if they were all grant maintained, over and above what they are currently receiving.

Mr. Eggar: It is not possible to give a specific figure. Church schools which become grant maintained are eligible to receive a one-off transitional grant, various special purpose grants and a formula capital allocation. Some of these replace benefits or services which LEA-maintained schools are eligible to receive in another way. Such schools are also to be eligible to bid for 100 per cent. funding of named capital building projects. The amount received will depend on whether the bid is successful.

Mr. Pawsey: To ask the Secretary of State for Education and Science how many church schools have applied for grant-maintained status; and how many have received it.

Mr. Eggar: To date, 14 Church schools have applied for grant-maintained status. Of these, we have approved eight, rejected one and have yet to decide the remaining five.

Special Needs

Mr. Andrew Bowden: To ask the Secretary of State for Education and Science what action is being taken by his Department to ensure that local education authorities are assessing all children in their areas with special educational needs and are issuing formal statements describing their specific requirements.

Mr. Fallon: It is for LEAs to decide on the provision to be made for children in their areas with special educational needs. Parents have rights of appeal and complaint under the Education Act 1981 and the Education Act 1944 respectively. These provide safeguards against any avoidance by LEAs of their statutory obligations.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Education and Science, pursuant to the answer of 3 June, *Official Report*, column *17*, whether any funds were invested in improving energy efficiency in 1990-91, apart from double glazing at Waterloo.

Mr. Atkins: A small amount—under £1,000—was spent in the 1990-91 financial year on roof insulation in one of our Darlington offices.

TRADE AND INDUSTRY

Performing Rights Society

Sir Eldon Griffiths: To ask the Secretary of State for Trade and Industry what information he has on the time and cost involved for music users in appealing to the Copyright Tribunal agency in respect of tariffs imposed on them by the Performing Rights Society.

Mr. Leigh: The basic fee for an application to the Copyright Tribunal to settle a dispute with a copyright licensing body such as the Performing Rights Society is £30. The overall cost will depend on several factors including the level of any legal representation the applicant may choose to employ and the degree to which the application is successful. In appropriate cases, the tribunal may direct the licensing body to repay charges already paid under a new tariff and to pay the applicant's costs.

Road Surfacing Industry

Mr. Alex Carlile: To ask the Secretary of State for Trade and Industry if he will institute an inquiry into allegations of price-fixing in the road surfacing industry; and if he will make a statement.

Mr. Redwood: Any alleged price-fixing in the road surfacing industry is a matter for the Director General of Fair Trading. Any evidence of possible anti-competitive agreements should be put to the director general.

Latin America

Mr. Dalyell: To ask the Secretary of State for Trade and Industry what is his policy in the GATT round of negotiations in helping the countries of Latin America and promoting policies conducive to ameliorating rain forest problems.

Mr. Sainsbury: The countries of Latin America, like other members of the GATT, would benefit from the improved market access for their products and the strengthening of the world trading system which would result from a successful conclusion to the Uruguay round of trade negotiations. The negotiations are not directly concerned with ameliorating rain-forest problems, but the GATT does allow the introduction of trade measures for conservation purposes, as long as these are not simply disguised restrictions on trade.

Radio Equipment

Mr. Steen: To ask the Secretary of State for Trade and Industry if he will consider the need for radio amateurs to have to present equipment for type approval.

Mr. Redwood: Type approval is not considered appropriate for the amateur service as, in essence, it is to do with experimentation, self-training in communication and technical investigation. To require amateur equipment to be type approved would be unreasonably expensive and could stifle development.

Mr. Steen: To ask the Secretary of State for Trade and Industry when the Radiocommunications Agency will acquire a computerised and up-to-date database for type approval records.

Mr. Redwood: The Radiocommunications Agency, formerly the radiocommunications division of the DTI, has operated a computerised database for land mobile type approval records since 1983.

Mr. Steen: To ask the Secretary of State for Trade and Industry what circumstances account for the issue by the Radiocommunications Agency of a fact sheet on 16 May 1991, Ref. LPD/1/15, "All Parties Interested in Radio Car Alarms", quoting incorrect type approvals for vehicle security; how many letters he received pointing out the errors in the previous fact sheet; and if he will make a statement.

Mr. Redwood: The Radiocommunications Agency has had a continuing publicity campaign to discourage the sale, installation and use of radio security alarms for vehicles which are not approved to the Department's performance specification.

The latest in a series of letters to the trade dated 16 May 1991, covering a list of type approved equipment, was issued because the previous letter on the subject dated 1 February 1990 needed to be brought up to date. The Department has no record of letters pointing out errors in the lists attached to the 1 February letter. Regrettably, however, some errors have come to light in the revised lists attached to the 16 May 1991 letter. The agency intends to reissue the lists shortly in a clearer form.

Mr. Steen: To ask the Secretary of State for Trade and Industry when the Radiocommunications Agency expects to reply to the faxes from Scope Marketing (Communications UK) Ltd., Totnes, of 25 April, 1, 14, 20 and 28 May.

Mr. Redwood: Replies to the faxes from Scope Marketing (Communications UK) Ltd. were sent on 16 May, 21 May and 7 June.

Telecommunications Council

Mr. David Evans: To ask the Secretary of State for Trade and Industry if he will make a statement on the outcome of the Telecommunications Council on 3 June.

Mr. Redwood: The main item for discussion was the European Commission's plans for applying multiplexed analogue components standards to direct broadcasting by satellite. The discussion, on the basis of an oral report by the Commission, revealed wide differences of view between those member states which wish to impose MAC standards quickly and with few exceptions, and those including most particularly the United Kingdom, who would wish to let the market decide whether existing PAL transmissions should be replaced. The United Kingdom expressed dismay at the Commission's initial proposals which would force broadcasters to act in a way that may not be consistent with their commercial judgment and would risk cutting growth in demand for satellite TV by imposing unnecessary costs on consumers. The Commission is now reflecting on the discussion and is expected to issue its final proposals very soon.

The otherwise relatively light agenda included an interim report from the Commission on the response to its green paper on satellite communications, and a report on progress towards publication of a green paper on postal services in Europe. The Commission also presented its proposal for harmonising the international telephony access code.

A final decision was taken to adopt a directive on the frequency bands to be reserved for digital European cordless telecommunications—DECT—and a recommendation on the co-ordinated introduction of DECT in the Community. In view of the outstanding budgetary concerns on the part of some member states, including the United Kingdom, the adoption of the proposed Council decision establishing the second phase of the TEDIS programme—trade electronics data interchange systems—was deferred.

Mental Nursing Homes

Mr. Robin Cook: To ask the Secretary of State for Trade and Industry if he will publish the names and addresses of all those mental nursing homes registered to take detained patients together with the names of the registering authority.

Mr. Dorrell: I have been asked to reply.

A list of mental nursing homes reported by district health authorities as being registered under section 23 of the Registered Homes Act 1984 to receive patients liable to be detained under the Mental Health Act 1983 has been placed in the Library.

Mr. Robin Cook: To ask the Secretary of State for Trade and Industry if he will publish the names and district health authorities of all mental nursing homes or other establishments which are not hospitals where detained patients have been cared for during the past three years under contractual arrangements with health authorities.

Mr. Dorrell: I have been asked to reply.

This information is not collected centrally.

Knitwear and Textiles

Mr. Tredinnick: To ask the Secretary of State for Trade and Industry (1) what representations he has received from the industry about imports of category 13 (knickers and briefs) from China, category 12 (socks) from Indonesia and category 68 (knitted babywear) from Thailand;

(2) if he will give details of the movements in the levels of imports between 1989 and 1990 into the United Kingdom of category 13 (knickers and briefs) from China, category 12 (socks) from Indonesia and category 68 (knitted babywear) from Thailand; and if he will make a statement.

Mr. Sainsbury *[holding answer 18 June 1991]:* Import figures are given in the table. My Department has received, and is considering, representations from the Knitting Industries' Federation Ltd.—KIF—calling for a repeat of the action taken in 1989 to ban imports of category 13 products originating in China and entering the United Kingdom on free circulation from other member states. Consultations with importing and retailing interests show these to be either opposed to or doubtful about the case for such a ban, in the absence of more precise information.

The KIF has also asked for safeguard action under the multi-fibre arrangements to be invoked against direct imports of category 12 products from Indonesia and category 68 products from Thailand.

My Department is considering the case for an application to the European Commission for a further ban on free circulation imports of category 13 products originating in China. The key criterion laid down by the Commission in such cases is whether the imports in question give rise to economic difficulties. My officials are studying some further information on this point recently supplied by the KIF.

In respect of category 12 products, United Kingdom production—of mainly higher-value items—has remained stable and exports have moved back to high levels. On category 68 products, United Kingdom production, exports and consumption are rising. Therefore, the MFA criterion for safeguard action for these products has not been met and my officials have informed the KIF accordingly.

Country and Product	*Imports (including Imports in free circulation)*	
	1990	*1989*
China		
Knickers, briefs etc. (MFA Category 13)	81·7 million pieces	51·2 million pieces
Indonesia		
Socks etc. (MFA Category 12)	12·2 million pairs	12·5 million pairs
Thailand		
Babies' Clothing (MFA Category 68)	1,573 tonnes	1,229 tonnes

SOCIAL SECURITY

Video Recordings

Mr. Redmond: To ask the Secretary of State for Social Security if he will list the titles of the video recordings purchased by his Department during the financial years 1990-91 and 1991-92 to date.

Miss Widdecombe: The following video recordings have been purchased by the training branches of this Department:

1990-91 Financial Year
Quality—The Only Way
Making Customer Service Happen
An Inside Job
The Happy Accident
Smart Moves

Body Language
Through a Hundred Pair of Eyes
A Class Divided
Using the Telephone
Approaching Debt
Can You Spare a Moment?
The Importance of Mistakes
Managing Learning (Parts I and II)
Change (Parts I and II)
Prescription For Complaint
Awkward Customers
If Looks Could Kill
The Unorganised Manager (Parts I and II)
Decisions, Decisions
Do You Think You Can Manage?
Telephone Behaviour
Tell My Wife I Won't Be Home for Dinner
When Letters Work
Oh What a Lovely Report
Who, Me, Make a Presentation
First in VHS Pal
Everything is Negotiable
The Manager and the Law (Parts I and II)
The Deaf Manager
Managing Time

1991-92 (To date) Financial Year
The Art of Negotiating
The Trouble with Training
The Helping Hand

Other video recordings may well have been purchased locally within the Department, but that information is not available and could be obtained only at disproportionate cost.

Local Offices

Mr. Simon Hughes: To ask the Secretary of State for Social Security what plans he has for the future of the Thames South, Southwark, Kennington, Peckham, Camberwell and Dartford offices of his Department.

Miss Widdecombe: The administration of social security offices is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and copies will be placed in the Library and the Public Information Office.

Income Support

Mr. Simon Hughes: To ask the Secretary of State for Social Security what percentage of the population of London's adults were receiving income support *(a)* in 1980, *(b)* in 1985, *(c)* in 1990 and *(d)* at the last date for which figures are available.

Miss Widdecombe: The administration of income support is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. I understand from him that the information is not available and could be obtained only at disproportionate cost.

Mr. Michael: To ask the Secretary of State for Social Security how many individuals claimed for income support in 1988 and each succeeding year as a result of being refused unemployment benefit.

Mr. Jack: The information requested is not available. However, the numbers of people refused unemployment benefit to whom income support was in payment on particular days are shown in the table[1].

Unemployed claimants not receiving unemployment benefit

	Income support in payment
12 May 1988	1,254,415
10 November 1988	1,065,932
11 May 1989	997,044
9 November 1989	918,934
10 May 1990	914,273
8 November 1990	969,316

[1]Information from "Unemployment Benefit (UB) Statistics, Half Yearly Analysis of Unemployed Claimants".

National Insurance Contributions

Mr. Battle: To ask the Secretary of State for Social Security if he will estimate the number of people in 1991-92 who pay national insurance contributions on earnings above the lower earnings limit but who are not liable to income tax.

Mr. Jack: Based on information from the family expenditure survey 1989, it is estimated that in 1991-92 some 0·4 million non-tax payers in the United Kingdom will have earnings above the lower earnings limit for national insurance contributions.

Marginal Withdrawal Rates

Mr. Flynn: To ask the Secretary of State for Social Security how many *(a)* tax units and *(b)* individuals had a marginal withdrawal rate of (i) 50 to 59 per cent., (ii) 60 to 69 per cent., (iii) 70 to 79 per cent., (iv) 80 to 89 per cent., (v) 90 to 99 per cent. and (vi) over 100 per cent. in each year since 1985-86; and if he will make a statement.

Mr. Jack: Such information as is available is contained in the table. Figures for 1985-86 are not available in the form requested. Information for 1986-87 and 1987-88 is not available.

Number of heads of benefits units facing marginal deduction rates by range (in thousands)

Per cent.	*1985-86*	*Per cent.*	*1988-89*	*1989-90*	*1990-91*	*1991-92*
100+	70	100+	0	0	0	0
90+	130	90-99+	45	45	45	50
80+	290	80-89+	300	165	190	145
70+	290	70-79+	170	205	160	195
60+	450	60-69+	•	5	5	5
50+	680	50-59+	0	5	0	0
40+	n/a	40-49+	70	35	270	20

Notes:
1. Figures are based on pooled family expenditure survey data. Those for 1985-86 are cumulative and those for 1991-92 are estimated.
2. Calculated for benefit units in receipt of income related benefits where at least one partner works 24 hours per week or more.
3. • represents a figure of less than 2,500.

Mr. Flynn: To ask the Secretary of State for Social Security what was the marginal withdrawal rate out of gross income in 1990-91 for those in work, paying tax and

national insurance contributions and claiming rent and community charge rebates; and how many people there were in such households.

Mr. Jack: The marginal deduction rate in 1990-91 for those in work, paying tax and national insurance contributions and in receipt of rent rebate and community charge benefit is 87 per cent. This assumes national insurance contributions are paid at the contracted-in rate. Estimates of the number of people in households subject to marginal deduction rates in 1990-91 could be obtained only at disproportionate cost.

Mr. Flynn: To ask the Secretary of State for Social Security how many *(a)* tax units and *(b)* persons, including children, in the households affected face a marginal withdrawal rate of tax and benefit of over 70 per cent.; and if he will state the estimated income ranges over which marginal withdrawal rates of (i) 70 to 79 per cent., (ii) 80 to 89 per cent. and (iii) 90 to 99 per cent. apply in 1990-91.

Mr. Jack: Information is not available in the form requested. In 1990-91 there were 395,000 heads of benefit units receiving income-related benefits where at least one partner worked more than 24 hours a week with marginal deduction rates of 70 per cent. or over.

Unemployment

Mr. Beith: To ask the Secretary of State for Social Security what is his latest estimate of the cost to the Exchequer per 100,000 unemployed in terms of social security payments.

Mr. Jack: A variation of 100,000 in the number unemployed incurs an estimated additional expenditure of £305 million in social security benefits available to unemployed people in 1991-92.

Source: Cm 1515. Social Security, The Government's Expenditure Plans 1991-92 to 1993-94.

AGRICULTURE, FISHERIES AND FOOD

Horses

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how his Ministry differentiates between horses used for recreation and those kept for the horsemeat trade.

Mr. Maclean: No such differentiation is made. In this country any horse can be slaughtered for the horsemeat trade providing it is slaughtered in accordance with the requirements of public health legislation.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what facilities exist in the United Kingdom for the slaughter of equines for human consumption; and if he has any proposals to improve them.

Mr. Maclean: There are currently four EC-approved slaughterhouses, and six slaughterhouses operating under domestic legislation, which are approved for the slaughter of equines in the United Kingdom. It is for the operators of the domestic plants to take commercial decisions on whether to upgrade to meet the single market rules which will apply after 1992.

New Forest

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what is the annual cost to the Forestry Commission for supervising hunting in the New Forest; and how many letters and petitions in favour of ending hunting in the New Forest the Forestry Commission has received in the last five years.

Mr. Maclean: The Forestry Commission does not keep a separate record of the cost of supervising hunting in the New Forest as the staff concerned cover a wide range of duties of which supervising hunting forms only a small part. However, the Commission's best estimate is that the costs last year, including staff and vehicle costs, were in the region of £11,000. In the last five years the Commission has received one petition and about 50 letters objecting to hunting in the New Forest.

Wild Birds

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what responsibilities his Department has for (i) conservation, (ii) transport and (iii) welfare of imported wild birds.

Mr. Maclean: My Department has no conservation responsibilities in respect of imported wild birds. During transport, the welfare of birds imported into this country is protected by the provisions of the Transit of Animals (General) Order 1973 which also imposes a general duty of care on those involved in the transport of all animals including birds.

The order is enforced by local authorities. Their inspectors can call on the assistance of the state veterinary service whenever welfare or health problems arise. Every commercial consignment of birds imported into this country is inspected on arrival with particular regard to welfare conditions.

Video Recordings

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food if he will list the titles of the video recordings purchased by his Department during the financial years 1990-91 and 1991-92 to date.

Mr. Maclean: Various parts of the Department, such as staff training, welfare and the Agricultural Development and Advisory Service, purchase specialist video programmes from time to time. However, these purchases are made independently. There is no central purchasing point, and no central records are kept.

Bananas

Mr. Foulkes: To ask the Minister of Agriculture, Fisheries and Food what representations he has received regarding the continuation of Commonwealth preference for bananas; what is the current state of negotiations within the EC on bananas; what is the position of the United Kingdom Government in these discussions; if he will give consideration to the need to protect the interest of Commonwealth banana growers; and if he will make a statement.

Mr. Curry: We have received representations about the preferential arrangements applying to United Kingdom imports of bananas from a wide variety of interests including our traditional suppliers in the Caribbean.

The European Commission is currently considering arrangements to apply to bananas in the single European market post-1992, but has not yet come forward with proposals. The United Kingdom Government will seek to ensure that new arrangements fulfil our commitments to Commonwealth Caribbean suppliers, and take account of consumer interests, the need for budgetary restraint, trade policy considerations and the competition and efficiency objectives of the single market initiative.

Oil Seed Rape

Mr. Hardy: To ask the Minister of Agriculture, Fisheries and Food what representations he has had from beekeepers about the present scale of oil seed rape production or its present methods of cultivation.

Mr. Maclean: There is a good market for oil seed rape honey, and the information available to me indicates clearly that this source is consequently valued by beekeepers.

Energy Efficiency

Mr. Dobson: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 3 June, *Official Report*, column *42*, when he expects the 1990-91 energy consumption figures to be available.

Mr. Curry: The energy consumption figures for the 1990-91 financial year should be available within about a month. I will write to the hon. Member with the details as soon as it has been possible to gather the information together from all the various Ministry establishments concerned.

Blue-Ear Disease

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many pig weaners have been removed out of the farms restricted due to blue-ear disease; and if he will make a statement.

Mr. Gummer: No weaners have been moved off restricted farms.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many pig buyers from *(a)* Holland and *(b)* Germany visited farms which are currently under restriction in the last three months; and if he will make a statement.

Mr. Gummer: On 25 April 1991, a party from the eastern part of Germany visited two of the premises now under restrictions imposed under precautions for dealing with blue-eared pig disease. The visitors, seven Germans and a Dutchman, had not been in contact with any pigs for at least a week prior to the visit and very strict hygiene standards were applied on their arrival, including a shower and changes of inner and outer clothing. In view of the precautions taken and the absence of the disease in the eastern part of Germany, this visit has been discounted as the origin of infection of blue-ear pig disease.

Wine

Mr. Moss: To ask the Minister of Agriculture, Fisheries and Food what progress he has made towards setting up a quality wine scheme for English and Welsh wine producers under European Community rules.

Mr. Curry: During the recent price-fixing round in Brussels, we secured a formal Council statement that reads:

"In the context of wine sector reform the Commission will study the possibilities of including interspecific varieties in the list of varieties deemed suitable for production of quality wine per specified region".

I expect English and Welsh wine producers to welcome this, as interspecific varieties of vines, or "hybrids", emerged as their predominant concern during a recent consultation exercise on quality wine. Clearly we now have a commitment to follow this point up firmly in subsequent Brussels discussion, which may take some time. Meanwhile, however, I have decided to launch a pilot quality wine scheme for operation as from the 1991 vintage this autumn, with a view to full operation as of the 1992 vintage.

ENERGY

Electricity Privatisation

Mr. Morgan: To ask the Secretary of State for Energy what is his most up-to-date estimate of the total number of households which applied for shares in the privatisation of *(a)* the regional electricity distribution companies, *(b)* the generating companies and *(c)* both.

Mr. Heathcoat-Amory: It will not be possible to give a figure for the number of households from which applications were received, since the applications do not record the composition of the household to which an applicant belongs.

Trawsfynydd Nuclear Power Station

Mr. Martyn Jones: To ask the Secretary of State for Energy what was the cost of running Trawsfynydd nuclear power station in 1990-91.

Mr. Heathcoat-Amory: This is a commercial matter for Nuclear Electric.

Electricity Pylons

Mr. Simon Hughes: To ask the Secretary of State for Energy what is his policy in respect of siting electricity pylons in areas of high population density.

Mr. Heathcoat-Amory: Siting of electricity pylons is, in the first instance, a matter for the licence holder concerned. However, the majority of overhead line developments require the consent of my right hon. Friend the Secretary of State for Energy, and he takes all relevant factors, including the extent of any residential development, fully into account before reaching his decision.

The Gulf

Mr. Simon Hughes: To ask the Secretary of State for Energy what is his assessment of the effect of the war in the Gulf on oil inputs into the United Kingdom; and if he will make a statement.

Mr. Moynihan: The United Kingdom was able to acquire adequate supplies of oil despite the disruptions caused by the Iraqi invasion of Kuwait.

Thermonuclear Reactor Project

Mr. Dalyell: To ask the Secretary of State for Energy if he will make a statement on the progress of the discussions on the international thermonuclear experimental reactor project, and the steps to be taken to move to the engineering design phase of the collaboration, between Euratom, the United States of America, Japan and the USSR.

Mr. Heathcoat-Amory: Negotiations on behalf of the Community are being conducted by the Commission. So far there have been two plenary rounds of discussions aimed at deciding whether the collaboration should proceed to an engineering design activity—EDA—phase. The last of these took place in Tokyo in April; a third round is scheduled for Washington in July. Consideration is focusing on the technology content of the project and on the choice of site. Three of the partners in the collaboration, Japan, the United States of America, and Euratom, have proposed sites for the location of EDA, and these bids are currently being evaluated.

Home Energy Efficiency Scheme

Mr. Lewis: To ask the Secretary of State for Energy if he will make a statement on the future funding arrangements for the home energy efficiency scheme.

Mr. Heathcoat-Amory: Parliament has voted some £27 million for the Energy Efficiency Office in support of energy efficiency in low-income households in the current financial year, of which approximately £26 million is expected to be used to fund the home energy efficiency scheme. Funding in future years will be settled and announced under the usual arrangements for public expenditure.

OVERSEAS DEVELOPMENT

Latin America

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what study he has made of the United States framework for dealing with Latin America for the development of overall packages to Latin America in relation to science and technology.

Mrs. Chalker: We are aware of no such framework. Congress is presently considering a Bill which, if enacted, would promote co-operation between the United States and Latin America in science and technology. We are aware of its provisions.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy towards using the Commonwealth Development Corporation as a pump-primer for investment in Latin America.

Mrs. Chalker: The Commonwealth Development Corporation has an important role to play in stimulating wider investment in those countries in Latin America and elsewhere in which it operates.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what policy he has for helping to expand the Inter-American Development Corporation.

Mrs. Chalker: The United Kingdom is a shareholder in the Inter-American development bank—IADB—but is not a member of the Inter-American Investment Corporation. We play a full part in the activities of the IADB and contribute to its fund for special operations.

Brazil

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with Brazil on bio-medical research.

Mrs. Chalker: No such discussions have taken place. ODA funds are provided for higher education links between Brazil and the United Kingdom. These include some areas of medical and health-related research.

Aid Recipients

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria for good government he uses in determining appropriate recipients of aid.

Mrs. Chalker: The criteria for good government include sound economic and social policies, competent, open and accountable institutions and respect for human rights and the rule of law.

Central America

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy for extending Commonwealth Development Corporation work in *(a)* Costa Rica, *(b)* Ecuador, *(c)* Nicaragua and *(d)* Honduras.

Mrs. Chalker: The Commonwealth Development Corporation already provides assistance to Costa Rica, Ecuador and Honduras. Approval for the corporation to operate in Nicaragua was given in March this year, and the CDC is currently investigating a number of investment opportunities there. In pursuing all such opportunities the CDC seeks to increase the proportion of new commitments in the private sector.

Aid Programme

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether any comprehensive survey of British attitudes towards overseas aid and development has been carried out since "Attitudes to Overseas Aid" published by HMSO in 1978; and whether he will make it his policy to commission another such survey.

Mrs. Chalker: Questions on the public's attitude to aid are included in the annual FCO opinion poll. We also receive information from polls conducted by non-government organisations. We will continue to use both these methods to gauge public opinion of the aid programme.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries have entered, or been reinstated, in the aid programme since 1979; and why.

Mrs. Chalker: Since 1979 the following countries have entered the aid programme:
Central African Republic
Equitorial Guinea

Guinea
Recognition of their classification as least-developed countries.

China
To support improvements in Sino-British relations, increasing Chinese interests in links with western countries and systems and in recognition of China's place among the world's 50 poorest countries.

Comoros
Israel
Mongolia
Sao Tome
Aid limited to minor gifts under the heads of mission schemes to non-governmental or voluntary bodies.

Congo
Gabon
English language teaching programmes designed to strengthen British political and commercial links with west Africa.

The following countries have been reinstated into the aid programme since 1979:

Cambodia
Humanitarian aid.

Cuba
Surinam
Aid limited to minor gifts under the heads of mission schemes to non-governmental or voluntary bodies.

Iran
Iraq
Emergency aid to Iraqi refugees.

Nicaragua
Bilateral aid reinstated in April 1990 to mark return to democracy. Previously only disaster relief and minor gifts under the heads of mission schemes.

Vietnam
Assistance through British NGOs for the reintegration of boat people and for general development assistance.

Turkey

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs on what grounds Turkey qualifies as a recipient of bilateral aid.

Mrs. Chalker: Turkey is classified as a developing country by the development assistance committee of the Organisation for Economic Co-operation and Development.

Development Issues

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list, for each year since 1975, the number of Overseas Development Administration professional staff based overseas in development divisions, in embassies and elsewhere, showing how many of these are environmental specialists, agriculturalists, social advisers and other technical staff.

Mrs. Chalker: Information in the form requested is not available before 1983. Details of ODA permanent staff based overseas are as follows:

	1983	1984	1985	1986	1987	1988	1989	1990	1991
Agriculturalists	9	8	8	8	9	9	9	8	10
Social advisers	—	—	—	—	—	—	1	1	1
Other technical staff	18	20	21	20	20	20	21	20	20

Staff on contract to the ODA funded by the Aid Programme:

	1983	1984	1985	1986	1987	1988	1989	1990	1991
Agriculturalists	n/a	n/a	136	161	137	183	188	184	154
Environmental specialists	na/	n/a	29	44	52	61	73	78	75
Social advisers	n/a	n/a	131	145	147	146	146	146	125
Other technical staff	n/a	n/a	1,138	1,093	1,061	1,191	1,127	1,264	1,115

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the Overseas Development Administration's policy regarding the responsibility of Overseas Development Administration staff working overseas to liaise with non-governmental organisations in those countries; and whether any staff are posted with the specific responsibility of liaising with local non-governmental organsiations.

Mrs. Chalker: We encourage our staff working overseas to get to know, and co-operate with, other agencies operating in the countries concerned, including both local and United Kingdom-based NGOs. At present there are two ODA posts, one in Bangladesh and one in Pakistan, with a specific remit to liaise directly with local NGOs.

New Aid Projects

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what efforts are being made to increase the amount of time spent by Overseas Development Administration staff overseas in identifying new aid projects, particularly poverty projects, in Africa.

Mrs. Chalker: Poverty alleviation is a major objective for the aid programme and a significant proportion of staff time in headquarters and overseas is already devoted to identifying, appraising and monitoring projects and programmes which contribute to this. New staff appointments also reflect this emphasis. For example, a new social development adviser post has recently been created in headquarters to help deal with Africa. Overseas, an additional economist has been appointed to the British development division in southern Africa specifically to work in the health and education sectors.

Project Costs

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the Overseas Development Administration's policy regarding the financing of recurrent costs of projects.

Mrs. Chalker: Recurrent costs are met, where possible, from the budget of the local agency undertaking the project or programme which our aid is helping to finance. However, in certain circumstances, we are ready to consider financing recurrent costs through the aid programme. In making judgments we would consider whether there is a genuine shortage of local funds, whether recurrent costs and revenues have been carefully considered and whether sectoral policies are appropriate; also whether the nature of the proposal, for example if it has a pilot or demonstration purpose, presented special justification for contributions to local costs.

NGO Grants

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how many indigenous non-governmental organisations in developing countries receive grants from the Overseas Development Administration.

Mrs. Chalker: This information is not centrally available. Many developing country NGOs receive grants for specific projects from United Kingdom heads of missions through the gifts schemes and small project schemes which they administer for ODA. In addition, grants to British NGOs through the ODA's joint funding scheme are often destined for projects designed and implemented in conjunction with indigenous NGOs, and sometimes spread across a number of countries.

Technical Co-operation

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether technical co-operation has ever been given to assist a developing country to assess the poverty impact of its own policies.

Mrs. Chalker: The Overseas Development Administration is providing technical co-operation funds to the Government of Mozambique to employ a social policy adviser to help analyse poverty incidence and advise on poverty policies. In Kenya and Bangladesh, technical co-operation funds are paying for consultants to work with the Governments to analyse poverty incidence and to suggest options for aid assistance.

Social Development Advisers

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how many social development advisers there are in the Overseas Development Administration in the United Kingdom; how many are overseas; and in which country.

Mrs. Chalker: There are four full-time social development advisers and one assistant adviser in the United Kingdom. There is one full-time adviser in Thailand and one part time adviser in Barbados. In addition Her Majesty's Government fund 125 social advisers—this includes those in medical health, community development and social welfare—under the aid programme in 29 countries.

Aid Projects

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of Overseas Development Administration projects that have been evaluated have been successfully operating more than two years after completion of the aid contract and withdrawal of Overseas Development Administration financing.

Mrs. Chalker: Evaluation of a project normally takes place after sufficient time has elapsed to permit an assessment of operational success. The timing depends upon the nature of the project, and on occasion may be less than two years after completion. An analysis of 79 projects evaluated between 1980 and 1989 showed that 43 of them —56·2 per cent. by value—were rated successful or highly successful. A further 23—31 per cent. by value—were rated partially successful and the remainder—12·8 per cent. by value—were rated unsuccessful. This analysis is contained in the report "Lessons from Evaluation 1980-1989" which is available in the House of Commons Library.

HOME DEPARTMENT

Video Recordings

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list the titles of the video recordings purchased by his Department during the financial year 1990-91 and 1991-92 to date.

Mr. Kenneth Baker: The Department does not keep central records of all video recordings purchased. Some records are kept of video recordings bought for training purposes. I will send the list to the hon. Member and place a copy in the Library.

Police Training

Mr. Shersby: To ask the Secretary of State for the Home Department (1) what estimates he has made of the effect on operational police strengths arising from the detachment of police officers for retraining following the passage of *(a)* the Road Traffic Bill and *(b)* the Criminal Justice Bill;

(2) if he will make an estimate of the manpower costs involved in retraining police officers necessitated by the passage of *(a)* the Road Traffic Bill and *(b)* the Criminal Justice Bill.

Mr. Peter Lloyd: My right hon. Friend expects that any retraining of police officers as a consequence of the legislation will be on a limited scale and will not affect operational policing.

Wolds Remand Prison

Mr. Sheerman: To ask the Secretary of State for the Home Department whether the remand contracts unit of the prison department is undertaking an in-house costing for Wolds remand prison; and if he will make a statement.

Mrs. Rumbold: Yes, with other parts of the Home Office.

Mr. Sheerman: To ask the Secretary of State for the Home Department what is the estimate of the annual running costs of the new Wolds remand prison.

Mrs. Rumbold: A costing for use in comparison with tenders is being prepared.

Mr. Sheerman: To ask the Secretary of State for the Home Department how many of the companies which have tendered for the Wolds remand prison contract have put in tenders in excess of the in-house costing of the prison department.

Mrs. Rumbold: No tenders for the operation of Wolds remand prison have yet been received. Companies are required to submit their tenders by 19 July.

Extradition

Mr. Trimble: To ask the Secretary of State for the Home Department if he will list the persons who have been extradited for terrorist offences since 1980 *(a)* from Great Britain to the Republic of Ireland and *(b)* from the Republic of Ireland to Great Britain, giving the year in which the extradition occurred and indicating the outcome in each case.

Mr. John Patten: There have been no extraditions for terrorist offences from Great Britain to the Republic of Ireland. One person, Desmond Ellis, was returned from the Republic of Ireland in 1990. His case is pending.

Prison Officers' Accommodation

Mr. Cox: To ask the Secretary of State for the Home Department what is the present quantity of prison officers' accommodation at each of the London prisons available for letting to serving prison officers.

Mrs. Rumbold: The number of quarters available for serving prison officers at each of the London prisons as at 1 April 1991, the latest date for which information is available, is as follows:

	Number	*Vacant*
Belmarsh	6	3
Brixton	223	18
Holloway	145	1
Pentonville	104	5
Wandsworth	161	7
Wormwood Scrubs	208	3

Under the new conditions of service introduced by "fresh start" in 1987, prison officers are no longer quarters entitled. They occupy quarters on service tenancies and are allowed to purchase under a discount sale scheme, subject to availability and eligibility.

El Salvador

Mr. Dalyell: To ask the Secretary of State for the Home Department if he will make a statement on the Scotland Yard visit to El Salvador.

Mr. Peter Lloyd: The Scotland Yard team went to El Salvador at the request of President Cristiani to advise on the investigation into the murder of six Jesuit priests, their housekeeper and her daughter. Their report has now been passed to the Government of El Salvador.

Cable Television (Scotland)

Mr. Simon Coombs: To ask the Secretary of State for the Home Department if he will make a statement on the cable television industry in Scotland.

Mr. Peter Lloyd: A total of 14 cable franchises have been awarded in Scotland. Work on laying cable in the Aberdeen franchise area is complete, a substantial amount of cable now exists in Glasgow; and work has began in Dundee. All but the two earliest franchises were awarded by the Cable Authority, whose final report and accounts were laid before the House on 12 June.

Arctic Foxes

Mr. Fraser: To ask the Secretary of State for the Home Department if he will introduce legislation to eliminate the keeping of wild arctic foxes in captivity for fur breeding purposes.

Mr. Maclean: I have been asked to reply.
We have no plans to do so.

FOREIGN AND COMMONWEALTH AFFAIRS

Vietnamese Boat People

Sir Peter Blaker: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the United States Administration regarding the comprehensive programme of action for the return to Vietnam of illegal immigrants to Hong Kong; and if he will make a statement.

Mr. Lennox-Boyd: I refer my right hon. Friend to the press release of 5 June entitled "Vietnamese asylum seekers", copies of which have been placed in the Library of the House.

Sir Russell Johnston: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice he has received from the Government of Hong Kong about the projected numbers of Vietnamese boat people coming to Hong Kong during the remainder of 1991; and what action he proposes.

Mr. Lennox-Boyd: I refer the hon. Member to my reply of 18 June to my hon. Friend the Member for Leominster (Mr. Temple-Morris).

To ease the pressure on Hong Kong, we are pursuing as a matter of urgency with Vietnam, the United Nations High Commissioner for Refugees and the International Organisation of Migration the establishment of an internationally managed centre on territory provided by Vietnam for those asylum seekers who are determined not to be refugees and have not taken advantage of the existing voluntary return programme.

Burma

Mr. Wigley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make further representations to the Government of Burma concerning the transfer of power from the military junta to the National League of Democracy.

Mr. Lennox-Boyd: We will continue to make our views known whenever it is appropriate to do so.

European Safeguards Research and Development Association

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department was represented at the annual meeting of the European Safeguards Research and Development Association held recently in Avignon; and if he will make a statement.

Mr. Douglas Hogg: An official of the Department of Energy attended this symposium. The official proceedings of the symposium should be published within three months. It will be possible to obtain copies from the ESARDA symposium secretariat at the joint research centre, Ispra, Italy.

Vietnam

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 10 June, *Official Report*, column *413*, what steps he has taken to validate the statement of the Vietnamese Government that people are not persecuted for their religious beliefs.

Mr. Lennox-Boyd: Our embassy in Hanoi is in regular contact with the Vietnamese authorities, in particular the Government Board for Religious Affairs, and raises with them specific cases of alleged human rights abuses, including religious persecution.

Football

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the behaviour of England football supporters in Kusadasi on the occasion of last month's England *v.* Turkey match.

Mr. Lennox-Boyd: About 800 English supporters travelled to Turkey for the senior and under-21 international football matches. Following incidents in Kusadasi on 1 May 1991, 22 were arrested and appeared in court the same day. Eleven were released. The others were fined for causing damage to property and released on 3 May 1991 after the fines had been paid. British consular staff visited all those arrested and received full co-operation from the Turkish authorities.

Environmental Research Vessel

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what area of British waters the Soviet environmental research ship Akademik Boris Petrov was banned from entering; and if he will make a statement.

Mr. Lennox-Boyd: An application was received from the Soviet embassy for permission to conduct research in Scottish waters from Leith around to Port Glasgow. Such permission was not granted.

Fishing Rights (South Atlantic)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of his discussions with European partners on fishing rights off the coast of British dependent territories, including Ascension Island and Tristan da Cunha.

Mr. Lennox-Boyd: Discussions with European partners on a fisheries agreement covering United Kingdom dependent territories have not yet started. We are examining, with the dependent territories, the possible components of such an agreement.

El Salvador

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what requests he has had from El Salvador for help with improving its judicial system.

Mr. Lennox-Boyd: No specific request for such help has been received from the government of El Salvador. During the annual San José meeting of EC and Central American Foreign Ministers, however, held in Managua in March this year, my hon. Friend the Minister of State and our EC colleagues agreed to develop programmes aimed in particular at improving the administrative and legal machinery in Central American countries, designed to ensure that human rights are fully guaranteed. A committee of European and Central American experts is to be entrusted with the task of working out how these programmes are implemented.

Brazil

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Brazilian Government to seek the transfer of forthcoming trials in the cases of Expedito Ribeiro de Sousa and José and Paulo Canuto to the state capital to reduce the risk of interference with jurors and witnesses.

Mr. Lennox-Boyd: It would not be appropriate for us to express a view on this matter.

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Brazilian Government about the continuing violence against rural workers in the region of Rio Maria and Xinguara in the state of Pará.

Mr. Lennox-Boyd: We are in regular touch with the Brazilian authorities regarding a range of human rights issues, including the position of rural workers.

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will send a diplomatic representative to observe the trials in connection with the murders of trade union officials Expedito Ribeiro de Sousa and José and Paulo Canuto in the Brazilian state of Pará.

Mr. Lennox-Boyd: Our embassy in Brasilia will be monitoring the trials.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 3 June, *Official Report*, column *49*, if he will give such information as is available without disproportionate cost, in the form of his answers of 30 April 1990, *Official Report*, column *405* and 10 May 1990, *Official Report*, column *205*.

Mr. Lennox-Boyd: Further to my answer of 3 June, *Official Report*, column [illegible] the only figures that can be provided without disproportionate cost are those for total energy consumption and expenditure in Foreign and Commonwealth Office buildings in the financial year 1990-91. These are as follows:

	Consumption	Expenditure £
(i) Electricity	18,106,000 kwh	1,135,429
(ii) Gas	409,000 therms	155,633
(iii) Fuel Oil	1,450,350 litres	247,838

Figures for ODA energy consumption and expenditure are not readily available. I shall reply to the hon. Member as soon as possible.

Peacekeeping Operations

Mr. Burns: To ask the Secretary of State for Foreign and Commonwealth Affairs what contributions the United Kingdom is making towards United Nations peacekeeping operations in the Gulf and western Sahara.

Mr. Lennox-Boyd: At present we plan to contribute a total of £8·55 million made up as follows:

	£ million
United Nations Iraq/Kuwait Observer Mission (UNIKOM)	2·1
United Nations Special Commission Iraq	1·0
United Nations Observer Mission in Western Sahara (MINURSO)	5·45
Total	8·55

Parliamentary approval for these new services will be sought in the winter supplementary estimate for "Foreign and Commonwealth Office: other external relations", vote —class II, vote 2. Pending that approval, urgent expenditure estimated at £8·55 million will be met by a repayable advance from the Contingencies Fund.

Latin America

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he is having with Latin American Governments on the pace of decision-making of the judicial system in commercial law.

Mr. Lennox-Boyd: Among the priorities of our increased aid programme for Latin America is support for good government, which includes inter alia improvements in the judicial process. Bilateral investment promotion and protection agreements are signed or under negotiation with several Latin American countries. We also continue to work with Latin American and other Governments in the United Nations Commission of International Trade Law on the co-ordination of international trade law.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he is having with Latin American Governments on optimum technical or research co-operation between the European Economic Community and the United Kingdom and Latin America.

Mr. Garel-Jones: Co-operation in the field of science and technology was discussed earlier this year at the meetings between the European Community and the countries of Central America and the Rio group. I represented the United Kingdom. Consultation continues in the framework of the communities co-operation agreements with those countries.

Hong Kong

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will call for a report on why Lee Bun and her husband were refused asylum in Hong Kong; and what information he has over their fate after they had returned to China.

Mr. Lennox-Boyd *[pursuant to his reply, 14 June 1991, c. 726]:* The Chinese authorities have now told us that the story was unfounded and the couple have not been executed.

NORTHERN IRELAND

Water and Sewerage Installations

Mr. McGrady: To ask the Secretary of State for Northern Ireland what were the standard costs of mains water and sewerage installation in the constituency of South Down since 1 April 1980 to 31 March 1991; and what are the current standard costs.

Mr. Needham: The details of the standard unit cost yardsticks for water and sewerage are:

Effective date	Water £	Sewerage £
1 April 1980	2,000	1,500
1 April 1981	2,250	1,950
1 April 1982	2,400	2,050
1 September 1983	2,600	2,200
1 April 1984	2,700	2,200
1 September 1985	2,900	2,300

Planning Permissions

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many planning permissions have been *(a)* approved and *(b)* refused in each year since 1980 in areas of outstanding natural beauty in the constituency of South Down.

Mr. Needham: Information before 1987 could be obtained only at disproportionate cost. The information since 1987 is:

Year	Approved	Refused
1987	278	23
1988	336	34
1989	350	64
1990	301	57
1991 to date	181	38

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many planning permissions have been *(a)* approved and *(b)* refused in each year since 1980 in areas of special scientific interest—ASSIs—in the constituency of South Down.

Mr. Needham: Two ASSIs lie partly in the South Down constituency. These were declared in 1988 and 1989. Since then, no planning applications have been received in respect of sites within the ASSIs in that constituency.

Security Statistics

Mr. Carttiss: To ask the Secretary of State for Northern Ireland whether the security statistics for 1990 are now available, together with details of persons charged with terrorist type offences and convictions for scheduled offences for the year.

Dr. Mawhinney: Yes. Security statistics for 1990 are as follows. Statistics for earlier years can be obtained from the Library.

Statistics on Security (January-December 1990)
Part I—Statistics of Terrorist Activity

	Number
Shooting Incidents	396
Explosions	167
Bombs Neutralised	120
Weight of Explosives in Kgs[1]	5,392
Explosions Neutralised	15,328
Armed Robberies	438
Malicious Fires	333
Amount Stolen	£1,728,685
Deaths	
Civilian	49
Army/UDR (8 Army/7 UDR)	15
RUC/RUC'R' (7 RUC/5 RUC'R')	12
Injuries	
Civilian	478
Army/UDR (190 Army/24 UDR)	214
RUC/RUC'R' (165 RUC/49 RUC'R')	214

[1] Estimated weight only

Part II—statistics of security forces' activity
Dwellings searched

	Army	RUC
Occupied	673	—
Unoccupied	191	—
Derelict	195	—
Total	1,059	3,568

Note: Searches of dwellings frequently involve both the Army and RUC and are registered in their respective records. The totals therefore should not be aggregated and are shown separately to avoid an element of double counting.

Finds	*Number*
Weapons	223
Ammunition (rounds)	22,452
Explosives (kgs)	1,968

Persons charged with terrorist-type offences

	Number
Murder	18
Attempted murder	62
Firearms offences	115
Explosives offences	22
Theft Act	31
Other	132
Total	380

Part III—convictions and sentences for scheduled offences

Notes on the tables:

1. The offence classifications are based on those used by the Crown Court in their annual return.
2. The tables relate to persons convicted in the Belfast Crown Court. This covers all scheduled offences tried on indictment.
3. Some jury trials are included in cases where the Attorney General certified out of the scheduled mode of trial, ie non-terrorist serious offences.
4. Where a person has been convicted of more than one offence only the most serious or that which received the longest sentence is recorded in the statistics.

Convictions and sentences for scheduled offences

Offence	*Number convicted 1990*	*Non-custodial sentence*	*Young offenders centre training schools*	*Sentence (January to December 1990)* *Less than 5 years*	*5 years and less than 7 years*	*7 years and less than 10 years*	*10 years and less than 15 years*	*15 years and less than 20 years*	*20 years and over*	*Detained SOS*	*Life*
Murder	8	0	0	0	0	0	0	0	0	1	7
Attempted murder	10	0	0	0	0	1	5	3	1	0	0
Aid and abet murder	7	0	0	0	0	0	0	0	0	0	7
Conspiracy to murder	6	0	0	0	0	1	3	2	0	0	0
Manslaughter	4	0	1	0	2	0	0	0	1	0	0
Common assault	3	3	0	0	0	0	0	0	0	0	0
Assault occasioning actual bodily harm	18	12	2	4	0	0	0	0	0	0	0
Wounding or grevious bodily harm with intent	23	5	4	5	1	4	1	3	0	0	0
Wounding or grevious bodily harm	14	9	3	2	0	0	0	0	0	0	0
Kidnapping or false imprisonment	3	1	0	2	0	0	0	0	0	0	0
Rape	1	0	0	0	0	0	1	0	0	0	0
Arson	16	6	5	2	3	0	0	0	0	0	0

Offence	Number convicted 1990	Non-custodial sentence	Young offenders centre training schools	Sentence (January to December 1990) Less than 5 years	5 years and less than 7 years	7 years and less than 10 years	10 years and less than 15 years	15 years and less than 20 years	20 years and over	Detained SOS	Life
Petrol bomb offences	27	25	1	1	0	0	0	0	0	0	0
Threats to damage property	1	0	0	1	0	0	0	0	0	0	0
Hijacking	28	19	6	3	0	0	0	0	0	0	0
Robbery	114	45	15	32	12	4	3	3	0	0	0
Burglary	9	2	2	1	2	2	0	0	0	0	0
Blackmail	5	1	0	3	1	0	0	0	0	0	0
Membership	6	2	2	1	1	0	0	0	0	0	0
Unlawful collection of information	8	3	1	3	0	1	0	0	0	0	0
Witholding information	15	13	0	2	0	0	0	0	0	0	0
Contributing towards terrorism	3	1	1	0	1	0	0	0	0	0	0
Possession of information useful to terrorists	5	3	0	2	0	0	0	0	0	0	0
Making property available	8	8	0	0	0	0	0	0	0	0	0
Riot	1	1	0	0	0	0	0	0	0	0	0
Bomb hoax	3	0	1	2	0	0	0	0	0	0	0
Impeding apprehension	4	0	0	1	0	2	1	0	0	0	0
Conspiring to prevent the course of justice	2	1	0	1	0	0	0	0	0	0	0
Breach of suspended sentence	1	0	0	1	0	0	0	0	0	0	0
Carrying firearm with intent	6	3	0	2	1	0	0	0	0	0	0
Possession of firearm in suspicious circumstances	12	6	2	4	0	0	0	0	0	0	0
Possession of firearms with intent	47	12	5	3	8	6	10	3	0	0	0
Possession of prohibited weapon	1	1	0	0	0	0	0	0	0	0	0
Causing explosion	5	0	0	0	0	0	0	3	2	0	0
Possession of explosives with intent	16	2	0	2	3	3	4	2	0	0	0
Total	440	184	51	80	35	24	28	19	4	1	14

Animal Carcases

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if he has monitored, by council area, the incidence of illegal dumping of fallen animals which has had to be dealt with by individual councils; and what are the statistics for each of the past eight months in each council area.

Mr. Needham *[holding answer 18 June 1991]:* District councils are being asked for the information requested and I shall write to the hon. Gentleman as soon as possible and place a copy of my letter in the Library.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many cases have been prosecuted or have prosecutions pending in relation to the illegal dumping of fallen animals during each of the past eight months.

Mr. Needham *[holding answer 18 June 1991]:* Records of prosecutions by district councils for the illegal dumping of fallen animals are not held centrally. However, information on such dumping including information on

prosecutions is being sought from district councils and I shall write to the hon. Gentleman as soon as possible and place a copy of my letter in the Library.

SCOTLAND

Labour Statistics

20. **Sir Nicholas Fairbairn:** To ask the Secretary of State for Scotland how many people were in employment in Scotland in 1979; and how many are now.

Mr. Allan Stewart: In December 1990, the latest date for which information is available, there were 2·27 million in the Scottish civilian work force, some 20,000 more than in December 1979.

Scottish Homes

21. **Sir David Steel:** To ask the Secretary of State for Northern Ireland what recent discussions he has had with Scottish Homes about the transfer of its housing stock.

Lord James Douglas-Hamilton: We have issued guidance to Scottish Homes regarding the disposal of its housing stock and proposals which have the agreement of tenants are subject to my approval. No proposals have yet been submitted for approval.

22. **Mr. Tom Clarke:** To ask the Secretary of State for Scotland what funding arrangements he has made to enable Scottish Homes to meet its target of 300 new units of special needs accommodation as part of its second strategic plan.

Lord James Douglas-Hamilton: Scottish Homes finances special needs accommodation provided by housing associations from within its traditional rented programme, which in 1990-91 was approximately £149 million.

Plant Closures, Leith

24. **Mr. Ron Brown:** To ask the Secretary of State for Scotland what representations he has received from trade unions, local councils and community groups about the closure of Caledonia Mills and Scottish Agricultural Industries in Leith; and if he will make a statement.

Mr. Allan Stewart: My right hon. Friend has received no representations about Caledonia Mills. The hon. Gentleman will recall that one trade union representative attended the meeting I had with him on 20 March 1991 about Scottish Agricultural Industries—SAI. No other such representations have been received about SAI.

Lanarkshire Health Services

25. **Mr. Ingram:** To ask the Secretary of State for Scotland what plans he has to improve the provision of general hospital services within the Lanarkshire health board area.

Mr. Michael Forsyth: On Friday, 7 June my right hon. Friend endorsed Lanarkshire health board's proposal in its acute services strategy to build a new 615-bed district general hospital in Wishaw at a cost of over £70 million to serve the Motherwell and Clydesdale area. The other component of the board's acute services strategy is to provide a new district general hospital to serve the Hamilton and East Kilbride districts by either redeveloping the existing Hairmyres hospital site or by building a new district general hospital at Blantyre.

I visited Lanarkshire on Monday 17 June to see for myself the sites involved and to hear at first hand the various arguments in favour of each of the options. I shall make a further announcement as soon as possible.

Local Government Reform

26. **Mr. Galloway:** To ask the Secretary of State for Scotland what recent representations he has had about the constitutional arrangements between Scotland and Westminster; and if he will make a statement.

Mr. Allan Stewart: In the past six months representations received about constitutional issues have comprised 246 letters or postcards and one petition. The petition and 14 of the letters and postcards were in favour of devolution; 222 were against devolution; and 10 were in favour of separation.

Financial Services

27. **Mr. Cran:** To ask the Secretary of State for Scotland how many people are currently employed in the financial services sector in Scotland.

Mr. Allan Stewart: In December 1990, the latest date for which an estimate is available, there were 184,400 employees employed in the banking, finance, insurance, business services and leasing industries in Scotland. This is some 50 per cent. higher than the number employed in the sector in 1979.

NHS Trusts

28. **Mr. Canavan:** To ask the Secretary of State for Scotland how many applications have been submitted for self-governing trust status for hospitals and other national health service units.

Mr. Michael Forsyth: Applications have been submitted by the South Ayrshire group of hospitals and by the Royal Scottish national hospital. A third application, from Foresterhill, is expected shortly.

Tourism

29. **Mr. Gregory:** To ask the Secretary of State for Scotland what is his estimate of the number of overseas visitors to Scotland this year; and if he will make a statement.

Mr. Allan Stewart: It is not possible at this early stage of the season to provide an accurate estimate. The Scottish tourist board expects a downturn in visitor numbers from north America but expects this to be offset by a continued increase in visitors from the EC and Japan.

Lanarkshire Working Party

30. **Dr. Reid:** To ask the Secretary of State for Scotland when he expects to publish the report of the Lanarkshire working party; and if he will make a statement.

Mr. Allan Stewart: I refer the hon. Member to the answer my right hon. Friend the Secretary of State for Scotland gave to my hon. Friend the Member for Tayside, North (Mr. Walker) on 7 June, at columns *379-82*.

University Students

31. **Mr. Wray:** To ask the Secretary of State for Scotland what are the latest figures for full-time university students in Scotland; and what is the proportion of women students.

Mr. Michael Forsyth: In 1989-90, the latest year available, there were 52,353 full-time students attending Scottish universities; of these, 44 per cent. were women.

Training

32. **Mr. Wallace:** To ask the Secretary of State for Scotland when he next intends to meet the chairmen of Scottish Enterprise and Highlands and Islands Enterprise to discuss training provision in their respective areas.

Mr. Allan Stewart: My right hon. Friend, my noble Friend and I have frequent opportunities to meet the chairmen of Scottish Enterprise and Highlands and Islands Enterprise and to discuss a wide range of subjects, including training provision.

Primary Schools (Highlands)

33. **Sir Russell Johnston:** To ask the Secretary of State for Scotland if he will make a statement on future plans for primary schools in the highlands.

Mr. Michael Forsyth: The provision of primary school education in the highlands is a matter for Highland regional council as education authority.

Health Staff Morale

34. **Mr. McMaster:** To ask the Secretary of State for Scotland when he last met the chairmen of Scottish health boards to discuss staff morale; and if he will make a statement.

Mr. Michael Forsyth: I last met health board chairmen on 3 May 1991.

West Coast Fishermen

35. **Mr. Macdonald:** To ask the Secretary of State for Scotland what recent representations he has received on the condition of the west coast fishing industry.

Mr. Michael Forsyth: A number of representations have been received about the conservation of fish stocks on the west coast, particularly concerning access and the need to reduce pressure on nephrop stocks.

North Sea Oil

36. **Mr. Salmond:** To ask the Secretary of State for Scotland how many official speeches he has made this year on development of North sea oil and gas reserves.

Mr. Allan Stewart: None. My right hon. Friend the Secretary of State and I take every opportunity however to promote the importance of the North sea oil and gas industry in the course of discussions with organisations and individuals, and through press articles and interviews with the media.

Heart Bypass Operations

37. **Mr. McKelvey:** To ask the Secretary of State for Scotland what information he has on the waiting times in Scotland for heart bypass operations; and what steps he is taking to reduce the waiting time.

Mr. Michael Forsyth: In the year to 31 March 1991 a total of 1,515 patients received heart bypass operations. The mean waiting time was six months. I have already announced that I expect to increase funding for open heart surgery, which includes heart bypass operations,* to around £19·8 million in 1991-92.

Preventive Medicine

38. **Mr. Andrew Mitchell:** To ask the Secretary of State for Scotland what plans he has for promoting preventive medicine in Scotland.

Mr. Michael Forsyth: The importance the Government attach to preventive medicine was reflected in our White Paper "Promoting Better Health" Cmnd 249 published in November 1987. This stressed the need to shift the emphasis in primary care from the treatment of illness to the promotion of health and the prevention of disease. The new GP contract, which was introduced in April 1990, furthered this approach by actively encouraging immunisation and screening programmes and the provision of health promotion clinics. The benefits are already apparent and the attainment of targets has been impressive.

A related review of health education in Scotland which I commissioned in 1989 culminated on 25 March this year when I published the document "Health Education in Scotland: A National Policy Statement", copies of which have been placed in the Library. This statement reflects the importance which the Government place on the promotion of good health and identifies priorities and sets targets for the improvement of health in Scotland. It also describes the role of the new Health Education Board for Scotland and sets out the framework within which it will work together with health boards, local authorities, voluntary organisations, employers, the media and individuals, to secure the health improvements we seek. In addition, I expect to take further initiatives which will be announced in due course.

Inward Investment

Mr. Hind: To ask the Secretary of State for Scotland what proportion of total United Kingdom inward investment was made in Scotland in 1990; and if he will make a statement.

Mr. Allan Stewart: According to the figures recorded by the Invest in Britain Bureau, in 1990 Scotland attracted 11·5 per cent. of the total number of inward investment projects coming to the United Kingdom, and 36 per cent. of planned new jobs.

Adult Education

Mr. Dalyell: To ask the Secretary of State for Scotland what is his policy toward the protection of adult basic education units in the Lothian region from the effects of charge-capping.

Mr. Allan Stewart: It was entirely for Lothian regional council itself to decide which of its services should be affected as a result of the redetermination of its personal community charge for 1991-92 and to what extent.

Community Charge

23. **Mr. Kennedy:** To ask the Secretary of State for Scotland if he will make a statement on the operation of the community charge reduction scheme.

Mr. Allan Stewart: The scheme has backdated effect in Scotland to 1 April 1990, although different rules apply in the financial years 1990-91 and 1991-92. A number of local authorities have already issued revised bills, taking account of reductions under the scheme in respect of both years, and most others expect to complete this task by the summer.

Mr. McMaster: To ask the Secretary of State for Scotland if he will publish a table showing the amount of community charge payable by each eligible adult in a household of one, two, three, four or five adults where one, two or no adults have been exempted due to severe mental handicap in 1991-92 after the community charge reduction scheme has been applied, for each level of assumed rates in £50 bands from £150 to £500, in £100 bands from £500 to £1,500, £1,750 and £2,000, where in each case the community charge is set at each £10 increment between £140 and £600.

Mr. Allan Stewart: I refer the hon. Member to the reply given to him by my hon. Friend the Parliamentary Under-Secretary of State for the Environment on 12 June.

Local Authority Finance

Mr. McMaster: To ask the Secretary of State for Scotland what is the current loan debt of Scottish local authorities; and if he will make a statement.

Lord James Douglas-Hamilton: The estimated outstanding debt on each local authority's housing revenue account at 31 March 1991 is as follows:

	£ million
Berwickshire	10·7
Ettrick and Lauderdale	14·1
Roxburgh	43·2
Tweeddale	3·7
Clackmannan	30·1
Falkirk	103·0
Stirling	50·7
Annandale and Eskdale	35·2
Nithsdale	32·6
Stewartry	15·7
Wigtown	23·2
Dunfermline	59·7
Kirkcaldy	83·4
North East Fife	27·3
Aberdeen	172·1
Banff and Buchan	58·3
Gordon	62·0
Kincardine and Deeside	34·1
Moray	55·1
Badenoch and Strathspey	8·4
Caithness	27·0
Inverness	48·5
Lochaber	32·8
Nairn	8·5
Ross and Cromarty	60·5
Skye and Lochalsh	14·1
Sutherland	17·2
East Lothian	50·9
Edinburgh	226·9
Midlothian	21·7
West Lothian	65·9
Argyll and Bute	50·4
Bearsden and Milngavie	8·8
Clydebank	40·1
Clydesdale	20·6
Cumbernauld and Kilsyth	15·4
Cumnock and Doon Valley	26·6
Cunninghame	70·5
Dumbarton	39·9
East Kilbride	4·6
Eastwood	5·9
Glasgow	976·1
Hamilton	75·2
Inverclyde	82·4
Kilmarnock and Loudoun	46·2
Kyle and Carrick	62·0
Monklands	102·4
Motherwell	110·4
Renfrew	120·9
Strathkelvin	40·8
Angus	36·5
Dundee	125·5
Perth and Kinross	49·2
Orkney Islands	10·8
Shetland Islands	49·2
Western Isles	40·2

Note: All figures are provisional.

Nature Conservancy Council for Scotland

Mr. Wilson: To ask the Secretary of State for Scotland if he will list the priority areas for the commissioning of research work by the Nature Conservancy Council for Scotland as identified by the Science Research and Development Board.

Lord James Douglas-Hamilton: The commissioning of research work by the Nature Conservancy Council for Scotland is a matter for the body itself.

Mr. Wilson: To ask the Secretary of State for Scotland if he will list the membership of the science research and development board for the Nature Conservancy Council for Scotland, and their research experience.

Lord James Douglas-Hamilton: The membership of the science research and development board for the Nature Conservancy Council for Scotland is decided by the council. The present members, together with their research experience, are listed in the table.

Professor George M. Dunnet—Zoologist
Professor John A. Raven—Biological sciences

Terrestrial and life sciences
Dr. Douglas Malcolm—Woodlands/forestry
Professor Paul Racey—Vertebrate ecology
Mr. Mark Young—Invertebrates
Dr. John Miles—Upland ecology
Professor Robert Crawford—Plant ecology/taxonomy
Dr. Patricia Monaghan—Ornithology

Marine and freshwater sciences
Professor Alasdair McIntyre—Marine science
Dr. Peter Maitland—Freshwater ecology

Earth Sciences
Profesor Geoffrey Boulton—Geology and geophysics
Professor David Sugden—Geomorphology

Landuse, survey and data management
Professor Jeff T. Maxwell—Agriculture/landuse/soils
Dr. Donald Davidson—Monitoring/survey/remote sensing
Professor R. Cormack—Data handling/statistics
Ms. Caroline Wickham-Jones—Archaeology

Housing

Mr. McMaster: To ask the Secretary of State for Scotland how many people were registered on local authority and Scottish Homes waiting lists in each year since 1980; what proportion were existing tenants requesting a transfer; and if he will make a statement.

Lord James Douglas-Hamilton: Reliable information is not available centrally.

Mr. McMaster: To ask the Secretary of State for Scotland what was the total revenue gathered by the sale of *(a)* local authority and *(b)* Scottish Homes houses to sitting tenants in each year since 1980; and if he will make a statement.

Lord James Douglas-Hamilton: Receipts from the sale of local authority and Scottish Homes/SSHA houses since 1980 are shown in the table. Total receipts to local authorities amount to £1·557 billion and to Scottish Homes/SSHA £0·354 billion, a grand total of £1·911 billion.

£ million

Year	*Local Authority*	*Year*	*SSHA/ Scottish Homes*
1980	18·6	1979-80	0·4
1981	52·5	1980-81	15·7
1982	91·1	1981-82	17·5
1983	115·6	1982-83	19·3
1984	116·4	1983-84	23·3
1985	109·1	1984-85	35·4
1986	107·9	1985-86	25·2
1987	140·7	1986-87	22·4
1988	225·3	1987-88	46·2
1989	296·9	1988-89	78·1
1990	283·0	1989-90	70·2

Notes:
1. The information on local authority receipts relate to calendar years and that on SSHA/Scottish Homes receipts to years ending 31 March.
2. Local authority returns for 1990 are incomplete.

Mr. McMaster: To ask the Secretary of State for Scotland (1) what was the average weekly rental charge for *(a)* local authority and *(b)* Scottish Homes houses in each year since 1980; and if he will make a statement;

(2) what is the average increase in the weekly rental charges in *(a)* local authority and *(b)* Scottish Homes houses in each year since 1980; and if he will make a statement.

Lord James Douglas-Hamilton: The information is as follows:

Year	*Local authorities*		*SSHA/Scottish homes*	
	Standard rent	*Rent increase over previous year*	*Standard rent*	*Rent increase over previous year*
	£	*£*	*£*	*£*
1980-81	5·66	0·74	7·21	1·78
1981-82	7·69	2·03	9·15	1·94
1982-83	9·02	1·33	11·26	2·11
1983-84	9·86	0·84	11·96	0·70
1984-85	10·46	0·60	13·06	1·10
1985-86	11·55	1·09	14·23	1·17
1986-87	12·99	1·44	15·79	1·56
1987-88	14·58	1·59	17·28	1·49
1988-89	16·29	1·71	19·02	1·74
1989-90	18·80	2·51	20·65	1·63
1990-91	20·89	2·09	23·35	2·70
1991-92	23·24	2·35	26·51	3·16

Notes:
1. Average rents for Scottish Local Authorities are based on the estimated position as at 30 September in each year. The data for 1991-92 are provisional.
2. Average rents for the SSHA are based on the position as at 30 September for the years 1980-81 to 1981-82, as at 30 June for 1982-83, and as at 1 April for subsequent years. Average rents for Scottish Homes are based on the position, as at 1 April for both 1990-91 and 1991-92.

Fish Farming

Mr. Wilson: To ask the Secretary of State for Scotland if he has any plans to review the role of the Crown Estate as a quasi-planning authority in marine fish farming.

Lord James Douglas-Hamilton: The Government have accepted the view of the Select Committee on Agriculture that the system of regulation of the marine fish farming industry should develop in an evolutionary manner. The Scottish Office is currently preparing revised guidance on the location and siting of marine fish farms in consultation with the Crown Estate and other relevant interests. This guidance will examine carefully the environmental impact of marine fish farms and will set out clearly the parameters within which the industry should develop in the future.

Landfill Sites

Mr. Martyn Jones: To ask the Secretary of State for Scotland (1) how many unauthorised emissions of leachate have taken place from landfill waste sites to the environment in Scotland over the last five years; and if he will provide details of where they have taken place and the names of the site owners;

(2) how many formal compliance notices have been issued by waste disposal authorities to landfill waste site operators in Scotland, together with details of why these notices were served and the names of the site operators concerned.

Lord James Douglas-Hamilton: This information is not held centrally. I refer the hon. Member to the river purification authorities and the district and island councils, which have statutory responsibility for these matters.

Mr. Martyn Jones: To ask the Secretary of State for Scotland how many cases there have been of pollution of water courses and drinking water supplies by leachate from landfill waste sites in Scotland during the past five years, with details of the extent and source of pollution and the names of the site owners responsible.

Lord James Douglas-Hamilton: River purification authorities are responsible for investigating any incidents of water pollution by leachate. Information on incidents is contained in their annual reports, copies of which are held in the Library.

Public drinking water supplies in Scotland are unlikely to be affected by leachate from landfill sites and no reports

of such incidents have been received since 21 December 1990 when the water authorities were first required formally to report significant failures of drinking water quality in public supplies. Prior to that date, comprehensive information about incidents of this nature was not held centrally.

Prisoners (Transfers)

Mr. McNamara: To ask the Secretary of State for Scotland what are the figures on the number of requests by prisoners for transfer to Northern Ireland which he notified to the Northern Ireland Office in each year since 1980, broken down on the basis of permanent and temporary transfers.

Lord James Douglas-Hamilton *[holding answer 14 June 1991]*: The information available is as follows:

	Number of requests		*Number notified to NIO*	
	Permanent	*Temporary*	*Permanent*	*Temporary*
1980	n/a	n/a	7	2
1981	n/a	n/a	1	2
1982	n/a	n/a	1	1
1983	n/a	n/a	2	—
1984	n/a	n/a	1	—
1985	2	1	2	1
1986	1	—	1	—
1987	3	—	3	—
1988	1	1	1	1
1989	1	—	—	—
1990	4	1	2	—

n/a Not available

Aldbourne Associates Ltd.

Mr. Morgan: To ask the Secretary of State for Scotland what housing consultancy contracts his Department has placed with Aldbourne Associates Ltd; in what year they were awarded; what is their total value; and whether they were awarded by open competition.

Lord James Douglas-Hamilton *[holding answer 14 June 1991]*: None.

DEFENCE

Public Appointments

Mr. Redmond: To ask the Secretary of State for Defence if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years together with the salary and the date when each appointment is due for renewal.

Mr. Alan Clark: I refer the hon. Member to "Public Bodies 1990" issued by the Office of the Minister for the Civil Service in December 1990; pages 12 to 14 list Ministry of Defence appointments and their remuneration. Further relevant information on salaries and the duration of appointments is included in "Public Appointments: A Handbook of Women's Organisations", pages 31 to 37, published by the Women's National Commission. Copies of these publications are available in the Library.

Video Recordings

Mr. Redmond: To ask the Secretary of State for Defence if he will list the titles of the video recordings purchased by his Department during the financial years 1990-91 and 1991-92 to date.

Mr. Kenneth Carlisle: The production of a complete list of the titles of video recordings purchased by the Department could be obtained only at disproportionate cost. It is estimated, however, that the total number of titles purchased since the beginning of 1990 is some 2,000.

Low Flying

Mr. Redmond: To ask the Secretary of State for Defence (1) if he will make a statement on the contravention by a jet military aircraft flying at less than 1,000 ft over the village of Thurnscoe, South Yorkshire at approximately 1130 hours on 3 June, of the low flying transit area;

(2) if he will make a statement in respect of the pair of military jet aircraft that flew at less than 1,000 ft between the villages of Clayton and Hooton Pagnell, South Yorkshire at approximately 1655 hours on 22 May;

(3) if he will make a statement in respect of a low-flying military jet aircraft entering a prohibited low-flying transit area over Clayton, South Yorkshire on 9 June at approximately *(a)* 1509 hours and *(b)* 1617 hours.

Mr. Kenneth Carlisle: If the hon. Member would care to write to me with further details I should be happy to consider them.

Mr. Redmond: To ask the Secretary of State for Defence what were the aims and objectives of the low flying exercise Trident Eagle held in May; what types and numbers of aircraft were involved; how many complaints were received in respect of noise and low flying, and from what locations; and if he will make a statement.

Mr. Kenneth Carlisle: Exercise Trident Eagle was an aviation battlegroup exercise undertaken by 9 Army Air Corps Regiment designed to practise airmobile operations and procedures. The numbers and types of aircraft which took part in the exercise were as follows:

Seven Gazelle
12 Lynx
Two Puma

Seven complaints were received in all, from the following locations:

Horncastle, Lincolnshire
Louth, Lincolnshire (two)
Rothwell, Lincolnshire
Wragby, Lincolnshire
Benniworth, Lincolnshire
Dunnington, North Yorkshire

Hospitality Fund

Mr. Redmond: To ask the Secretary of State for Defence if he will list the expenditure covered by his Department's hospitality fund for the financial years *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Mr. Archie Hamilton: The amount spent on official hospitality by the Ministry of Defence in 1989-90 totalled some £3·7 million, in 1990-91 £3·9 million, and in 1991-92, to 31 May, £0·4 million. These figures include expenditure incurred by the Ministry of Defence itself, by formations

and establishments of the armed forces at home and abroad, and by individual officers occupying command and international appointments for which entertainment allowances are payable.

Air Misses

Mr. Redmond: To ask the Secretary of State for Defence what was *(a)* the height and *(b)* the risk category of the APHAZ that occurred on 4 July 1989, reported by a controller when a Tornado infringed the Humberside airport zone; and if he will make a statement.

Mr. Kenneth Carlisle: The three aircraft involved were flying at heights of between approximately 1,500 and 2,000 ft, and the incident was assessed as category C—no risk of collision.

Mr. Redmond: To ask the Secretary of State for Defence what was *(a)* the height and *(b)* the risk category of the air miss on 27 November 1989, involving an SA365 helicopter and two A10s holding for Donna Nook range area; what were the findings of the joint airmiss working group; and if he will make a statement.

Mr. Kenneth Carlisle: The aircraft involved were flying at heights of between approximately 2,000 and 2,500 ft, and the air miss was assessed as category C—no risk of collision. The joint airmiss working group concluded that one of the A10 pilots flew sufficiently close to the helicopter to cause its pilot concern for the safety of his aircraft.

Mr. Redmond: To ask the Secretary of State for Defence what was *(a)* the height and *(b)* the risk category of the air miss in August, 1988 involving a Cherokee and some A10s near the Cowden range; what were the findings of the joint airmiss working group; and if he will make a statement.

Mr. Kenneth Carlisle: The aircraft involved were flying at a height of approximately 2,500 ft and the air miss was assessed as category C—no risk of collision. The joint airmiss working group concluded that the Cherokee pilot had inadvertently penetrated the Cowden weapons range danger area.

Mr. Redmond: To ask the Secretary of State for Defence what was *(a)* the height and *(b)* the risk category of the air miss on 22 November 1989 involving an S76 helicopter and a USAF F111 in the Rough gas field area; what were the findings of the joint airmiss working group; and if he will make a statement.

Mr. Kenneth Carlisle: The aircraft involved were flying at heights of between approximately 700 and 1,000 ft, and the air miss was assessed as category B—possible risk of collision. The joint airmiss working group concluded that the cause of the air miss was the failure of the F111 pilot to see the helicopter in time to give adequate way, compounded by the failure of the helicopter pilot to fly at the recommended level.

Mr. Redmond: To ask the Secretary of State for Defence what was *(a)* the height and *(b)* the risk category of the APHAZ reported by a controller on 15 August 1989 when a Tornado aircraft infringed the Humberside airport zone; and if he will make a statement.

Mr. Kenneth Carlisle: The aircraft involved were flying at a height of approximately 700 ft, and the incident was assessed category C—no risk of collision.

Mr. Redmond: To ask the Secretary of State for Defence, what was *(a)* the height and *(b)* the risk category of the air miss on 10 May 1989, involving a foreign F16 and a S76 helicopter in the West Sole gas field area; what were the findings of the joint air miss working group; and if he will make a statement.

Mr. Kenneth Carlisle: The aircraft involved were flying at a height of approximately 200 ft, and the air miss was assessed as category C—no risk of collision. The joint airmiss working group concluded that elements of the military aircraft formation had made an unauthorised penetration of the West Sole helicopter protection zone.

Mr. Redmond: To ask the Secretary of State for Defence, what was *(a)* the height and *(b)* the risk category of the air miss on 13 June 1990, involving a Bell 212 helicopter and a Tornado aircraft 25 miles east of the Humber estuary; what were the findings of the joint air miss working group; and if he will make a statement.

Mr. Kenneth Carlisle: The aircraft involved were flying at a height of approximately 1,000 ft and the air miss was assessed category C—no risk of collision. The joint airmiss working group concluded that there had been a conflict of flightpaths.

Balanitis

Mr. Redmond: To ask the Secretary of State for Defence how many service personnel suffered from balanitis during Operation Desert Storm; and how many had circumcision operations.

Mr. Archie Hamilton: The incidence of balanitis was no higher than would normally be expected. No circumcisions for sand balanitis were performed or are now required.

Army Manpower

Mr. Home Robertson: To ask the Secretary of State for Defence if he will publish a table showing *(a)* the nominal manpower establishment, *(b)* the actual manpower strength, *(c)* the percentage of nominal establishment achieved, *(d)* the number of recruits becoming available each year, and *(e)* the rate of retention of recruits and trained soldiers for each regiment and division in the British Army.

Mr. Archie Hamilton: I will write to the hon. Member.

Mr. John Browne: To ask the Secretary of State for Defence, pursuant to his oral answer to the hon. Members for Dartford (Mr. Dunn) and for Wallsend (Mr. Garrett) of 4 June, *Official Report*, column *143*, how he proposes to make the decisions as to where and how manpower reductions in the Army will be imposed following the consultation process within the Army; and how he intends to reconcile conflicting interests within the Army and ensure a fair hearing for all interests.

Mr. Archie Hamilton: We have asked the Army to bring forward proposals on how to achieve the restructuring set out by the Secretary of State in his answer of 4 June. Consultation will be widespread, including all regimental colonels and colonels commandant. I am confident that all interests will have a fair hearing and that the regimental system will show that it can adapt to change.

Main Battle Tanks

Mr. Robert Banks: To ask the Secretary of State for Defence if he expects to place an order for the replacement of Chieftain tanks before the summer recess; and if he will make a statement.

Mr. Alan Clark: As I told the hon. Member for Leeds, West (Mr. Battle) on 4 June 1991, *Official Report*, columns *142-43*, it is our intention to make a further announcement before the end of this month.

Mr. Robert Banks: To ask the Secretary of State for Defence what assessment he has made of the engine performance of Challenger 2 tanks; and if he will make a statement.

Mr. Alan Clark: As I told the hon. Member for Tyne Bridge (Mr. Clelland) on 24 April 1991 *Official Report*, columns *486-87*, my Department is making a full assessment of the Challenger 2; this includes its automotive performance.

RMP Training Barracks

Mr. Nelson: To ask the Secretary of State for Defence whether he will make a statement on the future of the Royal Military Police training barracks at Chichester.

Mr. Archie Hamilton: We are currently studying the most cost-effective means of meeting the RMP's future training requirement. I shall keep my hon. Friend informed.

Mr. Nelson: To ask the Secretary of State for Defence what was the number of trainees who passed through the Royal Military Police Rousillon barracks in Chichester in 1990; and what numbers he anticipates entering training courses there in 1991-92 and 1992-93.

Mr. Archie Hamilton: In 1990-91, a total of 388 trainees entered the Royal Military Police training centre, Rousillon barracks, Chichester. Of these, 272 successfully completed their training. However, reflecting the RMP's healthy manning situation, only 150 are expected to enter training courses in 1991-92. It will be several months before recruit allocations are made for 1992-93.

Ministry Bases (Contaminated Land)

Mr. Rogers: To ask the Secretary of State for Defence what arrangements have been agreed for the environmental clean-up and remedial work on contaminated land at Ministry of Defence-owned bases vacated or to be vacated by United States forces.

Mr. Kenneth Carlisle: I have nothing to add to the answer given to the hon. Member for Falkirk, West (Mr. Canavan) on 21 January, *Official Report*, column *53*.

The Gulf

Sir David Steel: To ask the Secretary of State for Defence what consideration has been given to the eligibility for the general services medal of medical units from NATO countries which were attached to the British service units during the Gulf war.

Mr. Archie Hamilton: Her Majesty the Queen has approved the award of a medal to recognise compaign service in the Gulf. However, decisions have still to be reached concerning the qualifying conditions for the medal, including the eligibility of non-British forces.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Defence, pursuant to his answer of 3 June, *Official Report*, column *131*, what information he has available on energy consumption in the civil estate *(a)* for 1989-90 along the lines of the information given in his answer of 10 May 1990, *Official Report*, columns *213-14* and *(b)* for 1990 along the lines of the information given in his answer of 30 April 1990, *Official Report*, column *429*.

Mr. Archie Hamilton: The expenditure on energy consumption in the civil estate for financial year 1989-90, broken down by fuel, is as follows:

Thousands

Source	£
Liquid Fuel	455
Electricity	3,849
Gas	478
Solid Fuel	0
Utilities	430
	5,212

Figures relating to the consumption of energy are not readily available. My noble Friend the Under-Secretary of State for the Armed Forces will write to the hon. Member.

The Gulf (Friendly Fire)

Mr. John Browne: To ask the Secretary of State for Defence when he now expects to receive the findings of the board of inquiry into the friendly fire incident in the Gulf war.

Mr. Archie Hamilton: The board of inquiry will submit its report once its investigations are complete.

EMPLOYMENT

Employment Training

Mr. Atkinson: To ask the Secretary of State for Employment whether a lone parent with children below school age is eligible for employment training; and if he will make a statement.

Mr. Jackson: Lone parents in receipt of income support on order books for at least 26 weeks are eligible to join the ET programme, provided that in each case the youngest child at the time of entry is in statutory full-time education. Lone parents who meet other eligibility conditions for ET can enter regardless of the age of their youngest child. Eligibility conditions are kept under regular review.

Mrs. Wise: To ask the Secretary of State for Employment what are the current arrangements and funding for employment training for ex-offenders.

Mr. Jackson: Ex-offenders fall within the normal eligibility rules for employment training and their time spent in custody or on remand counts towards the six months unemployment eligibility condition. No special funding is provided for ex-offenders as a group.

Mr. Ronnie Campbell: To ask the Secretary of State for Employment if he will list the qualifications in the north-east area that were achieved by clients for each year of employment training since its inception.

Mr. Jackson: The table gives the type of qualification or credit towards a qualification obtained by people who left employment training in the northern region between July 1989 and December 1990. Information prior to this period is not available.

Type of qualifications or credits towards qualifications gained by leavers in northern region July 1989 to December 1990

Qualification/Credit	*July 1989 to March 1990 per cent.*	*April 1990 to December 1990 per cent.*
City and Guilds	51	48
RSA	25	27
Pitmans	5	7
Scotvec	..	..
BTEC-TEC	2	4
GCSE	2	2
London Chamber of Commerce and Industry	..	1
Other	27	26

.. = less than 0·5 per cent.
The base used for calculating percentages is the number of trainees gaining qualifications or credits. Percentages do not total 100 because trainees may obtain more than one type of qualification or credit.
Source: ET Follow up survey.

Manufacturing Employment

Sir Richard Body: To ask the Secretary of State for Employment what was the number of people employed in manufacturing industries in 1970, 1980 and 1990.

Mr. Jackson: The information is shown in the table.

Employees in manufacturing in United Kingdom

	Thousands
June 1970	8,339
June 1980	6,937
June 1990	5,151

Training

Mr. Wallace: To ask the Secretary of State for Employment (1) how many people over 25 years and under 50 years were unemployed and not on the employment training scheme in 1989-90 and 1990-91; and what is his latest estimate of the number of people over 25 and under 50 years who are currently unemployed and not on the employment training schemes or other training schemes being operated through the training and enterprise council and local enterprise company network;

(2) how many under-25s were unemployed and not on the employment training scheme in 1989-90 and 1990-91; and what is his latest estimate of the number of under-25s currently unemployed and not on the employment training schemes or other training schemes being operated through the TEC and LEC network.

Mr. Jackson: The information requested can be obtained from the NOMIS database in the House of Commons Library. Those on job-related Government schemes are included in the employment estimates and are, therefore, not counted in the unemployment figures.

Mr. Wallace: To ask the Secretary of State for Employment if he will list the funding block 3 budget allocation to all training and enterprise councils in England and Wales and to all local enterprise companies in Scotland for 1991-92.

Mr. Jackson: Funding block 3 budgets for 1991-92 for each of the 75 operational TECs in England and Wales are set out in the table.

Responsibility for answering that part of the question which relates to the Scottish local enterprise companies lies with my right hon. Friend the Secretary of State for Scotland.

£ million

	Funding block 3 £ million
South East	
Essex	3·320
Hampshire	2·667
Heart of England	1·200
Hertfordshire	2·385
Isle of Wight	·515
Kent	3·150
Milton Keynes and North Buckinghamshire	·711
Surrey	1·679
Sussex	3·380
Thames Valley Enterprise	1·870
London	
AZTEC	1·430
LETEC	2·70
SOLOTEC	1·940
STTEC	2·793
South West	
Avon	3·491
Devon and Cornwall	6·070
Dorset	3·921
Gloucester	1·600
Somerset	1·530
Wiltshire	1·540
West Midlands	
Birmingham	4·110
Central England	1·360
Coventry	2·590
Dudley	1·006
Hereford and Worcester	1·167
Sandwell	1·013
Shropshire	1·492
Staffordshire	2·900
Walsall	·890
Wolverhampton	1·028
East Midlands and Anglia	
Leicester	2.853
Northamptonshire	1·522
Lincolnshire	1·878
Greater Nottingham	2·078
North Nottinghamshire	1·456
South Derbyshire	1·908
North Derbyshire	1·154
Norfolk/Waverney	2·163
Suffolk	1·315
Bedfordshire	·985
GP TEC	·601
CAMBSTEC	·709
Yorkshire and Humberside	
Leeds	2·273
North Yorkshire	2·048
Bradford	1·670
Calderdale and Kirklees	2·056
Wakefield	1·054
Barnsley and Doncaster	2·165
Sheffield	2·492
Rotherham	·985

	Funding block 3 £ million
Humberside	3·168
North West	
Bolton/Bury	1·665
CEWTEC	2·443
Cumbria	1·596
ELTEC	1·759
LAWTEC	2·764
Manchester	4·506
METROTEC	1·043
Oldham	·795
QUALITEC	·608
Rochdale	·775
South and East Cheshire	1·088
Stockport HP	1·520
Northern	
Teesside	2·521
Tyneside	3·820
Wearside	1·413
Durham	2·716
Northumberland	1·475
Wales	
Gwent	1·655
North East Wales	1·384
North West Wales	1·631
Mid Glamorgan	1·719
Powys	·590
South Glamorgan	1·461
West Wales	3·490

Mr. Wallace: To ask the Secretary of State for Employment (1) how many persons aged 16 years were in receipt of the £29·50 a week training allowance in 1989-90 and 1990-91; and how many are currently in receipt of this level of training allowance;

(2) how many persons aged 17 years were in receipt of the £35 a week training allowance in 1989-90 and 1990-91; and how many are currently in receipt of this level of training allowance;

(3) how much was spent in training allowances for persons aged 16 and 17 years, respectively, in 1989-90 and 1990-91; and how much money has been allocated to the training and enterprise councils and local enterprise companies, for training allowances for persons aged 16 and 17 years respectively, in 1991-92.

Mr. Jackson: Information on numbers of 16 and 17-year-old youth training—YT—trainees who receive minimum allowances of £29·50 and £35 per week respectively is not available. The Exchequer contribution towards trainee allowances cannot be separately identified because employers also contribute and a proportion of trainees are employed and receive wages. Expenditure on YT, including minimum allowances in allocations to training and enterprise councils and local enterprise companies in 1991-92, will be some £844 million.

Mr. Wallace: To ask the Secretary of State for Employment what was the total budget in 1988-89 and 1989-90 for those programmes which are now the responsibility of training and enterprise councils and local enterprise companies and are funded by the funding block 3 budget allocations.

Mr. Jackson: Expenditure in 1988-89 and 1989-90 on programmes which are broadly comparable to those now operated by training and enterprise councils and local enterprise companies with block 3 funding, was as follows:

	£ million
1988-89	250
1989-90	209

Mr. Wallace: To ask the Secretary of State for Employment which of the programmes his Department ran directly before the establishment of the training and enterprise councils in England and Wales and the local enterprise companies in Scotland, are now run by training and enterprise councils and local enterprise companies and funded by the funding block 3 budget allocations.

Mr. Jackson: Block 3 broadly corresponds to business growth training and the enterprise allowance scheme which were previously run by my Department's area offices. Training and enterprise councils and local enterprise companies have however been given a flexible remit to undertake business and enterprise activities in their area using this funding block.

Mr. Ray Powell: To ask the Secretary of State for Employment what measures he has taken to encourage businesses to provide training opportunities for employees aged 16 to 19 years in 1991; and what measures he is currently undertaking in that direction.

Mr. Jackson: The Government have put in place a wide range of measures to encourage businesses to train their 16 to 19-year-old employees. Youth training encourages employers to offer high quality training. Training credits are being offered on a pilot basis to further encourage young people moving into employment to train. The Government are supporting compacts in urban programme areas and similar areas in Scotland and Wales, under which local employers guarantee young people a job with training, or training leading to a job, in return for their working towards agreed goals. A new standard—investors in people—is being introduced to promote employer commitment to developing their employees, including young people.

Building on these measures, the comprehensive proposals in the recent White Paper "Education and Training for the 21st Century" are designed to further increase training opportunities for young people, particularly through the nationwide extension of training credits, the expansion of the compacts approach, and improvements to the qualifications system.

Mr. Wallace: To ask the Secretary of State for Employment (1) how many people aged over 25 years and under 50 years were on the employment training scheme in 1989-90 and 1990-91; and what is his latest estimate for the numbers of people aged over 25 years and under 50 years currently enrolled in the employment training schemes through the TEC and LEC network;

(2) how many under-25s were on the employment training scheme in 1989-90 and 1990-91; and what is his latest estimate for the numbers of under-25s currently enrolled on the employment training schemes through the TEC and LEC network.

Mr. Jackson: Information about entrants to employment training in the age groups requested for 1989-90 and

the latest available for 1990-91 is given in table 1. Information for those TECs operational during the period April-November 1990, the latest dates for which information is available, is given in table 2.

Table 1
Employment training
Entrants by age group 1989-90 and April-November 1990
Great Britain

Age group	*1989-90*	*April-November 1990*
	Per cent.	*Per cent.*
18-24	36	35
25-50	58	60
51 and over	6	5

Table 2
Employment training
Entrants by age group April-November 1990
TECs

Age group	*April-November 1990*
	Per cent.
18-24	36
25-50	58
51 and over	5

Source: ET Management Information System and ET starts database.

Departmental Programmes

Mr. Michael: To ask the Secretary of State for Employment (1) when and how widely full details of the United Kingdom operational programme for the now initiative will be made available to prospective applicants;

(2) when and how widely full details of the United Kingdom operational programme for the horizon programme will be made available to prospective applicants;

(3) when and how widely full details of the United Kingdom operational programme for the Euroform programme will be made available to prospective applicants.

Mr. Jackson *[holding answer 18 June 1991]:* The numerous organisations that have registered an interest in these initiatives will all be sent the necessary details of the operational programme, including guidelines, procedures and timetable, and invited to apply.

Mr. Michael: To ask the Secretary of State for Employment (1) when applications for funding are to be invited for the now initiative; and if he will make a statement;

(2) when applications for funding are to be invited for the Euroform programme; and if he will make a statement;

(3) when applications for funding are to be invited for the horizon programme; and if he will make a statement.

Mr. Jackson: Individual project applications will be invited following consultation with the European Commission on our operational programme. This is expected to be in the autumn.

Regulations

Mrs. Gorman: To ask the Secretary of State for Employment how many regulations made by him or his predecessors have been repealed in each of the past three years; and if he will make a statement.

Mr. Jackson: The information is not available in the form requested and could be obtained only at disproportionate cost. My Department is responsible for repealing and replacing several regulations each year concerning matters such as fee levels and compensation limits as well as looking at unnecessarily burdensome or outdated legislation.

We are firmly committed to reducing the burdens on business, which is reflected in my Department's aim of supporting economic growth by promoting a competitive, efficient and flexible labour market. We have made great progress in this area. In 1989 for example we abolished the national dock labour scheme, thereby eliminating restrictive working practices in the docks. The Employment Act 1989 removed a number of unnecessary measures which served as constraints on employment, in particular inappropriate barriers to the employment of women and young people. The Employment Act 1990 outlawed the pre-entry closed shop.

The Health and Safety Executive continues to replace over-detailed and inflexible health and safety legislation with more modern and comprehensive provisions. A prime example is the Control of Substances Hazardous to Health Regulations 1988 which replaced some 350 individual regulations with an up-to-date framework of regulation for the protection of employee health.

All new legislative proposals, including those from the European Commission, will continue to be assessed for their impact on business and we shall ensure that burdens on business are minimised where possible.

Unemployment Benefit

Mr. Michael: To ask the Secretary of State for Employment how many individuals were disqualified from unemployment benefit for the maximum 26 weeks under section 20 of the Social Security Act 1975 in each of the last five years *(a)* in Wales as a whole and *(b)* in each county or district in Wales.

Mr. Jackson: Questions on operational matters in the Employment Service executive agency are the responsibility of Mike Fogden, the agency's chief executive, to whom I have referred this question for reply.

Job Clubs

Mr. Wallace: To ask the Secretary of State for Employment how much was spent in 1989-90 and 1990-91 on job clubs; and how much is planned to be spent on job clubs in 1991-92 and 1992-93.

Mr. Jackson: I have been advised by officials in the Employment Service that in the year 1989-90 expenditure on job clubs, excluding marketing of the programme, totalled £24·4 million. In 1990-91 expenditure was £25 million.

Current planned expenditure for 1991-92, excluding marketing, is £27·5 million. The level of expenditure for 1992-93 is the subject of the current public expenditure survey negotiations with Her Majesty's Treasury.

Mr. Wallace: To ask the Secretary of State for Employment if he has any plans to reduce the requirement that people who are eligible to join a job club have to have been out of work for six months or more unless they are disabled or have been on employment training; and if he will make a statement.

Mr. Jackson: Job clubs are aimed at long-term unemployed people and others at a disadvantage in the labour market and I have no plans to alter existing eligibility requirements. In addition to the categories referred to by the hon. Member, eligibility rules have been relaxed to facilitate access for ex-offenders, who can count time spent in custody as unemployment; ex-regular members of HM forces; and people leaving youth training without a job to go to.

As part of a new package of measures to help unemployed people which I announced on 20 March, the Employment Service will shortly be launching a new programme of short job search seminars. These will be available to people who have been out of work for 13 weeks or more. The seminars will include guidance on where and how to look for work, based on materials used in job clubs.

Mr. Wallace: To ask the Secretary of State for Employment how many job clubs there were in 1989-90 and 1990-91; and if he has any estimates for the number of job clubs for 1991-92 and 1992-93.

Mr. Jackson: I have been advised by officials in the Employment Service that the number of job clubs open at the end of the 1989-90 year was 1,010. The number of job clubs open at the end of 1990-91 was 943.

There is no set target for the number of job clubs in 1991-92. We have asked the Employment Service to make 156,000 places available on the programme, an increase of 15,000 over the number helped in 1990-91. It is expected that the Employment Service will open a small number of additional job clubs in order to reach this number of places.

No figure is available for 1992-93. This will be agreed between myself and the chief executive of the Employment Service at a later stage during negotiations on the annual performance agreement for 1992-93.

Work Permits

Mr. Tony Lloyd: To ask the Secretary of State for Employment under what circumstances non-EC nationals would receive a work permit to work in the United Kingdom for less than one month; and how many such permits have been issued in the last year.

Mr. Jackson: Any application for a work permit for a period of less than one month will be approved if the application satisfies the criteria of the work permit scheme. The number of permits issued for less than a month in the 12 months since 17 June 1990 is 3,590.

Written Answers to Questions

Thursday 20th June 1991

PRIME MINISTER

Bananas

Mr. John P. Smith: To ask the Prime Minister (1) if he has received any representations about the absence of a decision by the European Council of Ministers on trade arrangements for bananas after 1992; and if he will make a statement;

(2) if he will seek an agreement with his European counterparts at the Luxembourg summit on trade arrangements for bananas after 1992 which guarantees the price and existing access of eastern Caribbean bananas;

(3) what steps he intends to take to honour the commitment made in 1987 to guarantee the supply of eastern Caribbean bananas to the United Kingdom after 1992;

(4) if he will raise the question of the European Commission's delay in reaching decisions on the Banana protocol under the Lomé convention at the forthcoming Luxembourg summit.

The Prime Minister: The European Commission is considering arrangements to apply to bananas in the single European market post-1992. The Government will seek to ensure that new arrangements fulfil our commitments to Commonwealth Caribbean suppliers. We shall also take account of consumers interests, the need for budgetary restraint, trade policy considerations and the competition and efficiency objectives of the single market initiative. I have discussed the issue with the Prime Ministers of Dominica and Jamaica and am very alive to their economic needs.

Officials are in touch with the Commission, who are aware of the need to make proposals as soon as possible. In the absence of these proposals it would be premature to raise the issue at the Luxembourg European Council.

Council of Europe

Mr. Ward: To ask the Prime Minister if he has made any changes to the composition of the United Kingdom delegation to the 43rd session of the Parliamentary Assembly of the Council of Europe.

The Prime Minister: I have appointed my hon. Friend the Member for Bournemouth, East (Mr. Atkinson) from the Government Benches to be a representative on the delegation to the 43rd session of the Parliamentary Assembly of the Council of Europe in succession to my hon. Friend the Member for Northampton, South (Mr. Morris). I have also appointed my hon. Friend the Member for Reading, West (Sir A. Durant) as a substitute delegate.

ATTORNEY-GENERAL

Wormwood Scrubs (Escape)

Mr. Riddick: To ask the Attorney-General whether he intends to ask the police to investigate the alleged involvement of the Rev. John Papworth, and Mrs. Anne Randle in the escape of George Blake from Wormwood Scrubs prison; and if he will make a statement.

The Solicitor-General: The police have already completed an investigation, but it failed to reveal sufficient evidence to justify the institution of proceedings against the Rev. John Papworth or Mrs. Anne Randle for any offence.

Legal Aid

Mr. Gerry Steinberg: To ask the Attorney-General in what percentage of cases the Legal Aid Board pays an assisted person's costs or fees.

The Attorney-General: The Legal Aid Board pays an assisted person's legal costs in all legally-aided cases. These are offset by any contribution due from the assisted person under the rules for financial eligibility for legal aid. In a successful civil action, costs may also be offset by any costs recovered from the other side and, where necessary, out of property recovered in the action.

Shootings, Northern Ireland

Mr. McNamara: To ask the Attorney-General (1) what recommendation assistant chief constable Sampson made with regard to the prosecution of Royal Ulster Constabulary officers in connection with the shootings of Eugene Torman, Sean Burns and Gervaise McKerr on 11 November 1982;

(2) what recommendation assistant chief constable Sampson made with regard to the prosecution of Royal Ulster Constabulary officers in connection with the shootings of Roddy Carroll and Seamus Grew on 12 December 1982;

(3) what recommendation assistant chief constable Sampson made with regard to the prosecution of Royal Ulster Constabulary officers in relation to the shooting of Michael Tighe in November 1982;

(4) what recommendation assistant chief constable Sampson made with regard to the prosecution of MI5 officers in connection with the shooting of Michael Tighe in November 1982.

The Attorney-General: As is the usual practice with police reports covering criminal investigations, the report by Mr. Colin Sampson has not been published and any recommendations he may have made accordingly remain confidential. I have nothing to add to the statement which I made to the House on 25 January 1988.

HOME DEPARTMENT

Public Order Act

Mr. Shore: To ask the Secretary of State for the Home Department what representations he has received from the Commissioner of Police of the Metropolis on the Public Order Act seeking more effective powers to prevent provocative racist marches; and if he will make a statement.

Mr. Peter Lloyd: We have carefully considered the Commissioner's reported remarks. At present we are not persuaded that the Public Order Act requires amendment. We shall continue to keep the legislation and its operation under review.

Animal Experiments

Mr. Ron Davies: To ask the Secretary of State for the Home Department (1) what licences have been issued for the animal procedures carried out on behalf of Kraft General Foods on the effects of the ingestion of coffee; and what steps have been taken to establish such procedures are in accord with practices licensed in the United Kingdom under the Animals (Scientific Procedures) Act 1986;

(2) what licences have been issued for animal procedures carried out on behalf of Nestlé on the effects of the ingestion of large volumes of coffee; and what steps have been taken to ensure such procedures are in accord with practices licensed in the United Kingdom under the Animals (Scientific Procedures) Act 1986.

Mrs. Rumbold: We are not aware of any work of this nature being carried out in this country.

Policing, Northumberland

Mr. Ronnie Campbell: To ask the Secretary of State for the Home Department what increase has been made to the number of police officers and civilian auxiliaries for Northumberland over each of the past five years, and what has been the increase or decrease in crimes reported, detected and cleared up over that period.

Mr. Peter Lloyd: The information requested is set out in the tables:

(i) Northumbria Police establishment and civilian strength

Year 31 December	*Police establishment*	*Civilian staff strength*
1986	3,378	1,101
1987	3,453	1,115
1988	3,483	1,116
1989	3,514	1,157
1990	3,552	1,202
1991	[1]3,586	[2]1,226

[1] With effect from 1 October 1991.
[2] Strength as at 31 March 1991.

(ii) Change in recorded crime (Northumbria)

Year	*Recorded crime*[3]	*Percentage change from previous year*	*Recorded crime*[4]	*Percentage change from previous year*	*Crime cleared up*	*Percentage change from previous year*
1986	164,889		157,665		63,651	
		+4%		+5%		+13%
1987	172,057		164,956		71,875	
		−7%		−7%		−6%
1988	160,768		153,108		67,728	
		+13%		+12%		—
1989	181,629		171,733		67,880	
		+12%		+11%		+13%
1990	203,825		190,248		76,654	

[3] Including all criminal damage.
[4] Excluding offences of 'other criminal damage' valued at £20 or less.

Visa Applications

Mr. Cox: To ask the Secretary of State for the Home Department what is the number of visa applications that have been refused in each of the last three years from *(a)* Pakistan, *(b)* India, *(c)* Bangladesh and *(d)* Sri Lanka.

Mr. Peter Lloyd: The information requested is given in the table.

Applications for entry clearance for settlement or temporary purposes refused initially[1]

	Number of persons		
	1988	*1989*	*1990*
Bangladesh	3,520	4,270	4,540
India	7,860	9,380	15,470
Pakistan	10,980	12,320	16,530
Sri Lanka	810	710	1,050

[1] Some applications refused initially are granted subsequently on appeal.

Advertising

Mr. Cox: To ask the Secretary of State for the Home Department what budget his Department has for advertising in ethnic newspapers or magazines, the services and responsibilities of his Department; and what amount of money has been spent on this publicity in each of the last five years.

Mr. Kenneth Baker: The Home Office does not set a specific ethnic publications advertising budget. Each case is considered on its merits in conjunction with advertising agencies and the Central Office of Information. The total for the current financial year will not, therefore, be known until year-end.

Figures for the past five years, inclusive of VAT, are:

	£
1986-87	11,400
1987-88	64,600
1988-89	40,300
1989-90	30,200
1990-91	34,100

Sexual Offences

Mr. Cohen: To ask the Secretary of State for the Home Department how many men were sentenced in 1989 to terms of custody, in prisons or young offenders institutions for sexual offences; and how many of these were sentenced for homosexual buggery, soliciting, indecency and procuring where there was either explicit consent by the parties concerned or an absence of coercion, threats or intimidation.

Mr. John Patten: Information requested is given in the table. Data as to whether consent was given or there was

an absence of coercion, threats or intimidation by the offender is available centrally only where lack of consent is an element of the offence.

Number of males sentenced to immediate imprisonment for certain sexual offences—1989
England and Wales

Offence	*Immediate Custody*	
	Young Offender Institution	*Unsuspended and Partly Suspended Sentence of Imprisonment*
All Sexual Offences	223	2,137
Buggery with consent	—	10
Buggery without consent	11	167
Soliciting by a man[1]	1	5
Indecency between males	3	20
Procuring of males	—	3

[1] Data does not distinguish as to whether males or females have been solicited or importuned by male offenders.

Mr. Cohen: To ask the Secretary of State for the Home Department whether men imprisoned for consenting homosexual behaviour will be required to undergo the Government's proposed programme of treatment and supervision of sex offenders.

Mrs. Rumbold: Subject to the provisions of the Sexual Offences Act 1967 and the general criminal law, a homosexual act in private is not an offence provided that the parties consent thereto and have attained the age of 21 years. In the structured programmes to be introduced in certain prisons, priority will be given to those offenders who are likely to represent the greatest risk to the community on release.

Asylum Seekers

Mr. Marlow: To ask the Secretary of State for the Home Department what are the main routes by which asylum seekers from Zaire, Angola, Sri Lanka, Palestine, Uganda, Ghana, Turkey, Somalia, Zambia and Ethiopia come to the United Kingdom; and what are the intermediate stopover points en route.

Mr. Peter Lloyd: The available information relates to passengers who apply for asylum on arrival in the United Kingdom. Among those who arrived in the first quarter of 1991 and whose point of embarkation or transit is known, more than 50 arrivals of the approximate total of 3,000 are recorded as having come from each of the following:

Addis Ababa
Bombay
Brussels
Calais
Colombo
Delhi
Dhaka
Entebbe
Istanbul
Lagos
Larnaca
Moscow
Muscat
Nairobi
Paris
Rome
Sofia

Mr. Darling: To ask the Secretary of State for the Home Department how many individuals made a further application for asylum in the United Kingdom after having the first application refused, in each year since 1988.

Mr. Peter Lloyd: Reliable information is not available. Further applications are not included in the figures for new asylum applications.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for the Home Department if he will give *(a)* the spending on energy efficiency in 1989-90 and 1990-91, *(b)* the number of dedicated energy managers and the number of person years devoted to energy management in 1989-90 and 1990-91 and *(c)* the number of energy audits completed in the last five years, all in relation to the 21 buildings for which energy consumption figures were given in the answers of 30 April 1990, *Official Report*, columns *399-402*.

Mr. Kenneth Baker: The information in relation to the 21 buildings for which energy consumption figures were given in the answers of 30 April 1990, *Official Report*, columns *399-402 is as follows:*

(a) I am not able to provide this information as responsibility for expenditure on energy efficiency for this part of the Home Office rested with property holdings at the Department of the Environment for the periods referred to.

(b) There was one dedicated energy manager in 1989-90 and one in 1990-91. The number of person years for both periods was 1·1.

(c) Seven energy audits were completed in the last five years.

Mr. Dobson: To ask the Secretary of State for the Home Department, pursuant to the answer of 3 June, *Official Report*, columns *77-78*, what information is available on spending by his Department on energy efficiency outside the prison service estate.

Mr. Kenneth Baker: Pursuant to the answer of 3 June, *Official Report*, columns *77-78*, the energy management team have only recently taken over responsibility from the property holdings for these buildings. Although surveys have been carried out there has to date been no significant investment in energy management. Bids for such expenditure are currently being considered.

Mr. Dobson: To ask the Secretary of State for the Home Department if he can now provide 1990-91 figures for the energy spending and the energy consumption for each of the 21 buildings for which 1989-90 information was published in the answers of 30 April 1990, *Official Report*, columns *399-402*.

Mr. Kenneth Baker: The energy spending and energy consumption for each of the 21 buildings listed in the answers of 30 April 1990, *Official Report*, columns *399-402* are as follows:

Building	*Cost*	*Consumption KW hours*
Abell House	119,802	4,268,974
Branston	403,084	39,212,806
Cleland House	100,322	3,306,880
Clive House	67,923	2,519,786
Corby	15,530	443,219
Cowley	9,677	492,893
Dunkeswell[1]	0	0

Building	*Cost*	*Consumption, KW hours*
Easingwold	29,131	1,653,504
Fire Service College	290,000	18,540,159
Harmondsworth	69,350	3,710,101
Horseferry House	79,479	3,132,230
Horsham	10,919	374,4444
Inverness	6,984	156,524
Langhurst	9,376	263,196
Leeds	31,400	1,999,029
Lunar House	187,548	9,148,240
Olympia House	20,979	1,184,635
Queen Anne's Gate	377,377	13,283,831
Sandridge	37,981	1,913,691
Steventon	42,857	2,034,932
Woking[1]	6,408	378,437

All costs calculated using average figures.
[1] Building closed.

Police

Mr. Winnick: To ask the Secretary of State for the Home Department if he will seek to obtain from the Commissioner of Police of the Metropolis a copy of the document on the meeting which took place recently to discuss the police response to political changes.

Mr. Peter Lloyd: I understand the document referred to in the question is an internal management document belonging to the Metropolitan police service. It served as an annotated agenda for the Commissioner's conference. This is an annual event where the top 140 managers in the Metropolitan police service review the performance of the service and plan for the future.

Telephone Tapping

Mr. Madden: To ask the Secretary of State for the Home Department if he has any proposals to amend the legislation governing telephone tapping; and if he will make a statement.

Mr. Kenneth Baker: I have no intention to amend the legislation.

Redwood Publishing Limited

Mr. Maclennan: To ask the Secretary of State for the Home Department what representations he has received concerning the acquisition by BBC Enterprise of Redwood Publishing Ltd.; and if he will make a statement.

Mr. Peter Lloyd: I am not aware of any representations made to us concerning the BBC's acquisition of Redwood Publishing Limited. The Monopolies and Mergers Commission is considering the effects on the market of television broadcasters, including the BBC, promoting their own magazines and other goods.

Immigration

Mr. Madden: To ask the Secretary of State for the Home Department, pursuant to his answer, *Official Report*, 3 June, column *81*, what was the nature of the matters which led to the dismissal and suspension of officials; how many officials were dismissed and suspended in *(a)* the Passport Agency and *(b)* the immigration and nationality department; and if he will make a statement.

Mr. Peter Lloyd: Of the eight dismissals, five involved staff working in the Immigration and Nationality Department and related to abuse of position, refusal to work where posted and three instances of unauthorised absence. The three staff working in the passport agency were dismissed for failure to observe working procedures, following a criminal conviciton and custodial sentence and unauthorised absence.

Of the eight suspensions, five involved staff working in the immigration and nationality department or the immigration service. Two of these related to cases resulting in dismissal (abuse of position and refusal to attend work); two involved failure to observe working procedures and one offensive behaviour.

The three passport agency cases involved two of those resulting in dismissal (failure to observe procedures and the criminal conviction) and the other a financial irregularity.

Citizenship Applications

Mr. Madden: To ask the Secretary of State for the Home Department when Mr. Fereidoun Sadeghilakhtaki applied for British citizenship (H.O. Ref: 51 10/12/87); when a decision is to be taken on his application; and if he will make a statement.

Mr. Peter Lloyd: Mr. Sadeghilakhtaki applied for British citizenship in December 1987. Inquiries on the case started in October 1989. Our request to Mr. Sadeghilakhtaki for his passport, marriage certificate and other evidence received no response. An inquiry from the Bradford citizens advice bureau in May this year about the case indicated that Mr. Sadeghilakhtaki had moved to a different address. We are now asking again to see the necessary documentation, and a decision on the case should be possible as soon as we have received and examined this evidence.

Immigration Ministers' Meeting

Sir John Wheeler: To ask the Secretary of State for the Home Department if he will make a statement about the meetings of Trevi and European Community Immigration Ministers in Luxembourg on 13 and 14 June.

Mr. Kenneth Baker: The meeting of Ministers concerned with immigration was the tenth in the series of meetings held towards the end of each presidency since 1986.

Discussion at the Immigration Ministers' meeting focused on the draft external frontiers convention. Ministers welcomed the progress made in negotiations under the Luxembourg Presidency and concentrated on outstanding issues. The external frontiers convention, the provisions of which are described in more detail later, provides for agreed standards of immigration control over third country nationals at the external frontiers of the European Community, supported by a computerised list of those who are inadmissible. It contains provisions relating to visas, including the mutual recognition by other member states of visas issued for short visits by one member state. In addition it provides for travel without visas between EC member states by third country nationals lawfully resident in an EC country in circumstances in which they would otherwise require visas. The convention further envisages the harmonisation of the visa policies of EC member states in due course. Difficulties arose over provisions in the draft convention

for the controls to be exercised at airports within the European Community. Discussion of the draft convention continues.

The meeting of Trevi Ministers endorsed various further measures to strengthen practical police co-operation developed during the Luxembourg Presidency, in particular with regard to posting of liaison officers within and outside the EC; co-operation on police training; continued work on the creation of a European drugs intelligence unit and the establishment of a European police information system to combat serious crime. Detailed work on the establishment of a permanent secretariat for Trevi, which was led by the United Kingdom, was fully considered and a decision on the location will be taken during the Dutch Presidency.

Draft convention of the member states of the European Communities on the crossing of their external borders
Summary of provisions

Article 1: defines the terms used in the convention.

Articles 2-5: outline the general nature of controls to be applied at the external frontiers of the European Community.

Article 6: establishes the system for the application of controls at airports.

Article 7: sets out the conditions of entry to member states in respect of short stays.

Article 8: enables non-EC nationals who are lawfully resident in the European Community, to make a short visit or transit another member state without having to obtain a visa.

Article 9: Confirms that admission for stays in excess of three months is subject to national legislation.

Articles 10-13: provide for the establishment of a computerised common list of inadmissible and non-EC nationals and lay down principles for the treatment of non-EC nationals who do not meet the criteria for entry.

Article 14: requires member states to adopt carriers' liability provisions.

Articles 15 and 16: provide for the removal of illegal entrants and overstayers.

Article 17: confirms the member states' commitment to establish a harmonised visa policy.

Articles 18-25: provide for member states to mutually recognise each others short stay visas and, in the longer term, for the introduction of a uniform visa valid for travel throughout the European Community.

Article 26: establishes an executive committee which will interpret the provisions of the convention and oversee their implementation.

Article 27: confirms that the application of the convention is subject to the provisions of the United Nations convention relating to the status of refugees and to the provisions of the treaty establishing the European Economic Community and related instruments.

Article 28: deals with the territorial application of the convention.

Article 29: prohibits reservations.

Articles 30-33: are concerned with the procedural arrangements to come into effect following signature and ratification of the convention.

Independent Television

Sir John Wheeler: To ask the Secretary of State for the Home Department if he has any plans too change the ITV levy rates; and if he will make a statement.

Mr. Kenneth Baker: The mixed levy on advertising revenue and profits is intended in the 1990-92 ITV contract extension period to yield broadly the same revenue, other things being equal, as would have arisen if the pre-1986 profits-based structure still applied.

Meeting this objective depends on accurate forecasting of advertising revenue. In practice this has been lower, and thus the levy yield has so far been higher than was expected. But it is not clear for how long present trends will persist, and the Government are committed to avoiding further under-recoveries of levy. I therefore plan to re-examine the position in the autumn. If any changes to the levy rates are justified they would be introduced by early 1992.

OVERSEAS DEVELOPMENT

Aid

Mr. Ashley: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Overseas Development Administration gives aid to countries not helped by *(a)* the United States of America and *(b)* the World bank.

Mrs. Chalker: The following countries received development assistance (gross oda) from the United Kingdom, but not from the United States of America in 1989:

Algeria	Laos
Anguilla	Malaysia
Antigua and Barbuda	Mauritius
Bahamas	Montserrat
Barbados	Nicaragua
Bermuda	St. Lucia
Cayman Islands	Surinam
Chile	Tonga
China	Trinidad and Tobago
Congo	Turks annd Caicos
Dominica	Tuvalu
Grenada	Uruguay
Hong Kong	Vanuatu
Kiribati	Virgin Islands

Countries receiving development assistance from the United Kingdom in 1989 which do not receive World bank loans or credits, either because they are not members of the institution or because they have satisfactory access to other sources of finance, are:

Antigua and Barbuda	Israel
Bahamas	Singapore
Bermuda	Tuvalu
Hong Kong	

Mr. Ashley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list in rank and order, according to their gross national product per head, the countries to which the Overseas Development Administration gives aid; and if he will give the amount of aid given to each country for the last year for which figures are available.

Mrs. Chalker: I refer the hon. Member to table 25 of "British Aid Statistics 1985-1989", a copy of which is in the Library of the House, which lists in order of GNP per head, gross British bilateral aid expenditure for each country in receipt of our aid.

Kurdish People

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Overseas Development Administration personnel and relief workers sponsored by Overseas Development Administration were in Iraq, Iran, or Turkey on *(a)* 6 June, *(b)* 13 June and *(c)* 20 June; and how many are planned to be there on 27 June.

Mrs. Chalker: The numbers of people deployed by the ODA in Iran, Iraq and Turkey on the dates in question were *(a)* 92, *(b)* 88 and *(c)* 85.

We are consulting with the United Nations agencies on future requirements.

ENVIRONMENT

Inner London (Expenditure)

Mr. Fraser: To ask the Secretary of State for the Environment what is the current *(a)* level of budget expenditure per adult in each inner London borough and *(b)* level of external support per adult in each such borough.

Mr. Key: The available information is as follows:

Charging Authority Area	*Demands and Precepts on Collection Fund per adult*[1] £	*External Support to Charging Authorities' Collection Fund per adult*[2] £	*Specific Grants to Charging Authorities' General Fund per adult*[3] £
Camden	1,621	1,376	112
Greenwich	1,550	1,358	n/a
Hackney	2,134	1,892	n/a
Hammersmith	1,574	1,388	111
Islington	1,771	1,490	142
Kensington	1,311	1,140	74
Lambeth	2,008	1,669	n/a
Lewisham	1,517	1,382	n/a
Southwark	1,672	1,542	n/a
Tower Hamlets	2,087	1,992	168
Wandsworth	1,417	1,324	39
Westminster	1,552	1,547	51

[1]The total demand made by the charging authority on the collection fund plus the precepts on the fund made by the precepting authorities, i.e. the Metropolitan police and the London Fire and Civil Defence Authority. It thus represents the expenditure by all tiers of authorities financed by the collection fund. This expenditure does not include expenditure covered by specific grants.

[2]The sum of revenue support grant, contributions from the non-domestic rate pool, special grants and community charge grant.

[3]Specific grants in aggregate external finance, community charge reduction scheme grant and community charge benefit. Specific grants to precepting authorities, i.e. Metropolitan police and London Fire and Civil Defence Authority amount to £141 per head.

Council House Sales

Mr. Alton: To ask the Secretary of State for the Environment if he will give the total receipts from sales of council-owned properties in each local authority in Great Britain since the introduction of the right to buy and the numbers of houses and flats which have been sold.

Mr. Yeo: A table showing available information on total sales for each English local authority since 1979-80, and those under right to buy, was placed in the Library on 18 April 1991 *Official Report*, column *227*. Corresponding information on the total receipts from sales for each local authority is not readily available.

I refer the hon. Member to my right hon. Friends the Secretaries of State for Scotland and for Wales for information about Scottish and Welsh authorities.

Local Government Finance

Mrs. Roe: To ask the Secretary of State for the Environment if he will list the financial adjustment fixed by each charging local authority in England for 1991-92 to be paid by each charge payer as a result of the failure, anticipated or actual, of all charge payers to pay charges lawfully demanded; and what were the comparable figures for 1990-91.

Mr. Key: I am arranging for the available information to be placed in the Library of the House.

Mr. Redmond: To ask the Secretary of State for the Environment what was the level of Government grant per community charge payer for 1990-91 in *(a)* Doncaster and *(b)* Kensington and Chelsea.

Mr. Key: Government grants in 1990-91, consisting of revenue support grant, special grants, specific grants in aggregate external finance, community charge benefit grant and transitional relief grant, paid per head of relevant population to Doncaster metropolitan council and to the London borough of Kensington and Chelsea are £338 and £960 respectively.

Rating Assessments

Mr. Atkinson: To ask the Secretary of State for the Environment how many appeals against the 1990 rating assessments in the Bournemouth area are outstanding; and if he will make a statement.

Mr. Key: On 17 June, there were 2,649 outstanding appeals against the 1990 rating list assessments in the area covered by Bournemouth borough council and a further 143 proposals to alter the rating list had been received by the valuation office.

Council House Sales

Mr. Alton: To ask the Secretary of State for the Environment how many properties sold under the right to buy on the Phythian Street estate, Liverpool, are being compulsorily acquired for the purpose of demolition; whether this is in accord with the wishes of tenants; what are the costs involved; how much of the costs will be met locally and how much nationally; and if he will make a statement.

Mr. Yeo: The remodelling of the Phythian Road estate may necessitate some demolitions to create a traditional layout, to allow for proper circulation within the estate and to provide vehicular access to all properties.

Four properties have been sold under the right-to-buy legislation from the 645 on the estate. None is being compulsorily acquired. It is Liverpool city council's intention to acquire by agreement and the costs of acquisition will be at full market price and will therefore vary according to that valuation. The costs will be part of the overall scheme costs for the project which is funded jointly by the Department's estate action programme and the city council's own capital programme.

Homelessness

Mr. Ronnie Campbell: To ask the Secretary of State for the Environment how many families with dependent children were accepted as homeless in Blyth Valley in 1990.

Mr. Yeo: According to the quarterly returns made to the Department by Blyth Valley borough council for 1990, 279 households were accepted under the homelessness legislation and had a priority need for accommodation because there were dependent children.

Aggregates Working Parties

Mr. Walden: To ask the Secretary of State for the Environment whether he intends to include representatives of the environmental and amenity organisations in membership of the regional aggregates working parties; and if he will make a statement.

Mr. Yeo: The regional aggregates working parties provide technical advice on the issues which concern the supply and demand for primary aggregates. The local authority representatives ensure that the Secretary of State is fully appraised of the environmental aspects of aggregates provision. However, I do of course welcome the views of amenity or environmental groups about the demand forecasts and the environmental implications. Their comments will be very carefully considered in the preparation of the new draft guidelines on the provision for aggregates to replace mineral plan guidance note 6. This will be the subject of a full public consultation exercise in due course.

Green Show, Birmingham

Dr. Thomas: To ask the Secretary of State for the Environment what contribution his Department made to the Green Show, held between 23 and 27 May at the national exhibition centre in Birmingham.

Mr. Baldry: My hon. Friend the Minister for the Environment and the Countryside visited the Green Show on Thursday 23 May, and participated in a Blue Peter programme live broadcast on the environment. The Department's leaflet "Wake Up—to What You Can Do for the Environment" was distributed to visitors from the Blue Peter stand. A number of organisations which are grant aided by the Department participated in the show.

Toxic Emissions

Dr. Thomas: To ask the Secretary of State for the Environment what attempts are made to monitor and log fugitive toxic emissions to the atmosphere or water sources from industrial operations in the United Kingdom; and if he will make a statement.

Mr. Baldry: By its nature source monitoring of fugitive emissions is difficult to undertake. The regulatory authorities therefore place greater reliance on the application by industry of appropriate safeguards in plant design and process operation to minimise fugitive emissions and on early rectification of any abnormal situations.

The National Rivers Authority regularly monitors for a wide range of substances including those consented for discharge to surface waters. Results are entered on public registers held by each NRA region. Some monitoring of air quality is undertaken by local authority environmental health departments.

Housing, Northumberland

Mr. Ronnie Campbell: To ask the Secretary of State for the Environment what was the Government's allocation to Blyth Valley local authority for expenditure on improvement grants of private sector housing in real terms in each year since 1979.

Mr. Yeo: The Government have not made specific allocations to local authorities for expenditure on improvement grants. However, the amounts of Exchequer contribution given by the Department to Blyth Valley borough council towards its expenditure on home improvement grants for the financial years 1981-82 to 1989-90, at current values, is as follows. Information is not available for years prior to 1981-82.

Year	*£*
1981-82	590,483
1982-83	661,459
1983-84	810,791
1984-85	851,060
1985-86	822,668
1986-87	820,752
1987-88	797,711
1988-89	762,608
1989-90	739,348

Improvement grants were replaced by a new system of renovation grants on 1 July 1990.

Mr. Ronnie Campbell: To ask the Secretary of State for the Environment what were the total levels of new houses completed in each year from 1970 to 1979 and in 1989 in Northumberland.

Mr. Yeo: The available information about the numbers of housebuilding completions by local authority area in 1989 is in table 1(b) of "Local Housing Statistics: England and Wales", No. 97 (April 1991). In the case of Northumberland county totals are not shown because of non-response to the regular housebuilding returns by one authority. The Department's current estimate of new housebuilding completions in Northumberland in 1989 is 1,500 dwellings.

The publication also lists on page iv the volume numbers in which Northumberland totals for the earlier years can be found. Copies are in the Library.

Lower Grange, Bradford

Mr. Madden: To ask the Secretary of State for the Environment whether his Department agreed with Wimpey the sale price of properties at Lower Grange in Bradford at the time city grant assistance for the development was agreed; whether his Department issued advice to the developers over what action they should take

to safeguard against speculation over the purchase of such property, including prohibition on early re-sale; and if he will make a statement.

Mr. Key: The appraisal of the application for city grant involved the Department's assessment of the likely open market prices of the houses. It is not the Department's practice to issue advice to developers about speculation by purchasers but conditions of grant specify that the houses will be sold at the best prices reasonably obtainable on the open market and that not more than one house is sold by the developer to each purchaser. There is no prohibition on early resale.

Terrapins

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will make it his policy to ban the importation of terrapins into the United Kingdom on animal welfare grounds.

Mr. Baldry: I am satisfied that the existing import controls are generally adequate, but with our EC partners, we shall be considering some changes to procedures for monitoring imports of certain terrapin species.

Mr. Tony Banks: To ask the Secretary of State for the Environment how many terrapins have been imported into the United Kingdom in each of the past five years.

Mr. Baldry: I shall write to the hon. Member.

Sports and Leisure Facilities

Mr. Tony Banks: To ask the Secretary of State for the Environment what progress he has made on the issuing of the circular/guidelines on the introduction of compulsory competitive tendering for the management of local authority sports and leisure facilities; and if he will make a statement.

Mr. Key: Department of the Environment circular 9/91 on the subject was issued on 29 May.

Haringey Council

Mr. Bowis: To ask the Secretary of State for the Environment what use he intends to make of his sanction powers under part 1 of the Local Government Act 1988 in relation to Haringey council.

Mr. Key: On 12 December 1990, my right hon. Friend, the Secretary of State, served a notice under section 13 of the Local Government Act 1988 on Haringey council, setting out his view that in 1989-90 the authority had failed to meet the specified financial objective in carrying out building cleaning.

My right hon. Friend has now considered the response which the authority has made to the section 13 notice, and which has acknowledged the failure to meet the specified financial objective in 1989-90. The authority has indicated that it has decided to put the work out to tender again, with a start date for the new contracts on 1 January 1992.

My right hon. Friend has concluded that the scale of the deficit incurred in 1989-90 and the need to ensure that the performance of this work is placed on a firm financial basis as soon as possible make it appropriate for him to make further use of his sanction powers. He has therefore today made a direction under section 14 of the 1988 Act, requiring the authority to complete a re-tendering exercise for the work by 1 January 1992.

International Environment Day

Mr. Flynn: To ask the Secretary of State for the Environment what contribution was made by his Department to International Environment Day on 5 June.

Mr. Baldry *[holding answer 14 June 1991]:* The Department works constantly to protect and improve the national and international environment. On the day in question my right hon. Friend the Secretary of State was in the United States to discuss environmental issues; my hon. Friend the Minister for the Environment and Countryside addressed the Association of County Councils' environment seminar, announced the Blue Flag awards for 1991, and attended a Tidy Britain Group conference on protection of the coastline; and I visited the London ecology centre.

Radioactive Waste

Mr. Maclennan: To ask the Secretary of State for the Environment whether the Government considers that Dounreay is a potential site for the underground storage of high level radioactive waste.

Lord James Douglas-Hamilton: I have been asked to reply.

No work to identify potential sites for disposal of high-level waste has yet commenced. Government policy is that high-level waste should be stored safely for at least 50 years to allow its heat and radioactivity to decay.

FOREIGN AND COMMONWEALTH AFFAIRS

Burma

Mr. Wigley: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Burma concerning the house arrest of the General Secretary of the National League of Democracy, Aung San Suu Kyi.

Mr. Lennox-Boyd: We have frequently urged the Burmese military authorities (the SLORC) to put an end to violations of human rights, in particular the detention of members of the National League for Democracy who won over 85 per cent. of votes cast in democratic elections held in Burma on 27 May 1990. The Secretary of State wrote to the chairman of the SLORC on 6 July 1990, and statements were made on 7 September 1990 and 28 May 1991. The Secretary of State also made a statement at the EC/ASEAN Foreign Ministers meeting in Luxembourg on 30 June. We were also associated with an 18-nation demarche on 21 September last year, and with EC statements on 4 January and 27 May 1991.

European Community Offices

Mr. Devlin: To ask the Secretary of State for Foreign and Commonwealth Affairs how many of his private office have served in the European Community or Commission offices in Brussels.

Mr. Lennox-Boyd: None. The Private Secretary, one of the two assistant Private Secretaries, and other members of the Foreign Secretary's private office have served in European Community capitals. The other assistant Private Secretary has worked on European Community matters in London.

Mongolia

Mr. Lawrence: To ask the Secretary of State for Foreign and Commonwealth Affairs whether any kind of assistance is being given to the new Mongolian democracy.

Mr. Lennox-Boyd: There are no plans to introduce a specific aid programme for Mongolia, but we are making available at least £155,000 in other forms of assistance during the financial year 1991-92. This funding includes a cultural exchange programme, an English language teaching scheme, as well as provision for sponsored visits to the United Kingdom, scholarships for Mongolians to study in the United Kingdom, and specific bilateral aid projects.

Western Sahara

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance Her Majesty's Government are giving to facilitate the proposed referendum in the western Sahara through *(a)* the United Nations, *(b)* the Polisario Front and *(c)* other ways.

Mr. Douglas Hogg: We have remained impartial in this dispute, preferring to support the efforts of the United Nations Secretary-General to find a just solution. We and other members of the Security Council approved the Secretary-General's referendum plan on 29 April. We shall be paying our full assessed share of the costs of the operation and are considering a request to provide military observers.

Immigration

Mr. Straw: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what are the reasons for the delay in issuing entry clearance in respect of Mr. Musafar Hussain (Shah) of Pakistan who wishes to visit Mr. Khalid Hussain Shah of 158 St. James Road, Blackburn since the determination by the adjudicator on 7 March 1990 to allow issue of the entry clearance and the refusal of the immigration appeal tribunal on 19 June 1990 to give leave to appeal to the immigration authorities;

(2) if he will set out in detail what steps his Department took following the discovery that a copy of the determination of the adjudicator in the matter of the appeal of Mr. Musafar Hussain (Shah) of Pakistan had been sent to the High Commission Islamabad but had not been received by them.

Mr. Lennox-Boyd: As the hon. Member will be aware from the letter I wrote to him on 12 February 1991, I asked the Home Office to arrange for another copy of the adjudicator's determination to be sent to the High Commission in Islamabad. I have just learned that this second copy was never received. I very much regret this further unfortunate delay, in view of which the Home Office has instructed the High Commission to issue a visit visa to Mr. Hussain immediately.

Mr. Straw: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that decisions of the appellate authorities to allow issue of entry clearance are promptly complied with by entry clearance officers in British posts abroad.

Mr. Lennox-Boyd: In the majority of cases when an adjudicator allows an appeal, entry clearances are issued as a matter of course. These procedures are periodically reviewed.

Regrettably, given the very large number of cases handled, delays do sometimes occur and when such problems have been identified clear guidance has been issued. Both the Foreign Office and the Home Office are satisfied that the present guidelines are being followed and that significant improvements in the handling of the vast majority of allowed appeal cases have been achieved. We will continue to monitor these procedures closely.

Mr. Straw: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he proposes to give compensation where the issue of entry clearance certificates is unreasonably delayed by his Department or British posts abroad.

Mr. Lennox-Boyd: It is not Her Majesty's Government's practice to pay compensation in entry clearance cases.

Mr. Blunkett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the number of visas granted and the number of refusals, arising from interviews undertaken in Islamabad for entry into Britain on 4, 11, 18, 20 and 27 April.

Mr. Lennox-Boyd: On 18, 20 and 27 April, the British High Commission in Islamabad was closed, 18 April being a religious holiday, 20 and 27 April falling on a Saturday.

The number of visas issued and refused on 4 April and 11 April were as follows:

	Number
4 April	
Issued	134
Refused	29
11 April	
Issued	139
Refused	52

NORTHERN IRELAND

Cold Weather Payments

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans he has to review the cold weather payments system in order to ensure that it is paid as part of benefit on an ongoing basis during the winter months.

Mr. Hanley: Following the cold spell last February, the Government have reviewed the operation of the cold weather payments scheme and major improvements are proposed for next winter. First, the capital rule affecting eligibility is to be abolished. Secondly, payments will be made automatically to eligible people without the need for a separate claim. Thirdly, payments will be made for a seven-day period whenever the Met Office forecasts temperatures averaging 0°C or below. If there is no such forecast but subsequently 0°C or below is recorded for a seven-day period, payments will still be made.

Public Appointments

Mr. Redmond: To ask the Secretary of State for Northern Ireland if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years, together with the salary and the date when each appointment is due for renewal.

Dr. Mawhinney: The readily available information about the full and part-time appointments for which my right hon. Friend the Secretary of State is responsible is given in "Public Bodies" and "Public Appointments: A Handbook for Women's Organisations". Copies are available in the Library.

Hospitality Fund

Mr. Redmond: To ask the Secretary of State for Northern Ireland if he will list the expenditure covered by his Department's hospitality fund for the financial year *(a)* 1989-90, *(b)* 1990-91 and *(c)* 1991-92 to date.

Dr. Mawhinney: The information is as follows:

	£
(a) 1989-90	355,085
(b) 1990-91	426,380
(c) 1991-92 (to date)	81,716

Mink Farms

Mr. Andrew Bowden: To ask the Secretary of State for Northern Ireland how many licensed mink factory farms there are in Northern Ireland; and if he will publish the names of the parliamentary constituencies in which they are located.

Mr. Hanley: There is one licensed mink farm in Northern Ireland, in the South Down parliamentary constituency.

Livestock Density

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what are the Northern Ireland stocking levels for cattle, sheep and pigs; and what stocking density per hectare this represents for cattle and sheep.

Mr. Hanley *[holding answer 18 June 1991]:* At June 1990 the numbers of cattle, sheep and pigs on Northern Ireland farms were:

	Number
Cattle and calves	1,506,000
Sheep and lambs	2,505,000
Pigs	590,000

Using appropriate factors to calculate grazing livestock units, the overall stocking density of grazing livestock in Northern Ireland is 1·3 cow equivalents per hectare of grass, forage crops and rough grazing.

Animal Carcases

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what are the numbers of fallen animals which have been disposed of by rendering for each month since that facility was reinstated by Lisburn By-Products.

Mr. Hanley *[holding answer 18 June 1991]:* The table shows the monthly intake of fallen animals by Lisburn By-Products.

	Month ending		
	30 April 1991	*31 May 1991*	*1 June to 7 June 1991*
Large Bovines	15	18	3
Bullocks	1	1	—
Calves	19	6	3
Pigs	20	4	3
Sows	7	11	1
Sheep	9	2	3
Lambs	3	2	—
Foals	1	—	2
Horses	1	—	1
Ponies	—	1	1
Total	76	45	17

AGRICULTURE, FISHERIES AND FOOD

Uruguay Round

17. **Mr. McAvoy:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about progress being made on the reform of the common agricultural policy to meet the requirements of the Uruguay round of GATT negotiations.

Mr. Gummer: The Commission is known to be working on new proposals for CAP reform. Although the determination of Agriculture Ministers to reform the CAP is a welcome spur to a GATT agreement, such reform is wholly separate from the GATT and will be unlikely to be completed until after the GATT round.

Sheep Worrying

18. **Mr. Andrew F. Bennett:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the number of agricultural livestock killed or injured by sheep worrying in the last 12 months for which figures or estimates are available; and what have been the financial implications for support to farmers.

Mr. Curry: Figures on livestock worrying are not held centrally, but it is estimated that up to 10,000 animals are killed or injured by dogs in England and Wales each year. The Ministry of Agriculture, Fisheries and Food provides support through a continuing publicity campaign aimed at educating dog owners about the horrors of livestock worrying.

Rabies

19. **Mrs. Currie:** To ask the Minister of Agriculture, Fisheries and Food what progress is being made to ensure the retention of British border controls against rabies.

Mr. Maclean: The Community measures adopted so far allow for the retention of post-import quarantine for dogs, cats and other rabies-susceptible animals.

The Government's objective is to ensure that there is no increased risk of rabies being introduced into this country after 1992.

Whaling

20. **Sir Patrick Duffy:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received on the failure of the International Whaling Commission to bring to an end commercial whaling.

Mr. Gummer: I have received many letters expressing concern about the possible resumption of commercial whaling. I am pleased that at its meeting this year the International Whaling Commission has maintained the moratorium on commercial whaling.

Bovine Spongiform Encephalopathy

21. **Mr. Dunnachie:** To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of the British Veterinary Association to discuss the control of bovine spongiform encephalopathy.

Mr. Maclean: I have not met representatives of the British Veterinary Association recently to discuss this issue but my officials are in close and regular contact.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he will ask the Tyrrell Committee to look at the safety of burying carcases of BSE affected cattle in landfill tips; and if he will make a statement.

Mr. Gummer: The Tyrrell committee has considered the survival of the scrapie agent in the soil, and has made no recommendation that landfill sites should not be used. The committee will continue to have this issue in mind in the future consideration of the scientific evidence on spongiform encephalopathies.

Common Agricultural Policy Reform

22. **Mr. Austin Mitchell:** To ask the Minister of Agriculture, Fisheries and Food when he next intends to meet the Agriculture Ministers to discuss the reform of the common agricultural policy.

Mr. Gummer: Agriculture Ministers are next due to meet on 26 June, but no substantive discussion of common agricultural policy reform is likely until the Commission puts forward new proposals.

24. **Mr. Burns:** To ask the Minister of Agriculture, Fisheries and Food when he next plans to meet the National Farmers Union to discuss reforms to the common agricultural policy.

Mr. Gummer: I meet representatives from the National Farmers Union at frequent intervals to discuss agricultural isues, including reform of the common agricultural policy.

Farmers

23. **Mr. Ian Bruce:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the progress of the Government's policy to help farmers to diversify their sources of income.

Mr. Curry: The Government encourage diversification through advice and financial assistance. More than £5 million has been paid in grants. Surveys have shown 42 per cent. of farms in England have diversified.

Common Agricultural Policy (Costs)

25. **Mr. Grocott:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with his counterparts in the European Community on the costs of the common agricultural policy.

Mr. Curry: The cost of the common agricultural policy was a major consideration at the recent Agriculture Council which agreed the 1991 price fixing package.

Pesticides

26. **Mr. Clelland:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to reduce the level of use of pesticides in agriculture.

Mr. Maclean: The Government's policy is that the use of pesticides should be limited to the minimum necessary for the effective control of pests compatible with the protection of human health and the environment.

This Department spends over £20 million per year on research into pests and pesticides, particularly aimed at reduced usage.

The tonnage of pesticides used in England and Wales has dropped by 18 per cent. since 1979.

Animal Transportation

27. **Mr. Canavan:** To ask the Minister of Agriculture, Fisheries and Food how many representations he has received this year to date about the transportation abroad of animals, particularly horses and ponies; and if he will make a statement.

Mr. Maclean: The Government continue to receive a large number of representations on this subject.

In the Community negotiations we are pressing for the continuation of controls which prevent the export of horses for slaughter.

State Veterinary Service

28. **Mr. Wray:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the levels of staffing in the state veterinary service.

Mr. Maclean: The number of staff in the state veterinary service is constantly monitored and is maintained at a level commensurate with its responsibilities.

Arctic Foxes

Mr. Andrew Bowden: To ask the Minister of Agriculture, Fisheries and Food in which parliamentary constituencies in England Arctic fox factory farms are located.

Mr. Maclean: Information on premises where Arctic foxes are kept is not collected.

Fishing Vessels

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food what is his estimate, port by port, of the number of fishing vessels *(a)* over 400 hp and *(b)* below 400 hp.

Mr. Curry: The information requested is somewhat unwieldy. In view of this I am writing to the hon. Member.

Sugar

Mr. Illsey: To ask the Minister of Agriculture, Fisheries and Food what representations he has made to the European Commission regarding the overproduction of sugar within the Community.

Mr. Curry: We have consistently pressed for measures to discourage overproduction of sugar within the Community, and will continue to do so.

Mink Farms

Mr. Andrew Bowden: To ask the Minister of Agriculture, Fisheries and Food how many licensed mink factory farms there are in England; and if he will publish the names of the parliamentary constituencies in which they are located.

Mr. Maclean: As of April 1991 there were 26 licenced mink farms in England. Information on their locations is not published.

Nitrogen

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food if he intends to review his policies on controlling the use of nitrogen; and if he will make a statement.

Mr. Curry: Rules concerning the quantity and timing of nitrogen fertiliser applications will in due course be introduced in nitrate vulnerable zones, in line with the provisions of the nitrate directive agreed at the Environment Council on 14 June.

Food Safety

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food when he last met representatives from Parents for Safe Food to discuss food safety and quality; and if he will make a statement.

Mr. Gummer: Food safety and quality are discussed three times a year at meetings I hold with the leaders of 15 consumer groups, and at meetings of the Consumer panel chaired by my hon. Friend, the Member for Penrith and The Border (Mr. Maclean), Parliamentary Secretary in my Department as well as at several ad hoc meetings with consumer representatives. Dr. Tim Lang of Parents for Safe Food was present at a meeting with me on 25 April. We have also corresponded with this organisation and last July I offered it a meeting with officials to discuss its pesticides charter which it has not yet taken up.

Lincoln Veterinary Investigation Centre

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what proportion of the United Kingdom pig production population was within the catchment area of the Lincoln veterinary investigation centre; and if he will make a statement.

Mr. Gummer: Based on the June 1990 agricultural census (which excludes minor holdings) the pig population within the catchment area of the Lincoln veterinary investigation centre represents some 13½ per cent. of the United Kingdom total.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of cases of salmonella that have been considered by the Lincoln veterinary investigation centre for each year since 1986; and if he will make a statement.

Mr. Gummer: The number of incidents of salmonella reported to the Lincoln veterinary investigation centre under the Zoonoses Order 1975 and, since 1 March 1989, under the Zoonoses Order 1989 in each year since 1986 were as follows:

Salmonella incidents reported

Year	*Number*
1986	57
1987	50
1988	88
1989	445
1990	461
1991	192

Note: Figures for 1991 are for the period 1 January to 18 June 1991.

Ewe Premium Supplement

Mr. Hague: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the value to sheep farmers within less favoured areas of the increase in ewe premium supplement agreed at the recent CAP price fixing settlement.

Mr. Curry: The increase in the settlement to the annual ewe premium of around £1·19 per eligible breeding ewe is estimated to provide an additional £15 million in support payments to sheep farmers in the less favoured areas in 1992.

Nitrate-sensitive Areas

Mr. Bellingham: To ask the Minister of Agriculture, Fisheries and Food what has been the final uptake for the pilot nitrate-sensitive areas scheme; and if he will make a statement.

Mr. Gummer: I am pleased to announce that, by the closing date of 31 May 1991, applications to join the pilot nitrate-sensitive areas scheme had been received for 87 per cent. of the agricultural land in the NSAs. Eighty per cent. of farmers in the NSAs have applied to join. Details for each NSA are given in the table.

This excellent level of uptake for the pilot nitrate-sensitive areas scheme shows that farmers acknowledge the problem of nitrate leaching into our water sources and, by joining the scheme, that they want to do something about it. Once more Britain leads Europe in environmental policies.

We now have the means to reduce nitrate leaching in the areas concerned. We will also increase our understanding of the nitrate problem through our intensive monitoring of the effectiveness of different measures. This will be important prior to the introduction of wider measures in due course as a result of the implementation of the EC nitrate directive agreed on 13-14 June in Luxembourg.

NSA applications: 1 June 1990 to 31 May 1991

Area	*Estimated total agricultural land (Ha)*	*In basic scheme*		*In premium scheme*		*Farmers*		
		Ha	*As percentage of land*	*Ha*	*As percentage of land*	*In NSA*	*Applied for basic*	*As percentage of number in NSA*
Ogbourne St. George	984	712	72·4	107	10·8	10	8	80·0
Kilham	756	286	37·9	0	0·0	15	10	66·6
Egford	427	220	51·5	42	9·8	13	6	46·2
Old Chalford	621	578	93·1	165	26·6	12	10	83·3
Wellings	523	323	61·8	9	1·7	24	14	58·3
Tom Hill	570	469	82·3	19	3·3	25	17	68·0
Wildmoor	723	685	94·7	14	1·9	38	33	86·8
Boughton	1,652	1,627	98·5	16	1·0	21	20	95·2
Sleaford	2,876	2,876	100·0	944	32·8	23	23	100·0
Branston Booths	1,592	1,586	99·6	209	13·1	22	21	95·5
Total all NSAs	10,724	9,362	87·3	1,525	14·2	203	162	79·8

EMPLOYMENT

"Enterprise in Action"

Mrs. Gorman: To ask the Secretary of State for Employment what was the cost of producing his Department's booklet "Enterprise in Action".

Mr. Forth: The cost of producing the booklet "Small Firms in Britain 1991—Enterprise in Action" was £17,500. Supplies of the booklet are available from HMSO bookshops at £4 each.

Youth Training, Greenwich

Mr. Peter Bottomley: To ask the Secretary of State for Employment how many people are waiting for youth training places in Greenwich for catering and construction skills.

Mr. Jackson: South London training and enterprise council (TEC) is responsible for the operation of youth training in the Greenwich area. The TEC advise that there are three people waiting to enter catering training places and 44 waiting to enter training places in a range of construction based occupations.

Enterprise Allowance Scheme

Mr. Battle: To ask the Secretary of State for Employment if he will set out the amounts available each week for the enterprise allowance scheme for the last eight years up to and including the current year; and if he will make a statement.

Mr. Jackson: The amount available to participants in the enterprise allowance scheme has remained the same for the last eight years at £40 weekly for up to 52 weeks. However in the financial year 1991-92, training and enterprise councils (TECs), and local enterprise companies (LECs) in Scotland, have the flexibility to pay regular amounts of between £20 and £90 weekly for between 26 and 66 weeks. This flexibility will help TECs and LECs to further improve the quality and survival rate of businesses supported by the scheme.

Earnings

Mr. Austin Mitchell: To ask the Secretary of State for Employment if he will publish a table showing for adult male manual workers on full-time rates in (i) manufacturing and (ii) non-manufacturing *(a)* the total number of employees together with their median hourly earnings, and the number earning less than *(b)* 50 per cent. and *(c)* two-thirds the median hourly earnings of all full-time adult male workers on full-time rates.

Mr. Jackson: The available information closest to that requested is published in the "New Earnings Survey 1990" part A (table 1) and part C (tables 70 and 74). A copy of these reports is in the Library.

Mr. Austin Mitchell: To ask the Secretary of State for Employment if he will publish a table showing the number of full-time adult (i) male and (ii) female employees in the (iii) clothing and (iv) textiles industries together with the estimated number in each case earning less than *(a)* half and *(b)* two thirds median hourly earnings of all full-time adult male and female workers, respectively.

Mr. Jackson: The available information closest to that requested is published in the "New Earnings Survey 1990" part A (table 1) and part C (tables 70 and 72). A copy of these reports is in the Library.

EC Initiatives

Mr. Michael: To ask the Secretary of State for Employment (1) if he will give details of the United Kingdom co-ordinator for the "Now" initiative;

(2) if he will give details of the United Kingdom co-ordinator for the "Horizon" programme;

(3) if he will give details of the United Kingdom co-ordinator for the Euroform programme.

Mr. Jackson: Officials at this Department are currently holding talks with a range of organisations about the possibility of taking on the co-ordinating role.

Unemployment Benefit

Mr. Michael: To ask the Secretary of State for Employment how many of the individuals disqualified from unemployment benefit in each county or district in Wales under section 20 of the Social Security Act 1975 in

each of the last five years were disqualified *(a)* for six weeks or less, *(b)* for more than six weeks but under 13 weeks, *(c)* for 13 to 20 weeks and *(d)* for over 20 weeks.

Mr. Jackson: Questions on operational matters in the Employment Service Executive Agency are the responsibility of Mike Fogden, the agency's chief executive, to whom I have referred this question for reply.

International Labour Conference

Mr. Robert Hayward: To ask the Secretary of State for Employment what plans he has for publishing the White Paper on the instruments adopted at the 77th session of the international labour conference 1990.

Mr. Howard: I have today published the White Paper entitled "International Labour Conference".

Minimum Wage

Mr. Nellist: To ask the Secretary of State for Employment, pursuant to his answer to the hon. Member for Esher (Mr. Taylor) of 7 June, *Official Report*, column *356*, if he will publish the calculations produced and the methodology used by his officials which resulted in the estimates given concerning employment effects of the introduction of a national minimum wage.

Mr. Forth *[holding answer 17 June 1991]:* I refer the hon. Gentleman to a note that was placed in the House of Commons Library on 2 February 1990. The note is called "Estimating the Effect of a National Minimum Wage", and it provides a detailed explanation of the method used, and the steps in the calculations.

SOCIAL SECURITY

Family Credit

Mr. Allen: To ask the Secretary of State for Social Security what steps he is taking to ensure that clearance times for family credit are not affected by the introduction of the measures in the Child Support Bill.

Mr. Jack: Full account of the need to process family credit claims as quickly as possible will be taken when the provisions of the Child Support Bill have been approved by Parliament and the detailed procedures arising from it are then formulated.

Social Fund

Mr. Redmond: To ask the Secretary of State for Social Security if he will list for each quarter since April 1990 the number of social fund applicants in the Doncaster area who have been refused loans because of local social fund budget restraints.

Mr. Scott: The administration of the social fund is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available and copies will be placed in the Library and the Public Information Office.

Local Offices, Doncaster

Mr. Redmond: To ask the Secretary of State for Social Security (1) how much of the work at his Department's offices in the Doncaster area has been transferred to other offices in the past 12 months; and if he will make a statement;

(2) what proposals he has to alter the disposition of social security benefit claims in the Doncaster area.

Miss Widdecombe: The transfer of work and handling of benefit claims within the Doncaster area are matters for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and copies will be placed in the Library and the Public Information Office.

Mr. Redmond: To ask the Secretary of State for Social Security how many people are currently receiving family credit in the areas covered by his offices for the Doncaster area; and how many people were receiving family credit in the same areas *(a)* 12 months and *(b)* 24 months ago.

Mr. Jack: The administration of family credit is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and copies will be placed in the Library and the Public Information Office.

Students (Income Support)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security how many students in England and Wales qualify for income support during college and university vacations.

Miss Widdecombe: The information requested is not available.

Pension Books

Mr. Morgan: To ask the Secretary of State for Social Security by what date he anticipates the completion of the transfer of responsibility for the issuing of retirement pension books to central pensions from local Benefits Agency offices.

Miss Widdecombe: Retirement pension books have always been issued centrally. The books were generally issued by the benefits directorate in Newcastle but with the implementation of the computerised system, responsibility will transfer to area computer centres. This transfer will be completed by 15 July 1991.

Mr. Morgan: To ask the Secretary of State for Social Security whether he will issue new guidelines to the Benefits Agency to hold stocks of, and distribute, retirement pension books up until the completion of the transfer of responsibility for the payment of retirement pension to central pensions from the local Benefits Agency offices.

Miss Widdecombe: Local offices do not hold stocks of retirement pension order books. These were generally issued by the benefits directorate in Newcastle but, with the implementation of the computerised system, responsibility is being transferred to area computer centres. The computerisation programme is scheduled for completion by 15 July 1991, by which time the centres will issue all such order books.

Benefit Notifications

Mr. Morgan: To ask the Secretary of State for Social Security if he will issue guidelines to the Benefits Agency concerning the deadline for the introduction of computer-generated benefit notifications.

Miss Widdecombe: The phased implementation of the Department's operational strategy computer systems will be completed this month on schedule. Benefit notifications will then be issued by automated means for the great majority of claims for benefits administered by the Benefits Agency.

Prisoners (Retirement Pensions)

Mr. Cox: To ask the Secretary of State for Social Security if prison inmates who are over the official state retirement age are allowed to be paid their pensions while serving a prison sentence.

Miss Widdecombe: Prison inmates are disqualified from receiving state retirement pension while serving a prison sentence.

Care Home Fees

Mr. Hinchliffe: To ask the Secretary of State for Social Security how many appeals were made against a refusal of income support towards care home fees following an adjudication officer's decision that the capital value of the claimant's property cannot be disregarded after 26 weeks; and what were the results of the appeals.

Miss Widdecombe: The information requested is not readily available and could be obtained only at disproportionate cost.

Mr. Hinchliffe: To ask the Secretary of State for Social Security on how many occasions during the last financial year his Department disregarded the capital value of property owned by care home residents who had been in receipt of income support payments towards their fees for more than 26 weeks.

Miss Widdecombe: The administration of income support is a matter for Michael Bichard, the chief executive of the Benefits Agency. I understand from him that the information is not available and could be obtained only at disproportionate cost.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what guidelines govern the circumstances in which representatives of his Department communicate with the owners of managers of private care homes with regard to the financial circumstances of residents in receipt of income support towards care home fees.

Miss Widdecombe: It is not possible to specify every such circumstance. Two instances when departmental representatives can communicate directly with mangers or owners of private care homes are when the manager or owner of the home is the income support customer's appointee or if an income support customer has given consent for specific information to be collected from the manager or owner of the home.

Cold Weather Payments

Mr. Morgan: To ask the Secretary of State for Social Security, pursuant to his answer of 14 June, *Official Report*, column 697, what is his most up-to-date estimate of the numbers of households which *(a)* claimed, *(b)* were granted, *(c)* were refused and *(d)* still have claims pending for special cold weather payments for February; and if he will estimate how many would have been paid if his new automatic arrangements for payment had been in force in February.

Mr. Scott: It is not possible to provide estimated figures for February, but complete figures for the winter period will be placed in the Library when they are available. If automatic arrangements had been in force in February, there would have been about 2·6 million payments for each week of cold weather.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Social Security (1) if he will give for each available year from 1978 the amount invested in improving the energy efficiency of his Department in *(a)* cash terms and *(b)* 1990-91 money terms;

(2) if he will give for each available year from 1978, the energy consumption, broken down by fuel, of the buildings occupied by his Department, expressing the figures in *(a)* cash terms, *(b)* 1990-91 money terms and *(c)* units of consumption for electricity in kilowatt hours, gas in therms, liquid fuel in litres and solid fuel in tonnes; and if he will give the square footage of accommodation to which these figures relate;

(3) if he will give the number of energy audits carried out in his Department in the last five years and for each audit a statement of its main conclusions.

Mr. Jack *[holding answer 3 June 1991]:* The Department is committed to supporting the Government's initiative aimed at reducing energy consumption on the civil estate by 15 per cent. over the next five years. In addition to the two technically qualified energy managers, energy liaison officers have been appointed in the Department's agencies, and within each of the major operational units at Newcastle and Fylde benefit directorates and in the territories supporting the district offices of the benefits agencies. They have been trained in the mechanisms for assessing building performance and have been given an operational appraisal of the characteristics of heating and lighting systems to enable opportunities for improvement to be identified. Performance measures have also recently been introduced which will assist in setting and monitoring the agreed overall departmental target of 3 per cent. saving in energy consumption in the 1991-92 financial year.

An allocation of £562,000 has been made for energy efficiency initiatives in the financial year 1991-92. This is in addition to sums which will be spent as an integral part of building refurbishment and new construction projects. Particular attention is being given to boiler replacement and improvements to lighting using high-frequency, low-energy fluorescent and ultra-sonic controls.

The figures in the table show the amount invested in improving the energy efficiency in the Department since 1987-88. Information is not available separately for the Departments of Health and Social Security prior to 1989-90. Further investment was made by the Property Services Agency but the amount cannot be identified separately from the agency's overall expenditure on energy

efficiency. Figures have not yet been finalised for 1990-91 but it is estimated that the amount in cash terms will be approximately £140,000.

Year	Cash terms	1990-91 money terms
	£	£
1987-88	54,000	[1]66,501
1988-89	65,000	[1]74,490
1989-90	133,000	[2]143,308

[1] Joint DH and DSS Investment.
[2] DSS alone.

The following table shows the Department's energy consumption in both cash and 1990-91 money terms for each year from 1985-86 together with the square footage of accommodation to which these figures relate. Information is only available for DH/DSS jointly for the period 1985-86 to 1988-89 but for 1989-90 figures relate to the DSS.

Year	£ million Cash terms	£ million 1990-91 Money terms	Therms million	Kwh million	Litres million	Tonnes	Area sq. ft million
1985-86	11·76	15·75	13·34	110	9·50	7,314	15·93
1986-87	9·68	12·55	8·5	110	9·05	8,230	16·25
1987-88	9·80	12·07	8·4	130	9·05	7,077	16·79
1988-89	9·95	11·40	7·8	130	4·60	4,250	17·33
1989-90	9·87	10·63	7·6	145	3·94	4·201	[1]14·75

[1] DSS only.

The 16 energy audits carried out between 1986-87 and 1988-89 in the DH/DSS buildings and in 14 DSS buildings in 1989-90 have concentrated on the least efficient offices. In addition to the initiatives mentioned which address some of the conclusions we are considering others such as the installation of water meters and water flow controls, remedying defects to window frames, maintaining records of the utilities and displaying "Energy Management" posters for publicity.

Consultancy Fees

Mr. Meacher: To ask the Secretary of State for Social Security what was the total fee paid by his Department *(a)* to Arthur Andersen Consulting and *(b)* all other consultants in the last financial year for which figures are available; what was the charging basis on which *(a)* and *(b)* were paid; and what was the number of hours worked by consultants for *(a)* and *(b)*.

Mr. Jack *[holding answer 13 June 1991]*: In the financial year 1990-91, the total fees paid for management and computer consultancy, including VAT and expenses amounted to £69·75 million. Approximately 90 per cent. of the fees were based on the number of hours or days worked. Most of the remaining 10 per cent. of fees were attibutable to fixed price contracts. The total number of hours worked by consultants could be obtained only at disproportionate cost as such information is not collected centrally. Separate information has not been given for Andersen Consulting as to do so could constitute a breach of commercial confidentiality, and perhaps harm the competitive process for contracts thus making it more difficult to secure value for money.

Mr. Meacher: To ask the Secretary of State for Social Security of total fees paid in the last financial year for which figures are available what proportion of them were accounted for by work subject to *(a)* open tender, *(b)* closed tender and *(c)* non-tender.

Mr. Jack *[holding answer 13 June 1991]*: The proportion of fees paid to management and computer consultants in the financial year 1990-91 as the result of a competitive tender, for which a number of firms are invited to bid, was 25 per cent. The remainder of the fees represented work contracted following single tendering. In all cases of single tender, a tender is received and evaluated. In making the decision as to which firm is to be invited to tender, extensive use is made of the Central Computer and Telecommunications Agency index of computer consultants and the Treasury index of management consultants. The information from these two indexes is supplemented by information gathered directly as a result of the Department's own use of consultants.

Pensioners

Mrs. Roe: To ask the Secretary of State for Social Security what was (i) the percentage and (ii) the cash increase in real terms in the incomes of pensioners in *(a)* the top and bottom quintile groups and *(b)* the top and bottom decile groups of pensioner households for each year since 1983.

Miss Widdecombe *[holding answer 14 June 1991]*: The available information is set out in the table. The figures are based on median equivalised net household incomes at 1987 prices taken from the family expenditure survey. The most recent data available are for 1987. Estimates based on 1984 and 1986 could be obtained only at disproportionate cost. Statistically reliable figures cannot be provided for decile groups.

Changes in the median equivalised net household incomes of given groups of pensioners

	Percentage change	
	Highest quintile group	Lowest quintile group
1979-81	4	7
1981-83	3	4
1983-85	8	1
1985-87	6	1
1979-87	25	15

	Cash change at 1987 prices	
	Highest quintile group	Lowest quintile group
	£	£
1979-81	7·00	4·70
1981-83	6·00	3·10
1983-85	15·00	0·90
1985-87	12·70	0·90
1979-87	40·70	9·60

Note: Income is equivalised and presented per married couple equivalent.

Mrs. Roe: To ask the Secretary of State for Social Security what proportion of *(a)* the top and bottom quintile groups and *(b)* the top and bottom decile groups of income distribution were pensioners in each year since 1983.

Mr. Jack *[holding answer 14 June 1991]:* Such information as is available is in the table. Figures could be obtained for 1984 and 1986 only at disproportionate cost. The figures given are taken from the family expenditure survey and are based on equivalised household income, before housing costs. 1987 is the last year for which information in the form requested is available.

Pensioners shown as proportions of the specified income distribution groups

	1979	*1981*	*1983*	*1985*	*1987*
Top quintile group per cent.	7	8	8	9	8
Bottom quintile group per cent.	35	26	22	24	25
Top decile group per cent.	7	8	9	8	8
Bottom decile group per cent.	29	15	13	15	17

Mr. Simon Hughes: To ask the Secretary of State for Social Security if he will set out the particular consequences for pensioners of the proposals in the Budget of his right hon. Friend the Chancellor of the Exchequer.

Mr. Maude: I have been asked to reply.

The only Budget proposals specific to pensioners were the indexation of the income tax personal and married couple's allowances for those aged 65 and over, and the indexation of the income limit for age-related allowances. This was worth about £2·70 a week for a married man aged 65 and over, paying basic rate tax. The effect of the Budget as a whole depends on the circumstances of individual pensioners.

DUCHY OF LANCASTER

"This Common Inheritance"

Mr. Simon Hughes: To ask the Chancellor of the Duchy of Lancaster what advice and funding is given by his Department to residents of the Duchy of Lancaster to encourage the achievement of the objectives in "This Common Inheritance", Cm 1200; and if he will make a statement.

Mr. Chris Patten: The Duchy of Lancaster is working in a practical way towards achieving the objectives stated in "This Common Inheritance".

In agriculture, where the Duchy owns about 35,000 acres of agricultural land let to tenant farmers, the main problem encountered is that of pollution control. The Duchy actively encourages tenant farmers to consider with the Duchy proposals for remedying the problem: the onus is on the farmer and he receives the grants available. The Duchy provides professional assistance and helps with funding where the solution entails fixed equipment. The expenditure by the Duchy runs into many thousands of pounds.

The Duchy encourages the improvement of the countryside by the planting of trees and the enhancement of hedgerows. Free provision of trees and hedgerow whips is made to tenant farmers. There are some 2,500 acres of woodland in hand. When trees are felled replanting takes place with species which are appropriate for the neighbourhood. When compatible with other uses the Duchy opens woodland areas to the public for recreation purposes.

When land in the ownership of the Duchy becomes available for development the Duchy seeks to take the lead in promoting proposals in discussion with the local authorities.

For the most part monuments in the ownership of the Duchy of Lancaster have been taken into guardianship by other authorities: a few do remain in the Duchy's direct ownership and have been the subject of an extensive programme of consolidation and archaeological investigations. These works will secure the fabric of the ruins for another generation.

HOUSE OF COMMONS

Telephone Tapping

Mr. Madden: To ask the Lord President of the Council if he will undertake consultations about establishing a Select Committee charged with responsibility for monitoring the procedures used by Government in telephone tapping; and if he will make a statement.

Mr. MacGregor: No. This function is carried out by the Commissioner appointed under the Interception of Communications Act 1985, whose annual report is laid before Parliament.

SCOTLAND

Expenditure

Mr. Maxton: To ask the Secretary of State for Scotland, pursuant to his answer of 14 May, *Official Report*, column *143-44*, if he will provide an estimate of expenditure for 1978-79 on the new planning total basis in 1989-90 prices, indicating major changes in responsibility over the period.

Mr. Lang: Figures for 1978-79, at 1988-89 prices, adjusted to the new planning total basis on readily available information were given by my right hon. and learned Friend, now the Secretary of State for Transport, in his answer of 30 October 1990 to the hon. Member. As explained, they must be treated as approximate figures only. The table shows these figures expressed in 1989-90 prices using the current GDP deflators at market prices adjusted to remove the distortion caused by the abolition of domestic rates.

£ million

	Cash	*1989-90 prices*
Agriculture, Fisheries and Food	74	173
Industry, Energy, Trade and Employment	77	180
Tourism	4	9
Transport	56	131
Housing	271	634
Other Environmental Services	21	49
Law, Order and Protective Services	42	98
Education	122	286

	Cash	*1989-90 prices*
Arts and Libraries	4	9
Health and Social Work	876	2,051
Other Public Services	54	126
Grants to Local Authorities	1,222	2,860
Net Capital Allocations	533	1,248
Nationalised Industries	50	117
Total	3,406	7,973

The major changes to the responsibility over the period 1978-79 to date include the transfer of the regional development grant scheme in 1984 from the Department of Trade and Industry, the responsibility for the Training Agency in Scotland and the technical and vocational education initiative in April 1991 from the Department of Employment and also, from April 1991, the Nature Conservancy Council, Scotland from the Department for the Environment.

Housing

Mr. Worthington: To ask the Secretary of State for Scotland (1) how much was paid out in hostel deficit grant to housing associations in the last five financial years; and how many units of accommodation this covered;

(2) if he will introduce to Scotland the special needs management allowance currently available in England and Wales.

Lord James Douglas-Hamilton: I refer the hon. Member to the answer given on Thursday 13 June, c. *652*, to the hon. Member for Monklands, West (Mr. Clarke).

Video Recordings

Mr. Redmond: To ask the Secretary of State for Scotland if he will list the titles of the video recordings purchased by his Department during the financial years 1990-91 and 1991-92 to date.

Mr. Lang: There is no centrally held record of all the video recordings purchased by the Scottish Office. A number of training videos have been purchased including:—

"Next Steps: First Agencies"
"Team building"
"How to give exceptional customer service"
"A common sense guide to office safety"
"The Art of Negotiating"

Rent-to-mortgage Scheme

Mr. Redmond: To ask the Secretary of State for Scotland what is the percentage target figure his Department has set, in respect of the rent-to-mortgage pilot scheme for council house tenants in Scotland.

Lord James Douglas-Hamilton: The pilot rent-to-mortgage scheme is demand-led and no such targets have therefore been set.

Public Appointments

Mr. Redmond: To ask the Secretary of State for Scotland if he will list the full-time and part-time public appointments for which his Department was responsible for each of the past five years, together with the salary and the date when each appointment is due for renewal.

Mr. Lang: I refer the hon. Member to the answer which I gave to the hon. Member for Greenock and Port Glasgow (Dr. Godman) on 14 March 1991, at columns *584-616*.

Doctors

Mr. Maxton: To ask the Secretary of State for Scotland if he will give for each year since 1973 the number of doctors employed by the national health service in Scotland.

Mr. Michael Forsyth: The information requested is not available centrally for 1973-75. Data relating to each year from 1979 to 1989 are contained in editions of "Scottish Health Service Statistics", copies of which are available in the Library. Figures for 1976, 1977, 1978 and 1990, the latest year for which information is available centrally, are shown in the table:

Doctors in post in the National Health Service in Scotland: Numbers at 30 September

	1976	*1977*	*1978*	*1990*
Hospital and Community	6,226	6,423	6,480	7,302
General medical practitioners	3,041	3,089	3,161	[1]3,735
TOTAL	9,267	9,512	9,641	[1]11,037

[1] Provisional.

Woodlands (Access)

Mr. Ron Davies: To ask the Secretary of State for Scotland how many Forestry Commission woodlands have been sold to the private sector during the last two full years and the current year to date; and how many of these were subject to *(a)* voluntary and *(b)* legally binding access agreements.

Mr. Michael Forsyth: The Forestry Commission sold 184 woodlands in 1989 and 138 in 1990. It has sold 93 so far this year.

As regards access agreements, I refer the hon. Member to the answer I gave to the hon. Member for Don Valley (Mr. Redmond) on 5 June, *Official Report*, columns *262-63*.

National Football Stadium

Mr. Wilson: To ask the Secretary of State for Scotland (1) if he has received any formal proposals for the creation of a national stadium, other than at Hampden Park; and if he will make a statement;

(2) if he will make a statement on proposed levels of Government support for the refurbishment of Hampden Park.

Mr. Lang: The Government have consistently made it clear that they are ready to consider funding support at the margin for a national football stadium. That remains our position. The National Stadium Committee is, however, looking for £15·5 million from central Government towards a £34·5 million scheme for the refurbishment of Hampden Park costed at January 1991 prices. A large proportion of the remaining funding is also expected to come from the public sector. This proportion of support goes beyond what the Government would be prepared to contribute and the committee has been informed of this. Although other proposals for a national stadium have

been made for several sites throughout the central belt of Scotland, the only specific request for Government funding has been that of the National Stadium Committee. It is for the football authorities to decide where such a stadium should be located.

School Meals

Mr. Worthington: To ask the Secretary of State for Scotland how many children in Scotland received free school meals for each of the years from 1979-91.

Mr. Michael Forsyth: The information requested, taken from annual school meals census returns, is as follows:

Pupils receiving free school meals

	Number
1979	142,989
1980	122,618
1981	114,713
1982	124,547
1983	132,953
1984	129,335
1985	136,669
1986	136,627
1987	143,194
1988	145,219
1989	105,232
1990	99,303

Figures for 1991 are not yet available.

EDUCATION AND SCIENCE

Grant-maintained Schools

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science what are the costs in terms of civil service administration of grant-maintained schools.

Mr. Eggar: I refer the hon. Member to the reply that I gave to the hon. Member for Leeds, Central (Mr. Fatchett) on 2 May 1991—*Official Report* column *321*.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science what proportion of secondary school children are receiving their education in grant-maintained schools.

Mr. Eggar: About 1·7 per cent. of pupils educated in secondary schools and middle-deemed secondary schools in England are attending schools approved for grant-maintained status.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Science how many Department of Education and Science staff are engaged for the majority of their time on work connected with grant-maintained schools.

Mr. Eggar: There are 30 staff engaged for the majority of their time on work connected with grant-maintained schools.

Grant-maintained Schools

Mr. Fatchett: To ask the Secretary of State for Education and Science if he will set out the capital allocation for each grant-maintained school for *(a)* 1990-91 where appropriate and *(b)* 1991-92 and the purpose for each capital allocation.

Mr. Eggar *[pursuant to his reply, 13 June 1991, c. 644-48]:* On 23 January I announced at column*201* allocations for named capital projects at grant-maintained schools. Nine schools which were approved for grant-maintained status towards the end of 1990 submitted capital bids in 1991. These schools will receive allocations for named capital projects with a total value of £778,000 to begin in 1991-92. It is assumed that about £579,000 of this sum will be spent in 1991-92.

The bids were considered on the same basis as those submitted earlier. Priority has been given to schools' most pressing needs, including projects related to the health and safety of pupils, and to projects concerned with the introduction of the national curriculum, especially in science and technology.

The following is a list of the named capital allocations.

Capital allocations for grant-maintained schools in 1991-92 named project allocations

All figures are in £000s

School and project	*Total named project allocation*
Chalvedon School Cladding block W	150
Hardley Secondary School Re-roofing	30
Lancaster Girls Grammar School Design and Technology extension	379
North Halifax High School Health and Safety	100
Stratford School	
First science laboratory	51
Windows	34
Spandrel panels	34
	119

Performance Indicators

Mr. Battle: To ask the Secretary of State for Education and Science what steps his Department has taken to involve consumer views in the development of performance indicators.

Mr. Eggar: In developing preformance indicators the Department bears in mind the needs of users and parents of the users of the education system. Schools are required to publish a variety of data relating to their performance. From this autumn, secondary schools will be required to publish examination results in a common and consistent form in their prospectuses and in governing bodies' reports to parents. These requirements were the subject of an earlier consultation which stressed the importance of taking the views of parents into account.

Primary schools have been encouraged to publish their school-level results of the tests on seven-year-olds this summer. Regulations will be made to require schools to publish the aggregated results of formal assessments at ages 11, 14 and 16.

We are consulting about how further education colleges should publish their results. In higher education, the statutory funding councils are working with other interested groups to develop performance indicators within their sectors. My right hon. and learned Friend also publishes reports by Her Majesty's inspectorate on educational provision in individual schools and colleges.

Mr. Battle: To ask the Secretary of State for Education and Science what performance indicators are published for his Department.

Mr. Eggar: A range of performance indicators has been included in the departmental report on the Government's expenditure plans 1991-92 to 1993-94 (Cm 1511), a copy of which is in the Library.

Research Projects

Sir Gerard Vaughan: To ask the Secretary of State for Education and Science if he will place in the Library a copy of the study carried out at his request jointly by the Committee of Vice-chancellors and Principals and the research councils into the costs of research projects funded by research council grants.

Mr. Alan Howarth: My right hon. and learned Friend is at present considering the report of this study and he expects the report to be made available to the House.

School Visits

Mr. Knox: To ask the Secretary of State for Education and Science whether he will list the schools that he has visited since his appointment as Secretary of State for Education and Science.

Mr. Kenneth Clarke: I have visited the following schools since my appointment in November 1990:

26 November 1990: Ribston Hall GM grammar school
30 January 1991: Stockingford first and middle schools and Alderman Smith high school, Warwickshire
1 May 1991: Jewish Free school, Camden
9 May 1991: Chaucer technical school and Canterbury High school, Canterbury
17 May 1991: St. Pauls CE VA school and Hills Road 6th form college, Cambridge
St. Ivo secondary school, Huntingdon
1 June 1991: Bourne GM primary school, Lincolnshire
7 June 1991: Rushcliffe school, Nottinghamshire
12 June 1991: Valley End CE school, Chobham
19 June 1991: Chestnut Grove school, Balham

On 21 June 1991 I shall visit Harry Carlton school and Djanogly city technology college, Nottingham.

Examinations

Mr. Bowis: To ask the Secretary of State for Education and Science what are the most recent figures available on pupils' attainments in public examinations; and if he will make a statement.

Mr. Kenneth Clarke: The results from the 1989-90 school examinations survey are the most recent data which we have available on pupils' attainments in public examinations.

The survey shows that for 1989-90 there have been significant improvements in the examination results obtained by candidates both at 16 and at 18. There is also a decrease in the proportion of 16-year-olds achieving no GCSE qualifications. The key statistics which are available from the survey are:

the proportion of 16-year-olds with five or more GCSEs at grades A-C has increased from 33 per cent. in 1988-89 to 35 per cent in 1989-90;
the percentage of 16-year-olds with no graded result in GCSE has continued to fall: from 7·5 per cent. in 1988-89 to 7·3 per cent. in 1989-90;
the proportion of school leavers gaining two or more A levels has increased from 17 per cent. in 1988-89 to 20 per cent. in 1989-90. this is an increase of seven percentage points on the 1978-79 figure of 13 per cent.

Furthermore, the overall participation rate for 16-year-olds has increased to 60 per cent. from 55 per cent. in 1989-90 and 47 per cent. in 1986-87. There is evidence that the introduction of the GCSE has had, and continues to have, a beneficial impact in raising expectations and standards of attainment.

Under-fives

Mr. Simon Hughes: To ask the Secretary of State for Education and Science what is his projection of the number of places available for under-fives at *(a)* nurseries and *(b)* play centres in inner London during each of the next five years.

Mrs. Virginia Bottomley: I have been asked to reply.

The Department does not set norms about levels of day nurseries or play centres for young children and we cannot make realistic projections based on the statistics we do collect.

The Children Act 1989, which comes into force on 14 October 1991, introduces a new review duty for local social services authorities and local education authorities jointly to review every three years the day care services in their area available for children aged under eight, to consult and publish a report.

TRANSPORT

British Rail (Punctuality)

Mr. Pawsey: To ask the Secretary of State for Transport if he will list the punctuality performance targets which have been set for *(a)* InterCity and *(b)* other British Rail services.

Mr. Freeman: The following table shows the punctuality targets for British Rail's InterCity, Network SouthEast and regional passenger sectors:

	Targets
(a) InterCity	90 per cent. of all trains to arrive plus or minus 10 minutes
(b) Network SouthEast	88 per cent. of peak trains to arrive plus or minus 5 minutes 92 per cent. of all trains to arrive plus or minus 5 minutes
Regional	90 per cent. of express and longer distance rural trains to arrive plus or minus 10 minutes 90 per cent. or urban and shorter distance rural trains to arrive plus or minus 5 minutes

Group Transport 2000 Plus Report

Dr. Thomas: To ask the Secretary of State for Transport what assessment he has made of the implications for the United Kingdom of the recommendations of the Group Transport 2000 Plus report on transport options for the future, released by the European Commission in January.

Mr. Freeman: The report of the Group Transport 2000 Plus is one of a number of sources being used by the EC Commission to prepare a paper on future Community transport policy. We will assess the implications of that paper as a whole when it has been completed.

Rail Tickets

Mr. Atkinson: To ask the Secretary of State for Transport if he has any plans to end the exclusivity clause as a condition for the issuing of British Rail tickets; and if he will make a statement.

Mr. Freeman: The conditions of carriage are British Rail's responsibility. I understand that British Rail is considering a number of changes, in line with the Prime Minister's citizen's charter initiative which aims to make public services more responsive to the consumer.

Aircraft Emissions

Dr. Thomas: To ask the Secretary of State for Transport (1) what progress has been made in the study of aircraft emissions foreshadowed in the 1990 White Paper on the environment; and if he will make a statement;

(2) what assessment has been made by his Department of the effects of atmospheric pollution and global warming of the airborne discharges of carbon dioxide and nitrous oxide from aircraft.

Mr. McLoughlin: Emissions of CO_2 from civil aircraft amount to about 3 per cent. of total man made CO_2 emissions and contribute in that proportion to the overall effects of these emissions. Aircraft NOx emissions have only a marginal effect on pollution in areas in the vicinity of airports. The effects of these emissions in the upper atmosphere are more complex to assess, and the results of studies to date are not conclusive. My Department will be participating in a proposed European-wide research study under the aegis of ECAC into the effects of aircraft emissions in the upper atmosphere. Results from the study of water vapour in the upper atmosphere referred to in the White Paper on the Environment are expected in the near future.

Train Doors (Safety)

Mr. Redmond: To ask the Secretary of State for Transport if he will list by year for the past five years, and for the current year to date, the locations of passengers who have fallen from passenger trains; and what type of train set was involved.

Mr. Freeman: The list gives the locations of fatal accidents, those resulting in serious injuries, and those resulting in minor injuries where this information is available. Details of the types of train are also shown, where available; with numbers representing the class of the stock or locomotive involved. Not all the information is readily available for earlier years. The details given for 1990 and 1991 are provisional.

The following abbreviations are used:
EMU = Electric multiple unit
DMU = Diesel multiple unit
(SD) = Slam door stock
LM = London Midland
W = Western
S = Southern
E = Eastern
Sc = Scottish
A = Anglia
HST = High speed train
LHT = Locomotive hauled train

Date	*Location*	*Region*	*Train type*
1986	*Fatalities*		
4 January	Carronbridge	Scottish	—
19 January	Attleborough/Shilton	London Midland	—
1 March	Temple Hirst	Eastern	—
14 March	Mellis	Eastern	—
3 May	Tollerton	Eastern	—
16 May	Croy Station	Scottish	—
26 May	Earlswood	Southern	—
27 May	Northampton	London Midland	—
29 June	Pencoed	Western	—
7 August	Marks Tey	Eastern	—
29 August	Plawsworth	Scottish	—
27 December	Pyle	Western	—
1986	*Seriously Injured*		
25 January	Upminster	Eastern	—
19 February	Greenwich	Southern	—
2 March	Broadstairs	Southern	—
4 April	London Bridge	Southern	—
5 April	Pangbourne	Western	—
23 May	Victoria	Southern	—
26 May	Datchet	Southern	455 EMU (sliding doors)
26 May	Boreham	Eastern	—
14 July	Goring Station	Western	—
15 August	Redruth Viaduct	Western	—
16 August	Church Fenton/Peckfield	Eastern	—
13 September	Rhosneiger Station Ty-Croes	London Midland	—
27 September	Chorley Station	London Midland	—
7 November	Kelvedon	Eastern	—
7 November	Pontypool Station	Western	—
1986	*Minor Injuries*		
3 January	Windsor Station	Southern	—
17 January	Purley Oaks/South Croydon	Southern	—
8 March	Markinch Station	Scottish	—
13 March	Gloucester Station	Western	—
7 April	Bodmin Parkway	Western	—
14 May	Cambourne Station	Western	—
14 July	Newton Abbott Station	Western	—

Date	Location	Region	Train type
14 July	Atherstone	London Midland	—
28 July	Brighton	Volks Electric Railway	Toastrack Tram
15 July	Doncaster/York	Eastern	43 HST
6 December	Skew Bridge Junction	London Midland	—
1987	*Fatalities*		
4 January	Summit East Tunnel	London Midland	—
21 February	Great Bridgeford	London Midland	—
22 February	Kettering	London Midland	47 LHT (SD)
27 February	Trent Valley Junction	London Midland	304 EMU (SD)
12 April	Backwell	Western	43 HST (SD)
14 April	Highnam Bridge	Western	—
15 May	Wylde Green	London Midland	—
13 June	St. Annes, Bristol	Western	—
27 July	Carpenders Park	London Midland	—
8 August	Wootten Bassett	Western	43 HST
8 August	Carlisle	London Midland	86 LHT (SD)
12 August	Micheldever/Basingstoke	Southern	—
13 August	Micheldever/Basingstoke	Southern	—
19 August	Leighton Buzzard	London Midland	—
19 August	Colton	Eastern	—
20 August	Stevenage	Eastern	—
5 September	Chathill	Eastern	—
6 September	Pangbourne/Goring	Western	—
10 September	Winchburgh/Newbridge	Scottish	—
12 September	Streatham Common/Norbury	Southern	—
21 September	Waterloo	Southern	—
23 October	Wolverton/Coseley (3 died)	London Midland	304 EMU (SD)
24 October	Bentley	Eastern	—
13 November	North Harrow	London Midland	—
1987	*Seriously Injured*		
21 January	Eastfield	Scottish	101 DMU (SD)
21 January	Stirling North	Scottish	101 DMU (SD)
4 February	Stafford Station	London Midland	—
5 February	Appleby Station	London Midland	—
5 March	Craigenhill	Scottish	LHT (SD)
12 April	Fareham/Portchester	Southern	—
6 June	Bethnal Green/Wheeler Street	Eastern	312 EMU (sliding door)
9 June	Treforest	Western	—
19 July	Micheldever	Southern	—
29 August	Balcombe/Three Bridges	Southern	—
6 September	Fratton	Southern	—
7 September	Salisbury	Southern	—
25 September	Sutton Coldfield	London Midland	—
26 September	Lower Sydenham/Catford	Southern	415 EMU (SD)
21 November	Chorley/Adlington	London Midland	116 DMU (SD)
22 November	Foxeswood Tunnel, Bristol	Western	43 HST
26 November	Streatham Common	Southern	—
1987	*Minor Injuries*		
20 January	Bedminster	Western	—
14 March	Micheldever	Southern	—
1988	*Fatalities*		
25 January	Faversham/Teynham	Southern	411 EMU (SD)
6 March	North York Moors Railway	—	LHT (SD)
17 March	Shifnal	London Midland	—
16 April	Essendine	Eastern	—
21 May	Banbury Lane	London Midland	—
1 June	Horley	Southern	423 EMU (SD)
4 June	Cockfosters	London Underground —Piccadilly Line	—
12 July	West Drayton	Western	43 HST
13 July	Inverkeilor	Scottish	—
15 August	Esher/Hampton Court Junction	Southern	—
26 August	Temple Hirst/Hambleton	Eastern	43 HST
26 August	Linlithgow	Scottish	—
29 August	Hersham/Esher	Southern	—
2 September	Uffington Loop	Western	43 HST
13 September	Madeley	London Midland	—
27 October	Pluckley/Ashford	Southern	—
3 November	Congleton	London Midland	—
11 November	Elvanfoot	Scottish	—
9 December	Finchdean	Southern	—
1988	*Seriously Injured*		

Date	Location	Region	Train type
29 January	Northchurch Tunnel	London Midland	—
1 March	Abington	Scottish	—
10 March	Stockport	London Midland	304 EMU (SD)
17 April	Winchester	Southern	423 EMU (SD)
21 May	Swindon	Western	—
15 June	Leagrave/Luton	London Midland	319 EMU (sliding door)
7 July	Brentwood	Anglia	312 EMU (SD)
12 August	Litchfield Tunnel	Southern	423 EMU (SD)
22 September	Swindon	Western	43 HST
30 October	Cradley Heath	London Midland	—
19 December	Cardiff Central/Bridgend	Western	43 HST
27 December	Petts Wood/Orpington	Southern	415 EMU (SD)
28 December	Linlithgow	—	—
1988	*Minor Injuries*		
10 January	Polmont	Scottish	—
22 January	Kettering	Eastern	—
21 March	Allerton	London Midland	304 EMU (SD)
29 March	St. Helier	Southern	415 EMU (SD)
15 April	Church Minshull	London Midland	LHT (SD)
1989	*Fatalities*		
19 January	Selhurst	Southern	—
27 February	Finedon Road	London Midland	—
4 March	Sturry/Grove Ferry	Southern	423 EMU (SD)
5 March	Wembley Central	London Midland	—
18 April	East/South Croydon	Southern	423 EMU (SD)
29 May	Forest Hill/Sydenham	Southern	—
28 July	Winwick	London Midland	—
29 July	Esher	Southern	423 EMU (SD)
30 August	Bruton/Castle Cary	Western	43 HST
1 September	Scorton	London Midland	—
4 September	Northwood	London Underground —Metropolitan Line	EMU
5 September	Darlington	Eastern	143 DMU (power doors)
15 September	Gatwick Airport	Southern	421 EMU (SD)
17 October	Polehill Tunnel	Southern	411 EMU (SD)
27 October	Severn Tunnel	Western	43 HST
8 November	Grantshouse	Scottish	43 HST
1 December	Marks Tey/Witham	Anglia	81 LHT (SD)
5 December	Chelmsford	Anglia	86 LHT (SD)
14 December	Penge Tunnel	Southern	—
1989	*Seriously Injured*		
4 January	Stockport	London Midland	LHT (SD)
27 January	Denmark Hill	Southern	411 EMU (SD)
4 March	Llandudno Junction	London Midland	—
14 April	Crofton Park/Catford	Southern	411 EMU (SD)
29 April	Vauxhall/Waterloo	Southern	423 EMU (SD)
2 May	Cardiff Central Station	Western	43 HST
3 May	Cheshunt Station	Anglia	310 EMU (SD)
1 June	Woodgrange Park	Anglia	302 EMU (SD)
14 June	Castle Cary	Southern	—
10 August	Doncaster	Eastern	43 HST
1 September	Orpington/Petts Wood	Southern	415 EMU (SD)
6 September	Maida Vale	London Underground —Bakerloo Line	EMU
7 September	Chadwell Heath	Anglia	—
15 September	Craigentinny Depot	Scottish	—
25 September	Newbridge	Scottish	—
1989	*Minor Injuries*		
13 September	Tonbridge	Southern	411 EMU (SD)
18 November	Branksome	Southern	—
1990	*Fatalities*		
4 January	Hartshill	London Midland	87 LHT (SD)
10 January	Liphook/Haslemere	Southern	412 EMU (SD)
28 February	Chatham	Southern	412 EMU (SD)
28 February	South Wingfield	London Midland	HST
11 March	Oxted Tunnel	London Midland	LHT (SD)
27 April	Wilmslow	London Midland	90 LHT (SD)
17 May	Weedon	London Midland	LHT (SD)
31 July	Lambrigg/Oxenholme	London Midland	LHT
9 August	Kilburn	London Midland	86 LHT
23 August	Tamworth Low Level (2 deaths)	London Midland	—
3 September	Armitage	London Midland	90 LHT

Date	Location	Region	Train type
29 September	Tamworth	London Midland	90 LHT
26 October	Fletton	Eastern	43 HST
5 November	Petersfield	Southern	421 EMU (SD)
1 December	Goring/Streatley	Western	43 HST
3 December	Carpenders Park	London Midland	LHT (SD)
18 December	Strechford	London Midland	LHT (SD)
21 December	Weedon	London Midland	87 LHT (SD)
1990	*Seriously Injured*		
6 February	Ladybank	Scottish	—
24 May	North Kent East Junction	Southern	416 EMU (SD)
7 June	Heaton Park Tunnel	London Midland	504 EMU (SD)
14 July	Waterloo East	Southern	415 EMU (SD)
23 August	Lancaster North Junction	London Midland	86 LHT (SD)
12 October	Chelmsford Station	Anglia	312 EMU (SD)
18 October	Eden Park	Southern	415 EMU (SD)
19 October	Bathampton Junction	Western	43 HST
5 December	Wimbledon	Southern	EMU (SD)
10 December	Wanstead Park	Anglia	DMU (SD)
1990	*Minor Injuries*		
27 May	Knighton/Leicester	London Midland	—
4 August	Ravenglass & Eskdale Railway	Minature railway	Open toastrack
4 October	Metropolitan Junction/ Waterloo East	Southern	416 EMU (SD)
1991	*Fatalities*		
26 January	Canley	Anglia	LHT (SD)
8 March	Deal/Sandwich	Southern	411 EMU (SD)
9 March	Norwich Trowse	Anglia	—
28 March	Sole Street	Southern	413 EMU (SD)
6 April	Hampton in Arden	London Midland	86 LHT (SD)
12 April	Marshfield	Western	43 HST
20 April	Brookwood/Woking	Southern	421 EMU (SD)
27 April	Potters Bar	Eastern	43 HST
28 April	Hartshill/Atherstone	London Midland	87 LHT (SD)
1991	*Seriously Injured*		
19 January	Barking	Anglia	305 EMU (SD)
9 March	Preston	London Midland	LHT (SD)

London Underground

Mr. Darling: To ask the Secretary of State for Transport what proportion of London Underground trains run on time.

Mr. Freeman: Because of the very high frequency of many underground trains, comprehensive data on performance against timetables is not compiled. The Government monitor the average times that passengers wait for trains. In the first quarter of 1991, the average scheduled wait for a train was 2·5 minutes, the actual wait was 3·4 minutes.

Rail Link (Heathrow)

Mr. Darling: To ask the Secretary of State for Transport what steps he is taking to ensure that sufficient investment is provided for a fast rail link to be constructed between Heathrow and central London; when he expects it to be open for business; and if he will make a statement.

Mr. Freeman: A total of 80 per cent. of the funding for the Heathrow express will be provided by the British Airports Authority (BAA), the remaining 20 per cent. by British Rail (BR). The timing of BR's contribution is a matter for the board. The expected date of opening of the Heathrow express is now November 1995. This delay is principally attributable to additions agreed with petitioners when the Heathrow Express Railway Act was considered in Committee.

Manchester Airport Rail Link

Mr. Alfred Morris: To ask the Secretary of State for Transport if he expects the freeze on investment by British Rail to affect the date of completion of the Manchester airport rail link; what representations he has received on this matter; if there is any action he will be taking; and if he will make a statement.

Mr. Freeman: No; I have received five letters on this matter.

TRADE AND INDUSTRY

Domestic Accidents

Mr. Butcher: To ask the Secretary of State for Trade and Industry how many fatal accidents occurred in the home in 1987, 1988 and 1989; and how many of these took place in *(a)* the kitchen and *(b)* householders' gardens.

Mr. Leigh: The total of fatal accidents in the home for the years 1987-89 are:

Accidental deaths in the home and residential institutions

Year	Number
1987	4,208
1988	4,272
1989	4,080

The numbers of accidental deaths in the kitchen and the garden for these years are not available.

Sound Diffusion (Directors)

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he has any plans to disqualify any of the directors of Sound Diffusion from acting as directors.

Mr. Redwood: I am considering the possibility of application to the court under section 8 of the Company Directors Disqualification Act 1986.

Newspapers

Mr. Gerald Bowden: To ask the Secretary of State for Trade and Industry if he will amend section 58(1) of the Fair Trading Act 1973 so that sales of newspapers with an average circulation of 500,000 copies or more outside the United Kingdom will be included in the calculation of a newspaper proprietor's circulation with regard to the need for obtaining this prior consent to make any further newspaper acquisitions.

Mr. Redwood: I have no plans to amend section 58 of the Fair Trading Act 1973. The Government's merger control policy is primarily concerned with the effects on competition in UK markets. The newspaper merger provisions are in addition concerned with the accurate presentation of news and free expression of opinion. Acquisitions by persons owning no newspaper interests in the UK should not raise the same concerns as acquisitions by those who already have a substantial share of the UK newspaper market.

Redwood Publishing Limited

Mr. Maclennan: To ask the Secretary of State for Trade and Industry if he intends to refer the acquisition of Redwood Publishing Ltd. by BBC Enterprise to the Monopolies and Mergers Commission; and if he will make a statement.

Mr. Redwood: I understand that this acquisition took place in 1988. Under the provisions of the Fair Trading Act 1973 it is not open to me to make a merger reference if more than six months have elapsed since the acquisition took place unless previously concealed facts have emerged. I understand that the merger did not meet the criteria for reference under the Fair Trading Act. However, if the hon. Member has any new information about the acquisition he should bring it to the attention of the Director General of Fair Trading, who advises me on merger cases, so that his office can establish whether there is a merger situation qualifying for investigation under the Act.

Insolvency Service

Mr. Gregory: To ask the Secretary of State for Trade and Industry how many cases the Insolvency Service has decided not to prosecute; and for what reasons.

Mr. Redwood: Official receivers in the Insolvency Service submit reports to the Department of Trade and Industry where investigations have shown that criminal offences appear to have been committed. After vetting by the service they are forwarded to the investigation division of the Department with a view to prosecution. Criminal proceedings are normally instituted by the Secretary of State although a small number of cases are referred to the Serious Fraud Office or the Crown prosecution service. In considering whether criminal proceedings should be instituted, the principles and criteria laid down in the code for Crown prosecutors are applied, and the prosecutor considers whether he is satisfied that there is admissible, substantial and reliable evidence that a criminal offence known to the law has been committed by an identifiable person and, if he is so satisfied, whether the public interest requires a prosecution. In cases where these criteria are not met, criminal proceedings will not be instituted.

During 1990 official receivers submitted 569 reports —627 in 1989—alleging that criminal offences had been committed. During the year convictions were obtained in 290 cases—352 in 1989—resulting in 309 persons being convicted—388 in 1989—of 769 different offences—671 in 1989. Additionally 94 warning letters were issued—107 in 1989—to individuals where there was evidence of an offence having been committed but where it was not considered that proceeding with a prosecution would be in the public interest. During 1990 official receivers also assisted the police or other investigatory authorities in 412 criminal investigations. There were 166 persons convicted during the year in such cases.

Mr. Gregory: To ask the Secretary of State for Trade and Industry how many officials in the Insolvency Service are qualified in *(a)* law and *(b)* accountancy; and if he will make a statement.

Mr. Redwood: The latest figures available show that 632 officials in the Insolvency Service have studied for accountancy or allied qualifications. Of these, 84 are fully qualified, 14 will be shortly sitting their final examinations and others are still studying. Additionally, a number of officers are also members of the Insolvency Practitioners Association. Some entrants to the Insolvence Service have law degrees, but there are no fully qualified lawyers. Such legal expertise as is required is provided by the solicitors division of the Department of Trade and Industry.

Mr. Gregory: To ask the Secretary of State for Trade and Industry what is the average time period taken by the Insolvency Service before it initiates legal action; and if he will make a statement.

Mr. Redwood: The Insolvency Service initiates legal action based on reports submitted by official receivers where the reports allege that criminal offences have been committed or where a director's conduct is such that he is unfit to be a director of a company and an application should be made for him to be disqualified. In both cases official receivers are targeted to submit reports within 10 months of the winding-up orders in at least 80 per cent. of cases identified for investigation.

Where reports alleging criminal offences are submitted by the Insolvency Service to the investigations division of the Department of Trade and Industry with a view to prosecution, further investigation to establish whether there is admissible, substantial and reliable evidence that a criminal offence known to the law has been committed by an identifiable person is frequently necessary. In all cases where it is decided that the criteria for prosecution laid down in the code for Crown prosecutors are met, the objective is to institute criminal proceedings within four

weeks of that decision being taken where the case is to be taken summarily. Where the case is to be taken on indictment, the period is eight weeks.

Mr. Gregory: To ask the Secretary of State for Trade and Industry if he will give the average age of staff employed in the Insolvency Service.

Mr. Redwood: This information can be obtained only at disproportionate cost.

Next Steps Agencies

Mr. David Porter: To ask the Secretary of State for Trade and Industry whether he has identified any further candidates for agency status under the next steps initiative.

Mr. Lilley: As I told the House on 22 May, *Official Report*, column *475*, I continue to consider the possibility of establishing further agencies in the DTI. I have now identified the DTI accounts branch, Newport, as a candidate for agency status, with a view to its becoming operational later this year.

HEALTH

Health Authority Spending

Mr. Andrew Mitchell: To ask the Secretary of State for Health what has been the change in revenue spending in both cash and real terms between 1985 and the latest year for which figures are available for each of the regional and district health authorities in England.

Mr. Dorrell: Figures of total revenue expenditure derived from the annual accounts of regional and district health authorities in England for 1985-86 and 1989-90 (the latest available) are shown in the table.

Although their expenditure cannot be attributed to particular regions, figures for the special health authorities for the London postgraduate teaching hospitals have been included for completeness.

Total revenue expenditure by health authorities

	1985-86 £000 (Cash)	*1985-86 £000 (at 1989-90 prices)*	*1989-90 £000 (Cash)*	*Increase/ (decrease) in cash terms per cent.*	*Increase/ (decrease) in real terms per cent.*
Northern RHA	22,431	27,921	25,813	15·1	(7·5)
Hartlepool	16,980	21,135	26,858	58·2	27·1
North Tees	26,751	33,297	37,472	40·1	12·5
South Tees	60,693	75,545	86,059	41·8	13·9
East Cumbria	34,282	42,672	47,772	39·3	12·0
South Cumbria	24,433	30,413	35,090	43·6	15·4
West Cumbria	22,998	28,626	31,506	37·0	10·1
Darlington	26,771	33,322	37,285	39·3	11·9
Durham	29,999	37,340	37,981	26·6	1·7
North West Durham	15,713	19,558	22,496	43·2	15·0
South West Durham	29,209	36,357	40,337	38·1	10·9
Northumberland	57,893	72,060	77,989	34·7	8·2
Gateshead	29,795	37,087	40,496	35·9	9·2
Newcastle	121,728	151,517	173,702	42·7	14·6
North Tyneside	21,950	27,322	31,906	45·4	16·8
South Tyneside	20,879	25,989	30,098	44·2	15·8
Sunderland	57,580	71,671	79,543	38·1	11·0
Northern region total	620,085	771,832	862,403	39·1	11·7

	1985-86 £000 (Cash)	*1985-86 £000 (at 1989-90 prices)*	*1989-90 £000 (Cash)*	*Increase/ (decrease) in cash terms per cent.*	*Increase/ (decrease) in real terms per cent.*
Yorkshire RHA	27,045	33,663	34,349	27·0	2·0
Hull	59,783	74,413	86,700	45·0	16·5
East Yorks	36,018	44,832	47,005	30·5	4·5
Grimsby	28,084	34,957	38,786	38·1	11·0
Scunthorpe	25,215	31,386	38,127	51·2	21·5
Northallerton	13,017	16,203	18,883	45·1	16·5
York	51,379	63,953	66,508	29·4	4·0
Scarborough	19,615	24,415	29,336	49·6	20·2
Harrogate	24,646	30,677	33,086	34·2	7·8
Bradford	61,573	76,641	85,863	39·4	12·0
Airedale	29,333	36,511	40,280	37·3	10·3
Calderdale	30,830	38,375	42,794	38·8	11·5
Huddersfield	41,492	51,646	55,671	34·2	7·8
Dewsbury	22,908	28,514	31,135	35·9	9·2
Leeds Western	83,463	103,887	118,493	42·0	14·1
Leeds Eastern	77,018	95,866	113,694	47·6	18·6
Wakefield	43,721	54,421	56,459	29·1	3·7
Pontefract	24,386	30,354	34,477	41·4	13·6
Yorkshire region total	699,526	870,714	971,646	38·9	11·6

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
Trent RHA	21,453	26,703	29,354	36·8	9·9
North Derbyshire	42,151	52,465	65,289	54·9	24·4
South Derbyshire	86,730	107,955	124,701	43·8	15·5
Leicestershire	145,232	180,773	210,723	45·1	16·6
North Lincolnshire	52,135	64,894	72,592	39·2	11·9
South Lincolnshire	41,696	51,900	62,536	50·0	20·5
Bassetlaw	14,149	17,611	20,767	46·8	17·9
Central Nottinghamshire	46,598	58,001	68,476	47·0	18·1
Nottinghamshire	134,470	167,378	184,313	37·1	10·1
Barnsley	32,606	40,585	47,294	45·1	16·5
Doncaster	45,363	56,465	68,696	51·4	21·7
Rotherham	34,459	42,892	50,647	47·0	18·1
Sheffield	146,114	181,871	206,517	41·3	13·6
Trent region total	843,156	1,049,493	1,211,905	43·7	15·5

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
East Anglia RHA	8,176	10,177	14,103	72·5	38·6
Cambridge	64,418	80,183	93,403	45·0	16·5
Peterborough	34,457	42,889	54,307	57·6	26·6
West Suffolk	32,917	40,972	49,164	49·4	20·0
East Suffolk	56,543	70,380	79,085	39·9	12·4
Norwich	86,543	107,722	122,587	41·6	13·8
Great Yarmouth and Waveney	30,044	37,396	43,579	45·0	16·5
West Norfolk and Wisbech	25,168	31,327	38,836	54·3	24·0
Huntingdon	19,981	24,871	33,130	65·8	33·2
East Anglia regional total	358,247	445,917	528,194	47·4	18·5

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
North West Thames R.H.A.	23,531	29,290	14,529	(38·3)	(50·4)
North Bedfordshire	33,936	42,241	47,610	40·3	12·7
South Bedfordshire	39,211	48,806	57,034	45·5	16·9
North Hertfordshire	23,349	29,063	35,899	53·8	23·5
East Hertfordshire	28,513	35,490	44,191	55·0	24·5
North West Hertfordshire	50,752	63,172	89,881	77·1	42·3
South West Hertfordshire	38,540	47,971	39,198	1·7	(18·3)
Barnet	65,574	81,621	100,785	53·7	23·5
Harrow	36,573	45,524	52,870	44·6	16·1
Hillingdon	54,951	68,399	81,347	48·0	18·9
Hounslow and Spelthorne	51,572	64,193	73,745	43·0	14·9
Ealing	40,265	50,119	58,157	44·4	16·0
Riverside	128,455	159,890	171,387	33·4	7·2
Parkside	113,626	141,433	158,079	39·1	11·8
North West Thames region total	728,848	907,212	1,024,712	40·6	13·0

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
North East Thames RHA	28,508	35,484	22,791	(20·1)	(35·8)
Basildon and Thurrock	43,163	53,726	65,015	50·6	21·0
Mid Essex	42,665	53,106	68,785	61·2	29·5
North East Essex	55,571	69,170	74,673	34·4	8·0
West Essex	36,868	45,890	55,172	49·6	20·2
Southend	42,657	53,096	64,492	51·2	21·5
Barking, Havering and Brentwood	72,033	89,661	98,707	37·0	10·1
Hampstead	55,633	69,247	80,152	44·1	15·7
Bloomsbury	122,450	152,417	164,928	34·7	8·2
Islington	49,194	61,233	69,701	41·7	13·8
City and Hackney	81,517	101,466	112,469	38·0	10·8
Newham	41,765	51,986	56,489	35·3	8·7
Tower Hamlets	67,183	83,624	96,389	43·5	15·3

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
Enfield	38,144	47,478	52,316	37·2	10·2
Haringey	46,312	57,646	64,093	38·4	11·2
Redbridge	37,799	47,049	54,559	44·3	16·0
Waltham Forest	52,726	65,629	76,089	44·3	15·9
North East Thames Region	914,188	1,137,908	1,276,820	39·7	12·2

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
South East Thames R.H.A.	22,014	27,401	25,964	17·9	(5·2)
Brighton	55,475	69,051	79,969	44·2	15·8
Eastbourne	40,508	50,421	57,338	41·5	13·7
Hastings	27,412	34,120	39,727	44·9	16·4
South East Kent	34,369	42,779	51,820	50·8	21·1
Canterbury and Thanet	57,195	71,192	77,325	35·2	8·6
Dartford and Gravesham	44,350	55,203	54,245	22·3	(1·7)
Maidstone	34,565	43,024	47,560	37·6	10·5
Medway	45,252	56,326	66,983	48·0	18·9
Tunbridge Wells	44,976	55,983	59,360	32·0	6·0
Bexley	35,608	44,322	48,473	36·1	9·4
Greenwich	61,135	76,096	79,534	30·1	4·5
Bromley	51,136	63,649	73,192	43·1	15·0
West Lambeth	78,949	98,270	110,218	39·6	12·2
Camberwell	65,562	81,606	96,741	47·6	18·5
Lewisham and North Southwark	109,019	135,699	147,141	35·0	8·4
South East Thames/Thames region	807,525	1,005,142	1,115,590	38·1	11·0

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
South West Thames RHA	21,797	27,131	72,403	232·2	166·9
North West Surrey	38,359	47,746	54,029	40·9	13·2
West Surrey and North East Hants	37,912	47,189	46,466	22·6	(1·5)
South West Surrey	33,733	41,988	59,690	76·9	42·2
Mid Surrey	39,694	49,408	54,934	38·4	11·2
East Surrey	45,661	56,836	62,004	35·8	9·1
Chichester	29,626	36,876	43,302	46·2	17·4
Mid Downs	41,518	51,678	60,602	46·0	17·3
Worthing	31,931	39,745	49,875	56·2	25·5
Croydon	58,042	72,246	82,053	41·4	13·6
Kingston and Esher	40,135	49,957	54,258	35·2	8·6
Richmond, Twickenham and Roehampton	34,799	43,315	48,141	38·3	11·1
Wandsworth	88,156	109,730	125,594	42·5	14·5
Merton and Sutton	66,913	83,289	89,873	34·3	7·9
South West Thames region total	608,276	757,134	903,224	48·5	19·3

	1985-86 £ thousands (Cash)	1985-86 £ thousands (at 1989-90 prices)	1989-90 £ thousands (Cash)	Increase/(decrease) in cash terms per cent.	Increase/(decrease) in real terms per cent.
Wessex RHA	8,584	10,684	11,992	39·7	12·2
East Dorset	66,703	83,027	101,743	52·5	22·5
West Dorset	35,419	44,086	46,916	32·5	6·4
Portsmouth and South-East Hampshire	77,200	96,092	111,011	43·8	15·5
Southampton and South-West Hampshire	92,872	115,600	129,484	39·4	12·0
Winchester	34,358	42,766	52,061	51·5	21·7
Basingstoke	37,284	46,408	51,103	37·1	10·1
Salisbury	29,021	36,123	40,130	38·3	11·1
Swindon	39,474	49,135	57,393	45·4	16·8
Bath	63,564	79,119	90,425	42·3	14·3
Isle of Wight	22,462	27,959	32,518	44·8	16·3
Wessex region total	506,941	630,999	724,776	43·0	14·9

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
Oxford RHA	12,949	16,119	13,189	1·8	(18·2)
East Berkshire	50,361	62,685	74,578	48·1	19·0
West Berkshire	67,196	83,640	95,085	41·5	13·7
Aylesbury	38,457	47,868	55,015	43·1	14·9
Wycombe	27,751	34,543	42,123	51·8	21·9
Milton Keynes	18,580	23,127	32,046	72·5	38·6
Kettering	30,846	38,394	46,867	51·9	22·1
Northampton	53,389	66,454	74,155	38·9	11·6
Oxfordshire	102,845	128,013	154,322	50·1	20·6
Oxford region total	402,374	500,843	587,380	46·0	17·3

Total revenue expenditure by health authorities

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
South Western RHA	10,119	12,596	15,612	54·3	23·9
Bristol and Weston	81,977	102,039	110,609	34·9	8·4
Frenchay	51,638	64,275	64,872	25·6	0·9
Southmead	46,786	58,235	64,700	38·3	11·1
Cornwall and Isles of Scilly	68,393	85,130	98,584	44·1	15·8
Exeter	73,958	92,057	87,392	18·2	(5·1)
North Devon	21,030	26,177	36,456	73·4	39·3
Plymouth	65,265	81,236	91,788	40·6	13·0
Torbay	35,258	43,886	63,313	79·6	44·3
Cheltenham	28,340	35,276	48,973	72·8	38·8
Gloucester	52,981	65,946	74,855	41·3	13·5
Somerset	67,521	84,044	94,943	40·6	13·0
South Western region total	603,266	750,897	852,097	41·2	13·5

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
West Midlands RHA	33,075	41,169	47,625	44·0	15·7
Bromsgrove and Redditch	23,196	28,872	33,176	43·0	14·9
Herefordshire	25,400	31,616	34,993	37·8	10·7
Kidderminster	23,928	29,784	31,512	31·7	5·8
Worcester	42,840	53,324	55,121	28·7	3·4
Shropshire	61,269	76,263	90,752	48·1	19·0
Mid Staffs	40,503	50,414	56,768	40·2	12·6
North Staffs	85,660	106,623	124,025	44·8	16·3
South East Staffs	32,753	40,769	54,062	65·1	32·6
Rugby	11,043	13,745	15,667	41·9	14·0
North Warwickshire	30,538	38,012	44,789	46·7	17·8
South Warwickshire	40,296	50,157	56,635	40·5	12·9
Central Birmingham	77,172	96,057	117,036	51·7	21·8
East Birmingham	36,015	44,829	50,430	40·0	12·5
North Birmingham	35,914	44,703	43,488	21·1	(2·7)
South Birmingham	57,549	71,633	84,331	46·5	17·7
West Birmingham	58,768	73,150	77,116	31·2	5·4
Coventry	58,592	72,930	82,969	41·6	13·8
Dudley	48,093	59,862	69,667	44·9	16·4
Sandwell	36,257	45,130	49,421	36·3	9·5
Solihull	27,498	34,227	37,595	36·7	9·8
Walsall	39,171	48,757	55,745	42·3	14·3
Wolverhampton	48,385	60,226	68,249	41·1	13·3
West Midlands Region Total	973,915	1,212,252	1,381,172	41·8	13·9

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
Mersey RHA	17,385	21,640	12,772	(26·5)	(41·0)
Chester	42,572	52,990	57,214	34·4	8·0
Crewe	36,011	44,824	49,407	37·2	10·2
Halton	13,844	17,232	22,060	59·4	28·0

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
Macclesfield	32,327	40,238	43,673	35·1	8·5
Warrington	43,471	54,109	57,775	32·9	6·8
Liverpool	132,580	165,024	184,732	39·3	11·9
St. Helens and Knowsley	55,248	68,769	71,856	30·1	4·5
Southport and Formby	24,231	30,161	35,243	45·4	16·8
South Sefton	49,699	61,861	81,196	63·4	31·3
Wirral	60,556	75,375	83,555	38·0	10·9
Mersey region total	507,924	632,223	699,483	37·7	10·6

Total revenue expenditure by health authorities

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
North Western RHA	37,803	47,054	42,576	12·6	(9·5)
Lancaster	40,593	50,527	53,607	32·1	6·1
Blackpool, Wyre and Fylde	48,810	60,755	69,926	43·3	15·1
Preston	65,304	81,285	80,794	23·7	(0·6)
Blackburn, Hyndburn and Ribble Valley	54,427	67,747	56,911	4·6	(16·0)
Burnley, Pendle and Rossendale	48,735	60,661	77,402	58·8	27·6
West Lancashire	21,463	26,715	28,388	32·3	6·3
Chorley and South Ribble	13,182	16,409	18,986	44·0	15·7
Bolton	38,693	48,161	55,469	43·4	15·2
Bury	21,995	27,377	33,892	54·1	23·8
North Manchester	54,516	67,857	73,998	35·7	9·0
Central Manchester	59,871	74,522	84,856	41·7	13·9
South Manchester	80,731	100,487	111,538	38·2	11·0
Oldham	31,492	39,199	44,901	42·6	14·5
Rochdale	27,193	33,848	37,238	36·9	10·0
Salford	73,500	91,487	99,268	35·1	8·5
Stockport	43,631	54,309	60,186	37·9	10·8
Tameside and Glossop	29,165	36,303	45,691	56·7	25·9
Trafford	26,970	33,570	36,224	34·3	7·9
Wigan	42,262	52,605	62,727	48·4	19·2
North Western regional total	860,336	1,070,878	1,174,578	36·5	9·7

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
Hospitals for Sick Children	30,319	37,739	49,994	64·9	32·5
National Hospital for Neurology & Neurosurgery	17,023	21,190	25,145	47·7	18·7
Moorfields Eye Hospital	12,640	15,733	17,216	36·2	9·4
Bethlem Royal & Maudsley Hospitals	17,773	22,122	26,051	46·6	17·8
National Heart & Chest Hospitals	28,798	35,845	43,757	51·9	22·1
Royal Marsden Hospital	21,514	26,779	31,684	47·3	18·3
Hammersmith & Queen Charlottes	41,921	52,179	59,267	41·4	13·6
Eastman Dental Hospital	4,804	5,980	6,283	30·8	5·1
London SHAs total	174,792	217,567	259,397	48·4	19·2
Total—England	9,609,399	11,961,011	13,573,377	41·2	13·4

Notes:

1. The expenditure and percentage figures for individual authorities can be expected to vary and are influenced by patterns of local service provision, the fact that people do cross authority boundaries for treatment and other factors. Those for regional health authorities (RHAs) in particular, reflect the extent to which they directly manage services.

2. The balance of service management and accounting responsibility between RHA and districts and between districts varies from region to region and has been subject to changes during the period. For example, in 1989-90 the South West Thames RHA accounted for the total costs of the London ambulance service which in 1985-86 were shared between the four Thames RHAs, and the Mersey RHA devolved responsibility for the Mersey metropolitan ambulance service to the South Sefton (Merseyside) district. Similarly, responsibility for particular hospitals passed from the South West Hertfordshire to the North West Hertfordshire and from the Blackburn to the Burnley district health authorities (DHAs) during the period.

3. Parkside DHA was recently created through the merger of former DHAs from which annual accounts comparative figures for 1985-86 are derived.

4. The figures for 1985-86 have been expressed at 1989-90 prices by the use of gross domestic product deflators.

Mr. Andrew Mitchell: To ask the Secretary of State for Health what has been the change in revenue spending in both cash and real terms between 1985 and the latest year for which figures are available of each of the family health services authorities in England.

Mr. Dorrell: Family health services authorities (FHSAs) were established under the National Health Service and Community Care Act 1990. Figures of total revenue expenditure derived from the annual accounts of their predecessor family practitioner committees (FPCs) for 1985-86 and 1989-90 the latest available, are shown in the table.

Total revenue expenditure by family practitioner committees (FPCs)

	1985-86 £000 (Cash)	*1985-86 £000 (at 1989-90 prices)*	*1989-90 £000 (Cash)*	*Increase/ (decrease) in cash terms per cent.*	*Increase/ (decrease) in real terms per cent.*
Northern region					
Cleveland	38,681	48,147	56,041	44·9	16·4
Cumbria	34,734	43,234	49,078	41·3	13·5
Durham	43,327	53,929	59,967	38·4	11·2
Northumberland	20,950	26,076	30,774	46·9	18·0
Gateshead	14,487	18,032	19,978	37·9	10·8
Newcastle	20,815	25,908	28,277	35·9	9·1
North Tyneside	14,457	17,995	20,345	40·7	13·1
South Tyneside	10,467	13,028	15,399	47·1	18·2
Sunderland	20,635	25,685	29,972	45·2	16·7
Yorkshire region					
Humberside	58,050	72,256	83,867	44·5	16·1
North Yorkshire	50,665	63,063	72,694	43·5	15·3
Bradford	31,818	39,604	46,166	45·1	16·6
Calderdale	13,531	16,842	19,089	41·1	13·3
Kirklees	23,334	29,045	34,031	45·8	17·2
Leeds	50,784	63,211	73,676	45·1	16·6
Wakefield	22,086	27,491	32,881	48·9	19·6
Trent region					
Derbyshire	58,527	72,850	86,356	47·5	18·5
Leicestershire	55,857	69,526	80,852	44·7	16·3
Lincolnshire	39,703	49,420	61,077	53·8	23·6
Nottinghamshire	61,736	76,844	89,379	44·8	16·3
Barnsley	16,030	19,952	22,683	41·5	13·7
Doncaster	20,110	25,031	29,787	48·1	19·0
Rotherham	14,760	18,373	22,693	53·7	23·5
Sheffield	36,971	46,018	52,560	42·2	14·2
East Anglian region					
Cambridgeshire	41,397	51,528	60,049	45·1	16·5
Norfolk	51,846	64,534	78,408	51·2	21·5
Suffolk	42,882	53,376	62,387	45·5	16·9
North West Thames region					
Bedfordshire	34,304	42,699	47,914	39·7	12·2
Hertfordshire	68,282	84,991	94,745	38·8	11·5
Barnet	21,336	26,557	29,141	36·6	9·7
Brent and Harrow	36,493	45,423	47,640	30·5	4·9
Ealing, Hammersmith and Hounslow	44,941	55,939	63,597	41·5	13·7
Hillingdon	15,093	18,787	21,622	43·3	15·1
Kensington, Chelsea and Westminster	29,982	37,319	36,613	22·1	(1·9)
North East Thames region					
Essex	98,721	122,881	146,149	48·0	18·9
Barking and Havering	24,298	30,245	33,133	36·4	9·5
Camden and Islington	27,584	34,335	39,041	41·5	13·7
City and East London	39,673	49,382	61,244	54·4	24·0
Enfield and Haringey	31,533	39,250	44,213	40·2	12·6
Redbridge and Waltham Forest	30,043	37,395	41,973	39·7	12·2
South East Thames region					
East Sussex	51,956	64,670	72,058	38·7	11·4
Kent	102,493	127,575	146,651	43·1	15·0
Greenwich and Bexley	26,365	32,817	39,507	49·8	20·4
Bromley	18,897	23,522	26,473	40·1	12·5
Lambeth, Southwark and Lewisham	49,958	62,184	69,755	39·6	12·2
South West Thames region					
Surrey	67,457	83,966	93,653	38·8	11·5
West Sussex	50,789	63,219	71,915	41·6	13·8
Croydon	21,642	26,938	28,900	33·5	7·3
Kingston and Richmond	22,059	27,457	29,458	33·5	7·3
Merton, Sutton and Wandsworth	41,548	51,716	55,930	34·6	8·1

	1985-86 £000 (Cash)	1985-86 £000 (at 1989-90 prices)	1989-90 £000 (Cash)	Increase/ (decrease) in cash terms per cent.	Increase/ (decrease) in real terms per cent.
Wessex region					
Dorset	47,542	59,176	69,271	45·7	17·1
Hampshire	106,395	132,432	146,368	37·6	10·5
Wiltshire	33,771	42,035	48,847	44·6	16·2
Isle of Wight	9,712	12,089	13,912	43·2	15·1
Oxford region					
Berkshire	49,560	61,688	68,667	38·6	11·3
Buckinghamshire	40,210	50,051	58,406	45·3	16·7
Northamptonshire	36,162	45,011	52,399	44·9	16·4
Oxfordshire	36,494	45,425	52,310	43·3	15·2
South Western region					
Avon	61,175	76,146	87,325	42·7	14·7
Cornwall and Isles of Scilly	33,441	41,624	51,482	53·9	23·7
Devon	74,748	93,040	108,493	45·1	16·6
Gloucestershire	34,439	42,867	50,323	46·1	17·4
Somerset	31,115	38,730	46,583	49·7	20·3
West Midlands region					
Hereford and Worcester	41,149	51,219	61,079	48·4	19·3
Shropshire	26,047	32,421	37,941	45·7	17·0
Staffordshire	63,573	79,130	91,252	43·5	15·3
Warwickshire	32,060	39,905	46,441	44·9	16·4
Birmingham	75,457	93,922	103,200	36·8	9·9
Coventry	22,339	27,806	31,250	39·9	12·4
Dudley	18,144	22,584	26,128	44·0	15·7
Sandwell	21,700	27,011	30,606	41·0	13·3
Solihull	13,408	16,689	19,690	46·9	18·0
Walsall	18,527	23,061	24,767	33·7	7·4
Wolverhampton	17,253	21,475	24,209	40·3	12·7
Mersey region					
Cheshire	65,170	81,119	93,511	43·5	15·3
Liverpool	37,887	47,159	50,581	33·5	7·3
St. Helens and Knowsley	23,592	29,365	34,950	48·1	19·0
Sefton	20,023	24,924	29,574	47·7	18·7
Wirral	24,545	30,552	35,408	44·3	15·9
North Western region					
Lancashire	99,004	123,232	142,826	44·3	15·9
Bolton	17,398	21,656	24,669	41·8	13·9
Bury	13,119	16,329	18,399	40·3	12·7
Manchester	36,081	44,911	51,052	41·5	13·7
Oldham	14,496	18,044	20,983	44·7	16·3
Rochdale	14,225	17,706	21,151	48·7	19·5
Salford	19,054	23,716	26,336	38·2	11·0
Stockport	20,652	25,706	29,582	43·2	15·1
Tameside	15,064	18,751	21,547	43·0	14·9
Trafford	16,182	20,142	22,695	40·2	12·7
Wigan	21,731	27,049	29,045	33·7	7·4
England total	3,266,729	4,066,165	4,663,050	42·7	14·7

Notes:

1. The figures of total revenue expenditure are primarily demand-led payments for family health services (FHS) payments to general medical practitioners, pharmacists, general dental practitioners and opticians. Expenditure is shown after deduction of charges to patients. Cash limited revenue expenditure by FPCs for their own administrative expenses is also included in the totals: £45·1 million (cash) in 1985-86 and £66·5 million (cash) in 1989-90.
2. The figures for 1985-86 have been expressed at 1989-90 prices by the use of gross domestic product deflators.

Operating Theatres

Mr. Redmond: To ask the Secretary of State for Health if he will list by regional health authority for *(a)* 31 March and *(b)* the latest date he has available, how many operating theatres are closed, listing the reason in each case.

Mr. Dorrell: This information is not collected centrally.

Hospital Statistics

Sir William Shelton: To ask the Secretary of State for Health if he will give both the number of in-patient and out-patients treated by national health service hospitals in 1969, 1979 and 1989, and the number of those employed by these hospitals in each of these years; and if he will also give the percentage change in each case.

Mr. Dorrell: The information is given in the tables.

NHS Hospitals England

	1969	1979	1988-89	Percentage change 1969-79	Percentage change 1979-88-89
In-patient cases treated	4,968,391	5,400,120	6,585,982	+8·7	+22·0
New out-patient attendances	7,462,807	7,713,465	8,406,254	+3·4	+9·0

NHS hospital-based medical and non-medical staff
England at 30 September[1 2]

	[3]1969	1979	1989	Change 1969-79 WTE	Change 1969-79 Per cent.	Whole-time equivalent[1] change 1979-89 WTE	Whole-time equivalent[1] change 1979-89 Per cent.
Total	538,900	733,400	749,100	194,600	36·1	15,700	2·1

[1] All figures are independently rounded to the nearest hundred (100). Percentages are calculated on unrounded figures.
[2] These data have not been adjusted to take into account reductions in the standard working week, e.g. the reduction in nurses working hours from 41 to 37·5 per week which took place in 1980-81. There is therefore a discontinuity in the time series and the figures should be interpreted with caution.
[3] Comparability affected by the NHS re-organisation that took place in 1974. Figures include data relating to ambulance personnel employed by the Local authorities.

Sickness Statistics

Mr. Ralph Howell: To ask the Secretary of State for Health what was the number of days lost through sickness by employees of the NHS in the last year for which figures are available; and what is the number of statutory sick days allowed in each section.

Mrs. Virginia Bottomley: Precise details about the number of days lost through sickness and payments made are not held centrally. Control of sickness absence is a matter for local management. It is estimated that in 1989-90 about 4 per cent. of the time of all NHS employees was lost due to sickness.

NHS employees are eligible for statutory sick pay subject to satisfying certain requirements.

Alzheimer's Disease

Mr. Gregory: To ask the Secretary of State for Health, pursuant to the reference made by the Minister of State to a new drug for those with Alzheimer's disease, in the debate on 17 April, *Official Report*, columns *515-16*, what is the current position with regard to the testing and possible licensing of this drug.

Mrs. Virginia Bottomley: Section 118 of the Medicines Act 1968 precludes the disclosure of information relating to clinical trials or the processing of product licence applications.

Pesticides

Dr. Thomas: To ask the Secretary of State for Health what information he has regarding the extent of and dangers posed by the poisoning of people by organophosphate pesticides.

Mr. Dorrell: Before pesticides can be used legally in the United Kingdom, they must be approved by Ministers who are advised by the Advisory Committee on Pesticides. Approved organophosphate (OP) pesticides must be used in accordance with the directions and conditions specified on the product label in order to safeguard workers, consumers of the treated produce and others.

The Department has copies of the reports of the Health and Safety Executive's agricultural and factory inspectorates on poisoning incidents attributed to pesticides. The last one was for a 15-month period from January 1989 to March 1990 and shows that out of a total of 95 suspected poisoning incidents investigated, 25 have been identified as involving OP pesticides. None related to consumption of food from treated crops. One fatality was reported in circumstances where no evidence was available as to how ingestion occurred and the coroner returned an open verdict. Copies of the report are in the Library. The next one is due to be published on 16 July 1991.

Child Minders

Ms. Armstrong: To ask the Secretary of State for Health what estimate the Department has of the number of child minders who are exempt from registration because they work in the family home.

Mrs. Virginia Bottomley: This information is not available centrally.

Children Act 1989

Mr. Michael: To ask the Secretary of State for Health what he estimates as being the total additional cost that will fall on local authorities in order to implement the Children Act 1989 in full *(a)* in the present financial year and *(b)* in a full financial year.

Mrs. Virginia Bottomley: Central Government do not specify in detail how local authorities should allocate the overall resources available to them but rather indicate their view of appropriate spending through standard spending control totals. The total covering personal social services for children (including specific grants) was £1,540·9 million for 1991-92, an increase of £139·9 million (18·4 per cent.) over the equivalent figure for 1990-91. This increase allows for the part-year implementation of the Children Act from October 1991. The equivalent figure for 1992-93 will not be available until details of the settlement are known.

Terrapins

Mr. Tony Banks: To ask the Secretary of State for Health what information he has on the number of reported cases of salmonellosis arising from the handling of terrapins.

Mr. Dorrell: No cases of human salmonellosis in England and Wales have been associated with the handling of terrapins.

East Birmingham Hospital Trust

Mr. Terry Davis: To ask the Secretary of State for Health what discussions he has had with Mr. John Bettinson about the chairmanship of the proposed East Birmingham hospital trust.

Mrs. Virginia Bottomley: None. No formal appointments can be made in advance of my right hon. Friend the Secretary of State's decision to approve a unit for NHS trust status.

Aids

Sir Michael McNair-Wilson: To ask the Secretary of State for Health what discussions he has had with publishers and editors of soft porn and gay magazines about their assisting in the educational campaign to warn young people and others of the AIDS risk in promiscuous sex and drug taking.

Mrs. Virginia Bottomley: The Health Education Authority (HEA) has since February 1989 run a series of educational advertising campaigns in the gay press to alert homosexual and bisexual men to the risks of HIV infection and how they can be avoided. A further series of advertisements for placement in the gay press and a wider range of publications read by men is in production. The HEA discusses strategy for this series of campaigns with an advisory group drawn from organisations representing gay men and with representatives of the Gay Business Association.

We welcome the contribution that all sections of the press and media make, to strengthen the effectiveness of the AIDS public education effort.

Sefton General Hospital

Mr. Alton: To ask the Secretary of State for Health what has been spent on refurbishment of Sefton general hospital in Liverpool since 1979; how many patients have been treated at Sefton general hospital since 1979; what timetable has been established for the relocation of services provided at Sefton general hospital; and where the individual clinical specialties will be relocated from Sefton general hospital.

Mr. Dorrell *[holding answer 7 June 1991]:* The information about the number of patients treated is given in the table. The hon. Member may wish to contact Mr. Emberton, the district chairman, for the additional information which is not held centrally.

Number of patients treated at Sefton General Hospital since 1979

Year	[1] *In-patients*	[3] *Day cases*	[2] *Out-patients*
1979	4,419	159	30,655
1980	3,856	0	23,598
1981	4,144	0	22,678
1982	3,522	0	22,013
1983	2,448	0	8,258
1984	2,485	0	9,693
1985	2,478	0	8,654
1986	1,850	0	8,132
1987-88	n/a	0	n/a
1988-89	[3]1,993	0	n/a
1989-90	[3]2,484	0	n/a

[1] Source: 1979—1986 DH Form SH3, 1987-88—Discharges and deaths.
[2] Source: 1979—1986 DH Form SH3
[3] Finished ward stays: Form KP20.

Waiting Lists

Mr. Terry Davis: To ask the Secretary of State for Health how many people had been waiting for more than a year for an operation in east Birmingham district on *(a)* 31 December 1989 and *(b)* 31 March 1991.

Mrs. Virginia Bottomley *[holding answer 11 June 1991]:* There were 458 people waiting over a year for in-patient operations in east Birmingham district at 31 December 1989 and 456 at 30 September 1990, the latest date for which fully validated waiting list information is held centrally.

Since March 1979 the number waiting over a year for an operation in east Birmingham has fallen by 78 per cent. whilst numbers treated have increased in the order of 32 per cent.

This information is on a "provider" basis and does not relate to the districts' resident population.

Mr. Terry Davis: To ask the Secretary of State for Health whether he will identify and list the 20 waiting lists for operations in the west midlands region with more than 25 per cent. of cases waiting for a year or more.

Mrs. Virginia Bottomley *[holding answer 11 June 1991]:* The information as at 30 September 1990 is given in the table. In west midlands region as whole 23 per cent. of the total number waiting were waiting over one year. In the 12 months to September 1990 the number waiting over a year for in-patient treatment has fallen by 12 per cent. and by 37 per cent. since March 1979. At the same time more patients are being treated. Two and a half per cent. more in-patients were treated in the region in 1989-90 than in 1988-89 and in the order of 29 per cent. more than in 1979.

Districts within West Midlands RHA where the percentage of patients waiting for an operation in specific specialties for more than 12 months is greater than 25 per cent. of the total number of patients waiting.
Position as at 30 September 1990.

District and Specialty	*Patients waiting over 12 months*	
	Number	*Percentage of total waiting*
Bromsgrove and Redditch		
Trauma and Orthopaedics	451	39
Oral Surgery	108	41
Obs and Gyn (Gynaecology)	346	48
Herefordshire		
General Surgery	361	47
Trauma and Orthopaedics	471	45
ENT	213	45
Plastic Surgery	77	76
Kidderminster and District		
General Surgery	95	28
Obs and Gyn (Gynaecology)	67	29
Worcester and District		
General Surgery	330	41
Trauma and Orthopaedics	180	29
Shropshire		
Ophthalmology	418	37
Oral Surgery	211	60
Mid-Staffordshire		
Trauma and Orthopaedics	308	39

District and Specialty	Patients waiting over 12 months: Number	Patients waiting over 12 months: Percentage of total waiting
North Staffordshire		
Neurosurgery	69	43
Plastic Surgery	215	60
South East Staffordshire		
Urology	95	37
ENT	284	35
Rugby		
General Surgery	134	38
Oral Surgery	93	52
North Warwickshire		
Urology	100	41
Plastic Surgery	515	55
South Warwickshire		
General Surgery	508	41
Oral Surgery	191	67
Central Birmingham		
Urology	133	33
Trauma and Orthopaedics	147	29
ENT	493	51
Neurosurgery	100	53
Paediatric Surgery	75	35
North Birmingham		
Trauma and Orthopaedics	262	37
South Birmingham		
Urology	110	48
Trauma and Orthopaedics	402	27
Oral Surgery	208	64
Plastic Surgery	105	31
Coventry		
Oral Surgery	216	62
Cardiothoracic Surgery	97	26
Dudley		
Urology	116	34
Ophthalmology	147	29
Plastic Surgery	949	61
Sandwell		
Urology	105	39
Neurosurgery	60	27
Wolverhampton		
General Surgery	274	27
Trauma and Orthopaedics	300	39
Oral Surgery	46	37

Source: KHOT SM12 Demand for elective admission

Health Service (Capital Spending)

Mr. Robin Cook: To ask the Secretary of State for Health what was the total level of hospital and community health services net capital expenditure, excluding receipts from land and property sales in *(a)* cash, *(b)* constant prices adjusted by the gross domestic product deflator and *(c)* constant prices adjusted by the changes in the input unit costs since 1973-74.

Mr. Waldegrave *[holding answer 17 June 1991]:* The information requested is given in the table. In order to give a complete picture of capital investment in the NHS, spending financed through property and land sales is also shown as this is a valuable extra resource which health authorities are able to retain and spend in addition to their cash limits.

	Cash prices		Adjusted by the GDP deflator 1990-91 prices		Adjusted for change in input unit costs 1990-91 prices	
	A	B	A	B	A	B
Net HCHS capital						
1973-74			236	1,280		1,398
1974-75			243	1,101		1,157
1975-76			327	1,181		1,192
1976-77			356	1,132		1,159
1977-78			315	881		897
1978-79			358	903		913
1979-80			395	854		834
1980-81			540	987		906
1981-82			651	1,085		1,058
1982-83			682	1,061		1,091
1983-84			692	1,029		1,086
1984-85			767	1,085		1,155
1985-86	899		803	1,078	1,142	
1986-87	915		1,207		1,278	
1987-88	914		1,187		1,239	
1988-89	922		1,126		1,177	
1989-90	1,206		1,057		1,123	
1990-91	1,458		1,299		1,345	
			1,458		1,458	
Gross HCHS capital						
1973-74			236	1,280		1,398
1974-75			243	1,101		1,157
1975-76			327	1,181		1,192
1976-77			356	1,132		1,159
1977-78			315	881		897
1978-79		[1]8	366	923		933
1979-80		[1]10	405	876		855
1980-81		[1]16	556	1,016		933
1981-82		[1]20	671	1,118		1,091
1982-83		[1]19	701	1,091		1,122
1983-84		[1]33	725	1,078		1,137

	Cash prices				Adjusted by the GDP deflator 1990-91 prices		Adjusted for change in input unit costs 1990-91 prices	
	A		B		A	B	A	B
1984-85			[1]50	817		1,156		1,230
1985-86	[1]85	985	[1]85	888	1,322	1,192	1,400	1,262
1986-87	[1]149	1,064			1,380		1,441	
1987-88	[1]201	1,115			1,373		1,436	
1988-89	[1]279	1,201			1,377		1,462	
1989-90	[1]232	1,438			1,549		1,603	
1990-91	[1]220	1,678			1,678		1,678	

[1] Capital receipts—mainly from land sales.

Note

Because of transfers between programmes it is not possible to produce a consistent run of figures over the whole period. Figures in presentation A have been adjusted to reflect the transfer to HCHS of FHS administration, disablement services authority and FHS cash limited spending and for the redefinition of capital. The figures in presentation A do not reflect these transfers and are therefore not comparable with those for later years.

ENERGY

Energy Projections

Mr. Simon Hughes: To ask the Secretary of State for Energy if he has any plans to revise the projections set out in Energy Paper 55.

Mr. Moynihan: Yes, as part of the review of renewable energy strategy.

Nuclear Power Stations

Dr. Thomas: To ask the Secretary of State for Energy on how many occasions in 1991 the nuclear installations inspectorate has reported on interruptions of fuel supply to valves controlling cooling gases at Hinkley B nuclear power station; and if he will make a statement.

Mr. Heathcoat-Amory: I understand that no such incident has been reported. However, there was an incident at Hinkley Point B, on 1 May, which involved the incorrect closure of a valve controlling fuel supplies to the gas turbines. These turbines provide standby electrical supplies to the site. There was no immediate danger and the error was found and rectified during a routine test. The Health and Safety Executive's nuclear installations inspectorate is considering what enforcement action should be taken.

Power Line, Canford Heath

Mr. Morgan: To ask the Secretary of State for Energy (1) if he will place in the Library a copy of the consent he gave for the construction of an electricity power line across the site of special scientific interest at Canford Heath, Dorset;

(2) whether an environmental impact assessment was submitted with the application to construct an electricity power line at Canford Heath, Dorset;

(3) what assessment he made of the effect of the proposed electricity power lines across Canford Heath, Dorset on the site of special scientific interest, prior to granting consent;

(4) what consultations he had with the European Commission concerning the application of the European Community directive on the Conservation of Wild Birds (79/409/EEC) to the proposed electricity power line across Canford Heath, Dorset, prior to giving consent.

Mr. Heathcoat-Amory: My right hon. Friend the Secretary of State for Energy, has today placed in the Library of the House copies of the decision letter and the two consents which were issued on 17 June. As is explained in the decision letter he considered carefully whether to require an environmental statement but decided that he already had sufficient environmental information to enable him to reach a decision. As the decision letter also makes clear he considered very carefully the environmental effects of the proposals, particularly in the light of the requirements of the EC directive on the conservation of wild birds, in reaching his decision. No consultations were held with the European Commission since implementation of the directive is the responsibility of member states.

WALES

Public Conveniences

Mr. Grist: To ask the Secretary of State for Wales how many and what representations have been made to his Department during the last 12 months regarding the provision of public conveniences.

Mr. Nicholas Bennett: None, except for those made by my hon. Friend in February and March this year.

Mr. Grist: To ask the Secretary of State for Wales what policy guidance is given by his Department to local authorities regarding the provision of public conveniences.

Mr. Nicholas Bennett: Since the provision of public conveniences is a matter for local authorities, no policy guidance has been issued by the Welsh Office.

Immunology

Mr. John Morris: To ask the Secretary of State for Wales if he will provide funding for the appointment of a consultant immunologist in Wales.

Mr. Nicholas Bennett: The funding and appointment of a consultant immunologist in Wales is a matter for the appropriate district health authority. The Department has not received an application for approval or funding of a consultant post in this specialty.

NHS Staff

Mr. Butler: To ask the Secretary of State for Wales if he will give the percentage change in the number of administrative and clerical staff in the national health service in Wales between September 1979 and the latest available date.

Mr. Nicholas Bennett: It is not possible to give wholly accurate information on this matter. There is uncertainty about the information base. With this proviso it is calculated that between September 1979 and May 1991 there was a 36·5 per cent. increase in whole time equivalent administration and clerical staff employed by the NHS in Wales. This figure includes a large clinically related element.

Factors leading to growth include:

Introduction of general management and recategorisation of some staff;

Strengthening of certain functions (eg finance, IT) associated with White Paper implementation;

New initiatives, eg health education, drug abuse, administration support for professional staff;

Organisational developments eg Planning Forum, VFM, HIU.

Housing Consultancy Contact

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his parliamentary reply of 6 June, *Official Report*, column *311*, if he will give the total amount paid in consultancy fees to Aldbourne Associates Ltd. or its predecessor for each financial year since 1983.

Mr. Nicholas Bennett: As promised in my answer of 6 June, I shall write to the hon. Gentleman as soon as this information is available and place a copy of my letter in the Library of the House.

Students (Finance)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what recent estimate he has made of the number of students in Wales who give up courses in further and higher education colleges due to financial difficulties.

Sir Wyn Roberts: Colleges of further and higher education in Wales have been asked to provide information on the number of students who did not start or continue a course for financial reasons. This information is being collected as part of the monitoring of access funds and relates to students who have been refused support. Information relating to the current academic year will be available this autumn.

Radon

Mr. Barry Jones: To ask the Secretary of State for Wales how many measurements he has made of radon concentrations in dwelling houses in Wales; what plans he has to make further radon measurements and if he will make a statement on radon levels in dwelling houses in Wales.

Mr. Nicholas Bennett: Over 1,000 dwellings are included in a survey of radon levels in Wales which the National Radiological Protection Board is carrying out on behalf of the Department. Preliminary indications are that most Welsh homes are not adversely affected by radon although a very small perecentage of houses may have levels of radon above the action level.

The full results of the survey are expected shortly and I will consider the need for further investigation at that time.

Children (Accidents)

Mr. Barry Jones: To ask the Secretary of State for Wales how many accidents there were to children in each of the counties of Wales in each of the years 1985 to 1991.

Mr. Nicholas Bennett: The information requested is not available in the exact form requested.

The information given in table 1 relates to the number of children aged 0 to 16 years admitted to hospitals in each of the counties as a result of an accident, including road traffic accidents, accidents at work, at home or elsewhere. Figures for 1990 and 1991 are not yet available.

Table 2 gives the numbers of children aged 0 to 16 years who were casualties of road traffic accidents in Wales and includes all severities of injury. Complete data for 1991 are not available. Those casualties of road accidents who were admitted to hospital in Wales, other than at accident and emergency departments, are included in both tables 1 and 2.

Table 1
Children aged 0-16 years admitted to hospital as result of an accident[1]

	1985	*1986*	*1987*	*1988*	*1989*
Clwyd	1,582	1,604	1,425	1,390	1,389
Dyfed	1,253	1,307	1,241	1,160	1,127
Gwent	1,842	1,683	1,744	1,507	1,444
Gwynedd	890	749	775	850	812
Mid Glamorgan	2,367	2,276	2,450	1,803	1,502
Powys	48	55	50	50	34
South Glamorgan	1,420	1,346	1,419	1,334	1,440
West Glamorgan	1,018	1,115	1,235	1,241	1,235

[1] Based on information supplied by hospitals.
Excludes children seen at an accident and emergency department who were not admitted to hospital.

Table 2
Road accident casualties aged 0-16 years

	1985	*1986*	*1987*	*1988*	*1989*	[1]*1990*
Clwyd	403	416	467	476	516	451
Dyfed	326	336	289	277	349	389
Gwent	394	399	344	362	407	434
Gwynedd	250	231	224	243	258	223
Mid Glamorgan	465	448	459	550	519	503
Powys	87	100	107	79	86	118
South Glamorgan	366	317	340	345	375	382
West Glamorgan	335	326	323	311	392	357

[1] Provisional.

Mental Handicap

Mr. Barry Jones: To ask the Secretary of State for Wales how many severely mentally handicapped patients there are in each of the counties of Wales; how many such patients were resettled from hospital into the community accompanied by hospital nurses; what funds he has made available to enable such patients to be resettled; and if he will make a statement.

Mr. Nicholas Bennett: The following table shows the number of people with a mental handicap who are registered with a county joint planning team, registration and service provision not being dependent on the definition of the severity of mental handicap. Also shown are the actual numbers of people resettled by the end of March 1991 and those planned for resettlement during 1991-92. The expenditure shown excludes the funding to be made available by district health authorities.

Information about the number of people with a mental handicap who have been resettled from hospital into the community accompanied by a hospital nurse is not held centrally.

	Number of people	*Number resettled by 31 March 1991*	*Number planned for 1991-92*	*Planned Welsh Office funding under mental handicap strategy in 1991-92*
Clwyd	1,430	40	12	1,128,000
Dyfed	1,290	—	—	—
Gwent	1,750	94	44	1,370,000
Gwynedd	893	3	19	729,000
Mid Glamorgan	2,089	14	20	400,000
Powys	674	13	24	140,000
South Glamorgan	1,025	37	20	250,000
West Glamorgan	1,300	12	12	573,000
TOTAL	10,406	213	151	4,590,000

I congratulate everyone involved in the all-Wales mental handicap strategy on the excellent work being done under this pioneering initiative to resettle people with a mental handicap in the community.

Children Act 1989

Mr. Michael: To ask the Secretary of State for Wales what he estimates as being the total additional cost that will fall on local authorities in Wales in order to implement the Children Act 1989 in full *(a)* in the present financial year and *(b)* in a full financial year.

Mr. Nicholas Bennett: My right hon. Friend does not lay down in detail how local authorities should allocate the overall resources available to them but rather indicates his view of appropriate spending through the indicative service distribution of total standard spending. The total covering personal social services (including specific grants) is £224 million for 1991-92, an increase of £37·2 million (19·9 per cent.) over the equivalent figure for 1990-91. This increase allows for the part-year implementation of the Children Act from October 1991. The equivalent figures for 1992-93 will not be available until details of the settlement are announced in the autumn.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Wales, pursuant to the answer of 3 June, *Official Report*, columns *21-22*, whether the figures given for 1990-91 are consistent with the figures given for 1988-89 in the answers of 30 April 1990, *Official Report*, columns *426-27*, and 10 May 1990, *Official Report*, column *191;* and when figures for 1989-90 will be available.

Mr. David Hunt: The figures for energy consumption are not comparable. Those given in the answer of 30 April 1990 related to total consumption for buildings where my Department was in occupation but not in all cases the sole occupant. Those given in the answer of 3 June related to the precise areas of accommodation occupied by my Department and are a more accurate reflection of its consumption. The energy cost figures given in the answer of 3 June 1991 and 10 May 1991 are consistent, as both relate to areas occupied. Figures are available for 1989-90 but they are unreliable.

Women Civil Servants

Mr. Barry Jones: To ask the Secretary of State for Wales what action he is taking to encourage promotion of women civil servants within his Department.

Mr. David Hunt: My Department is committed to a policy of equality of opportunity. It has introduced a range of measures to enable women to develop their careers. These include flexible working hours, part-time working, job-sharing, re-instatement, career breaks, holiday play schemes and, shortly, a nursery. Guidance to staff emphasises that there must be no discrimination against women in decisions about recruitment, promotion, staff reporting, allocation to duties or selection for training. An annual report monitors these areas in detail. My Department also runs single-sex training courses for women to improve their opportunities for progression into senior grades.

Treatment Centres

Mr. Morgan: To ask the Secretary of State for Wales what arrangements he has made for the payment of transport costs of patients attending for surgery, consequential treatment and examination at the three treatment centres set up in 1989-90 and in the proposed new ophthalmology treatment centre.

Mr. Nicholas Bennett: Travel arrangements to all the treatment centres is the responsibility of the referring health authority. When an authority is not prepared to accept this cost it is for the patients to decide whether to meet the cost themselves. Patients in receipt of income support, family credit or with a low income entitlement may reclaim their costs under the hospital travel costs scheme.

Housing

Mr. Gwilym Jones: To ask the Secretary of State for Wales when he expects to issue planning policy guidance on affordable housing for local needs.

Mr. Nicholas Bennett: We are today publishing guidance in a circular describing the role the planning system can play in securing the provision of affordable housing, and advising how additional land may be released to meet local needs in rural areas. The circular follows similar advice issued to local authorities in England last month and announced in the House by my hon. Friend the Minister for Housing and Planning at the Department of the Environment. Copies of the circular have been placed in the Library of the House.

THE ARTS

Community-based Projects

Mr. Michael: To ask the Minister for the Arts what assessment he has made of the impact of Government policy on opportunities for *(a)* adults and *(b)* young people to be involved in community-based arts projects.

Mr. Renton *[holding answer 18 June 1991]:* The Government's support for community arts is channelled through the Arts Council of Great Britain and the regional arts associations. Both provide financial support for the Arts Development Association which represents those involved in the provision of community-based arts projects. The regional arts associations also support a wide range of individual projects, usually in partnership with local authorities. These provide many opportunities for involvement by all sections of the community.

NATIONAL FINANCE

Income Tax

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will estimate for 1991-92 and for a full year the effect on Treasury revenues of introducing an indexed 1987-88 regime of higher rates and bands of income tax.

Mr. Maude: If, for 1991-92, the higher rate of 40 per cent. was replaced by the basic rate limit and higher rate bands indexed from their 1987-88 levels, the yield would be about £2 billion in 1991-92 and about £4 billion in a full year. All other aspects of the 1991-92 income tax regime are assumed unchanged. The rates of tax would be:

Taxable income (£)	*Per cent.*
1 – 23,400	25
23,401 – 26,700	40
26,701 – 33,300	45
33,301 – 43,700	50
43,701 – 54,100	55
Over 54,100	60

Taxable income is income subject to tax from all sources after deducting allowances and reliefs. No account is taken of possible behavioural changes or of any effect on receipts of capital gains tax.

Business Taxes

Mrs. Gorman: To ask the Chancellor of the Exchequer what information he has on the level of business taxes as expressed as a percentage of gross natural product in *(a)* the United States of America, *(b)* Germany, *(c)* Japan and *(d)* the United Kingdom for 1978-79 and for the most recent year for which figures are available; and if he will make a statement.

Mr. Maude: The latest available information in respect of direct taxes paid by corporations can be obtained from page 92 in the November 1990 issue of "Economic Trends" (No. 445) which is available in the Library of the House. It is not possible to distinguish separately indirect taxes paid by corporations.

European Community Budget

Sir Richard Body: To ask the Chancellor of the Exchequer what is his latest estimate of the United Kingdom contribution to the EC budget for the current year.

Mr. Maude: The latest estimate of the United Kingdom's net contribution to the European Community budget in 1991 is £1,225 million. This was published in the "Statement on the 1991 Community Budget" (Cm. 1490).

Security Vetting

Mr. Terry Davis: To ask the Chancellor of the Exchequer how many posts in the Inland Revenue in Northern Ireland are subject to counter-terrorist checks under the new procedures for security vetting announced by the Prime Minister on 24 July 1990.

Mr. Maude: All new recruits to posts in the Inland Revenue in Northern Ireland are subject to counter-terrorist checks. In the period 1 October 1990 to 18 June 1991 a total of 150 posts have been filled.

Public Information

Mr. Wilson: To ask the Chancellor of the Exchequer (1) if he will state the reasons for file T160/763/F14755 having been retained to date by the Treasury.

(2) if he will arrange for the file T160/763/F14755, currently held by the Treasury, to be placed in the Public Records Office;

(3) if it is open to the hon. Member for Cunninghame, North to inspect file T160/763/F14755.

Mrs. Gillian Shephard: According to our research this file appears to have been destroyed in 1977. As a result of a clerical error the PRO was not informed.

Value Added Tax

Ms. Ruddock: To ask the Chancellor of the Exchequer if he will reconsider the decision to exclude children's cycle helmets from the exemption from value added tax applied to children's clothing.

Mrs. Gillian Shephard: Cyclists' safety helmets falling within the provisions of group 17 of schedule 5 to the VAT Act 1983, as articles designed for young children and not suitable for older persons, are and always have been zero-rated for value added tax.

Child Support Agency

Mr. Allen: To ask the Chancellor of the Exchequer what savings his Department expects to make as a result of the operation of the Child Support Agency after maintenance tax relief in each year from 1993 to 2000.

Mr. Maude: The introduction of the Child Support Agency is expected to have a negligible effect on the cost of tax relief for maintenance payments.

DEFENCE

RAF Finningley

Mr. Redmond: To ask the Secretary of State for Defence if he will list for the latest date he has available in respect of Royal Air Force Finningley how many service married quarters there are in stock and *(a)* the number vacant, *(b)* the number vacant for less than six months, *(c)* the number vacant for up to a year, *(d)* the number vacant for up to two years and *(e)* the number vacant over two years.

Mr. Archie Hamilton: As at 31 March 1991 there were 522 service married quarters at RAF Finningley of which 155 were vacant. Of these, 33 had been vacant for up to one year, 78 between one and two years, and 44 for over two years. The majority of these properties were either undergoing or awaiting major maintentance and modernisation work while the remainder have been identified for disposal. Figures for quarters vacant for less than six months are not separately collated.

Service Men Overseas

Mr. Redmond: To ask the Secretary of State for Defence if he will list for 1981 and the latest date he has available the countries in which *(a)* service men and *(b)* service women were serving for each of the armed services.

Mr. Archie Hamilton: The information requested is in the tables below. The breakdown between service men and service women is not available centrally and could be provided only at disproportionate cost.

1981

Antarctica
Australia
Bahamas
Bahrain
Bangladesh
Barbados
Belgium
Belize
Bermuda
Brazil
Brunei
Canada
Cyprus
Denmark
Diego Garcia
Falkland Islands
Fiji
France
Germany
Ghana
Gibraltar
Greece
Holland
Hong Kong
India
Italy
Korea
Kuwait
Malaysia
Mauritius
Nepal
New Zealand
Nigeria
Norway
Oman
Portugal
Qatar
Sardinia
Saudi Arabia
Singapore
Sri Lanka
Sudan
Swaziland
Turkey
United Arab Emirates
USA
Zimbabwe

1991

Antarctica
Antigua
Ascension Island
Australia
Bahrain
Bangladesh
Barbados
Belgium
Belize
Bermuda
Brazil
Brunei
Canada
Columbia
Cyprus
Denmark
Diego Garcia
Dominica
Egypt
Falkland Islands
France
Gambia
Germany
Ghana
Gibraltar
Greece
Grenada
Holland
Hong Kong
India
Italy
Jordan
Kenya
Korea
Kuwait
Lesotho
Malaysia
Mauritius
Namibia
Nepal
New Zealand
Norway
Oman
Portugal
Qatar
Sardinia
Saudi Arabia
Sinai
Singapore
Spain
St. Lucia
St. Vincent
Swaziland
Turkey
Turks and Caicos Islands
United Arab Emirates
USA
Zimbabwe

Notes:
1. Including United Kingdom service personnel on loan to other countries or territories.
2. Excluding defence attachés and defence advisers.

VIPER Microprocessor

Mr. Dalyell: To ask the Secretary of State for Defence (1) pursuant to his answer of 23 May, *Official Report*, column *611*, if he will now make a further statement on his assessment of the consequences of his Department's announcements as to the reliability of the VIPER microprocessor and role in its market launch;

(2) if he will make a statement on his Department's handling of its dealings with Charter Technologies Ltd. in respect of *(a)* the VIPER microprocessor and *(b)* other contracts.

Mr. Kenneth Carlisle: I have nothing to add at this stage to the answer that I gave the hon. Member on 23 May at column *611*.

Buccaneer Jet (Near Miss)

Mrs. Ray Michie: To ask the Secretary of State for Defence what progress has been made into investigating the near-miss of a Buccaneer jet and Caledonian-MacBrayne ferry "Lord of the Isles" on 30 April; and if he will make a statement.

Mr. Kenneth Carlisle: The investigation into this incident is progressing and should be completed shortly.

Negligence

Mr. John Browne: To ask the Secretary of State for Defence if he will set out the provisions governing the practice of his Department in making available documents to service men bringing suit against the Government for negligence under the Crown Proceedings (Armed Forces) Act 1987.

Mr. Archie Hamilton: The Department's practice is to meet all reasonable requests from the legal representatives of service men for the provision of relevant documents or information to assist them in formulating a common law damages claim, subject to any overriding constraints on the disclosure of a document.

Mr. John Browne: To ask the Secretary of State for Defence whether the requirement to prove negligence by Her Majesty's Government before compensation would be received applies to *(a)* a civil servant in his Department and *(b)* a membr of the Territorial Army, injured in circumstances similar to those involving Grenadier Guardsmen at Batus range Canada on 7 July 1989.

Mr. Archie Hamilton: Yes.

Household Division

Mr. John Browne: To ask the Secretary of State for Defence if he will give an estimate of the overall financial cost of the Household Divison in fulfilling its public duties role over each of the past five years.

Mr. Archie Hamilton: I refer the hon. Member to the answer given to the hon. Member for Ealing, North (Mr. Greenway) on 19 February 1991 at col. *136*.

Mr. John Browne: To ask the Secretary of State for Defence what estimate has been made of the contribution of the public duties activity of the Household Division towards the annual tourist income of the United Kingdom in each of the past five years.

Mr. Archie Hamilton: These activities are widely recognised to be a tourist attraction but their value in terms of tourist income is not readily quantifiable.

Mr. John Browne: To ask the Secretary of State for Defence what charge is made per man hour for the ceremonial work, including music, drill and musical rides, that is not directly in the service of the Crown, by members of the Household Division; and how much was generated from this source in each of the past five years.

Mr. Archie Hamilton: All ceremonial duties undertaken by members of the Household Division are performed directly in the service of the Crown. Other musical and display performances are undertaken in support of approved recruiting and other official activities are charged for at rates to recover costs, which vary according to circumstances. Information about the income generated is not recorded centrally and would require disproportionate effort to produce.

Gulf War

Mr. John Browne: To ask the Secretary of State for Defence what percentage of the men, equipment and ammunition of the two armoured brigades recently deployed in the Gulf war had to be added to the establishment of those brigades as at 2 August 1990.

Mr. Archie Hamilton: The peacetime establishment of 7th Armoured Brigade and 4th Brigade were increased by between two-thirds and three-quarters to bring them to war establishment, adjusted to take account of the circumstances of the Gulf deployment and in particular of the need for greater than normal logistic support. Equipment holdings were also brought up to war establishment and, for certain types, altered to take account of operational requirements in the Gulf; it is not possible to give an overall percentage.

Gurkhas

Mr. John Browne: To ask the Secretary of State for Defence (1) whether the manpower figure he gave for the British Army in his announcement of 4 June, *Official Report*, column 143, included the Brigade of Gurkhas; and what allowance he made for the continuation of the Brigade of Gurkhas after 1997;

(2) what effect his decision to maintain the Brigade of Gurkhas until 1997 has on the number of other battalions of the British Army to be maintained.

Mr. Archie Hamilton: The manpower figure given on 4 June included all Regular manpower, trained and untrained. I am not able to comment on the future of individual regiments, which is currently the subject of consultation within the Army.

Radiation Dosage

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence if he will publish in the *Official Report*, the text of the letter of 13 June to the hon. Member for Denton and Reddish concerning radiation dosage.

Mr. Kenneth Carlisle: The text of the letter is as follows:

"Further to my reply to your recent Parliamentary Questions and my letter to you of 3 May regarding radiation dose exposures, I am now able to supply the final version of the dose information for the dockyards and naval bases. This is attached. I can confirm that it does not differ from the provisional data supplied with my previous letter".

Table A Annual individual radiation dose equivalents—Rosyth dockyard civilian workers—1990 (Data supplied by BTL Rosyth)

	Figures
0-15 mSv	*1,455
15-20 mSv	5
20-30 mSv	0
30-40 mSv	0
40-50 mSv	0
More than 50 mSv	0
Number of monitored employees	1,460
Collective dose (ManSv)	2·24
Average dose (mSv)	1·53

Table B Annual individual radiation dose equivalents Devonport dockyard civilian workers—1990 (Data supplied by BTL Rosyth)

	Figures
0-15 mSv	*1,716
15-20 mSv	0
20-30 mSv	0
30-40 mSv	0
40-50 mSv	0
More than 50 mSv	0
Number of monitored employees	1,716
Collective dose (ManSv)	1·56
Average dose (mSv)	0·91

* Includes written system persons.

Table C Annual individual radiation dose equivalents all personnel—RNAD Coulport 1990

	Figures
0-15 mSv	*226
15-20 mSv	0
20-30 mSv	0
30-40 mSv	0
40-50 mSv	0
More than 50 mSv	0
Number of monitored employees	226
Collective dose (ManSv)	0·063
Average dose (mSv)	0·28

* All doses in the 0-5 mSv band.
Number includes 31 naval personnel (some may only have served at RNAD Coulport for part of the year).

Table D Annual individual radiation dose equivalents for all personnel at Clyde S/M base—1990

	Figures
0-15 mSv	337
15-20 mSv	21
20-30 mSv	28
30-40 mSv	1
40-50 mSv	0
More than 50 mSv	0
Number of monitored employees	387
Collective dose (ManSv)	2·093
Average dose (mSv)	5·41

Table E Annual individual radiation dose equivalents for all personnel at HMS Defiance—1990

	Figures
0-15 mSv	303
15-20 mSv	7
20-30 mSv	0
30-40 mSv	0
40-50 mSv	0
More than 50 mSv	0
Number of monitored employees	310
Collective dose (ManSv)	0·897
Average dose (mSv)	2·89

Aircraft Shelters, Stornoway

Mr. Macdonald: To ask the Secretary of State for Defence whether he plans to proceed with the construction of hardened aircraft shelters at RAF Stornoway.

Mr. Archie Hamilton: The construction of the shelters is under discussion with the NATO authorities.

Compensation (Interim Payments)

Mr. Speller: To ask the Secretary of State for Defence when Mr. Dennis Brown of New Park farm, East Anstey, will receive an interim payment in compensation for his free-range chickens, following Royal Air Force low-flying activities.

Mr. Kenneth Carlisle: Mr. Dennis Brown of New Park farm, East Anstey, will receive an interim payment within the next two weeks.

Mr. Speller: To ask the Secretary of State for Defence what is the practice of his Department in respect of making interim payments of compensation to persons whose cases have been taken up by hon. Members.

Mr. Kenneth Carlisle: Interim payments are generally made to claimants where it has been shown that some financial hardship exists. It is departmental policy that all official action is suspended once cases have been taken up by hon. Members, while Ministers review the cases.

Tigerfish Torpedo

Mr. Boyes: To ask the Secretary of State for Defence what is the total cost to date of the Tigerfish torpedo programme; and if he will provide a breakdown of the costs attributable to *(a)* Tigerfish Mod. 01, *(b)* Tigerfish Mod. 1 and *(c)* Tigerfish Mod. 2.

Mr. Kenneth Carlisle *[holding answer 17 June 1991]:* The total cost of development and production of Tigerfish to date is around £1 billion in 1991-92 prices. This breaks down as about £540 million for the MOD O, about £270 million for the MOD 1 and about £200 million for the MOD 2.

Written Answers to Questions

Friday 21 June 1991

ENERGY

Electricity Prices

Sir Robert McCrindle: To ask the Secretary of State for Energy what discussions he has held with the Office of Electricity Supply on the post-privatisation pricing system for industrial users of electricity; what representations he has received from industrial users on the pricing system; and if he will make a statement.

Mr. Heathcoat-Amory: My right hon. Friend and I meet the Director General of Electricity Supply from time to time when we discuss a range of matters including electricity prices. I have received a number of representations from industrial users about electricity prices. Under the new competitive regime we have put in place it is for large users to use their commercial strength to negotiate the keenest prices from a number of potential suppliers.

EDUCATION AND SCIENCE

Church Schools

Mr. Pawsey: To ask the Secretary of State for Education and Science what is the number of children aged between 5 and 16 years being educated in church schools; and what were the comparable figures for 1980 and 1985.

Mr. Fallon: The number of children of compulsory school age being taught in maintained church schools in England in January 1990 is shown in the following table. Comparable figures for 1980 and 1985 are also shown.

Pupils of compulsory school age in maintained church schools

Type of school	*1980*	*1985*	*1990*
Church of England	804,874	695,414	704,303
Roman Catholic	663,766	577,381	558,370
Methodist	6,000	4,060	4,004

Truancy

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Science, pursuant to his oral answer of 23 April, *Official Report*, column 886, what information is available on a non-standard national basis about levels of truancy in *(a)* primary and *(b)* high schools.

Mr. Fallon: This information is not collected centrally.

Teachers' Pay

Mr. Morgan: To ask the Secretary of State for Education and Science how many teachers in full-time employment with seven years' experience are earning *(a)* £10,000 to £12,000, *(b)* £12,000 to £14,000, *(c)* £14,000 to £16,000, *(d)* £16,000 to £18,000, *(e)* £18,000 to £20,000, *(f)* £20,000 to £22,000, *(g)* £22,000 to £24,000 and *(h)* £24,000 to £26,000 per annum, or the nearest convenient salary break points.

Mr. Eggar: Information on the number of teachers in full-time employment with seven years' experience as at 31 March 1988 is shown in the table. Information for later years is not yet available.

Maintained nursery, primary and secondary sector full-time teachers with seven years' experience[1]

Salary at March 1988	*England*
Under £10,000	1,746
£10,000—£12,000	5,905
£12,000—£14,000	3,023
£14,000—£16,000	1,863
£16,000—£18,000	384
Over £18,000	28
TOTAL	12,949

[1] Indicates teachers with completed service of seven but less than eight years at 31 March 1988.

English Teaching

Ms. Armstrong: To ask the Secretary of State for Education and Science (1) what was the cost of the report undertaken by Professor Ron Carter and others into the teaching of English;

(2) if he will place in the Library a copy of the report prepared by Professor Ron Carter and others on the teaching of English.

Mr. Eggar: The material commissioned, at a cost of some £120,000, was not a report but a training package for use as part of the language in the curriculum project. I will arrange for a copy to be placed in the Library.

Student Finance

Mr. Lewis: To ask the Secretary of State for Education and Science what research he has commissioned into the financial position of students following changes in support, including the student loan scheme and the withdrawal of income support and housing benefit.

Mr. Alan Howarth: The take-up of student loans is monitored by the Student Loans Company and the Department. We intend to conduct periodically student income and expenditure surveys comparable with the baseline survey published in 1989, and to review the access funds scheme after three years.

Mr. Anthony Coombs: To ask the Secretary of State for Education and Science if he will announce the postgraduate bursary and studentship rates payable by his Department for the academic year 1991-92.

Mr. Alan Howarth: The main maintenance rates under the Department's own postgraduate awards scheme in the academic year 1991-92 will be as follows (1990-91 rates are shown in brackets):

	£	£
Bursaries		
London	2,950	(2,775)
Elsewhere	2,330	(2,195)
Parental home	1,760	(1,655)

	£	£
Studentships		
London	4,970	(4,690)
Elsewhere	3,950	(3,725)
Parental home	2,915	(2,750)

These represent increases of about 6 per cent. on the current year's rates. The relevant supplementary allowances will be increased broadly in line.

PRIME MINISTER

Vietnam

Dr. Thomas: To ask the Prime Minister when the Government next plan to meet representatives of the Vietnamese Government; and when he next intends to discuss with the United States Government trading policy on Vietnam.

The Prime Minister: The Government are urgently seeking discussions with the Vietnamese Government on the problems posed by the sharply increased rate of arrivals of Vietnamese migrants in Hong Kong. We regularly discuss all aspects of United States Indo-China policy at a high level with the United States Government.

SOCIAL SECURITY

Rent Rebates

Mr. Soley: To ask the Secretary of State for Social Security if he will set out the levels of contributions to rent rebates that local authorities are projected to make that correspond to the figures for HRAS (Rent Rebate) subsidy for 1992-93, and 1993-94, set out in figure 64 in the housing chapter of the current public expenditure plans, Cm. 1508.

Mr. Yeo: I have been asked to reply.

As stated by my hon. Friend on 28 March at column 535 no decisions have been taken as to the contributions which local housing authorities are estimated to make to their rent rebate costs in 1992-93 and 1993-94. This is because the amounts will depend largely on annual decisions about rent guidelines and management and maintenance allowances for those years. For general planning purposes, the entries at figure 64 in the housing chapter of Cm. 1508 include projected contributions to rent rebates of £420 million for 1992-93, and £536 million for 1993-94 based upon inflation only guideline increases for rent and management and maintenance allowances.

Pensioners' Expenditure

Mr. Redmond: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Don Valley of 4 June, *Official Report*, columns *109-10*, what information is kept on the levels of expenditure of pensioners; and to what extent this is broken down geographically.

Miss Widdecombe: Information on expenditure patterns is extracted from the family expenditure survey. While the published version does not give information on pensioners' expenditure below the national level the information can be broken down by region, although in many cases this can be achieved only at disproportionate cost while in others the size of the sample is too small to support a valid inference. The 11 regions in Great Britain are: the North, Yorkshire and Humberside, the North-West, the East Midlands, the West Midlands, East Anglia, Greater London, the South-East (excluding Greater London), the South-West, Wales and Scotland. Data can also be provided by type of administrative area, viz; Greater London, the Metropolitan district and Central Clydeside conurbation, non-metropolitan districts (with high population density) and non-metropolitan districts (with low population density), but the same caveats apply.

AIDS

Mr. Alfred Morris: To ask the Secretary of State for Social Security what reply he has sent to the letters of 31 January and 10 June from the Terrence Higgins Trust concerning the cost of diets for people with AIDS; and if he will make a statement.

Mr. Scott: I have replied to these letters today.

OVERSEAS DEVELOPMENT

Africa (Food Shortages)

Mr. Wigley: To ask the Secretary of State for Foreign and Commonwealth Affairs how much money has been allocated to counter food shortages in *(a)* Ethiopia, *(b)* Sudan, *(c)* Mozambique, *(d)* Angola, *(e)* Malawi and *(f)* Liberia from January to the present date; and what percentage of the 1990-91 and 1991-92 overseas aid budgets have been allocated to counter food shortages in each country.

Mrs. Chalker: The following bilateral food aid allocations to the named countries have been made since January 1991:

Country	*Cost (£ million) (Food aid)*	*Cost (£ million) (Non-food aid)*
Ethiopia	14·196	5·802
Sudan	10·959	3·626
Mozambique	3·000	2·000
Angola	0·700	1·885
Malawi (Mozambican refugees)	1·060	3·000
Liberia	0·0	1·456
Total	[1]29·915	17·769

[1] Does not include the United Kingdom share of EC food aid.

The remaining information is not available in the form requested. Bilateral food aid as a percentage of total bilateral aid to those countries in 1989-90 was as follows:

Country	*Food aid £ million*	*Total aid £ million*	*Percentage*
Ethiopia	5·182	12·730	41
Sudan	1·114	25·507	4
Mozambique	2·519	19·048	13
Angola	—	0·733	—
Malawi	—	26·965	—
Liberia	—	0·507	—

Vietnam

Mr. Ashley: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid has been given to Vietnam in the last five years; and what is its current gross national product per head.

Mrs. Chalker *[holding answer 20 June 1991]:* Britain has provided no direct bilateral aid to Vietnam in the last five years. Since May 1990 over £1 million has been committed in support of projects by British non-governmental organisations to assist with community development and the reintegration of boat people returning from Hong Kong. Since 1986 the United Kingdom has provided some £2·4 million towards EC food aid to Vietnam and our contribution through the European Commission's pilot scheme for the reintegration of returning boat people will be more than £1 million. No reliable data exists for Vietnam's GNP but it is estimated that in 1988 GDP per capita was approximately US$150-200.

HEALTH

Day Nurseries

Ms. Armstrong: To ask the Secretary of State for Health what categories of day nurseries are exempt from registration.

Mrs. Virginia Bottomley: The regulation and registration of day nurseries is currently governed by the Nurseries and Child-Minders Regulation Act 1948, as amended. Section 8 deals with exemption from the requirements of the Act, including registration.

The 1948 Act will be repealed when the Children Act 1989 comes into effect on 14 October 1991. Registration of day care facilities for young children will then be regulated under section 71 of and schedule 9 to the 1989 Act. Paragraphs 3, 4 and 5 of schedule 9 list exemptions from registration.

Optical Charges

Mr. Wigley : To ask the Secretary of State for Health if he will now make provision for the refund of optical charges under the health benefits low income scheme; and if he will make a statement.

Mrs. Virginia Bottomley: Refunds are already available under the low income scheme for NHS charges incurred for sight tests and also for spectacles provided by the hospital eye service. The review of the administration of the scheme which is now under way, will provide a fresh opportunity to examine the arrangements for optical refunds.

AIDS

Mr. Alfred Morris: To ask the Secretary of State for Health what decisions were made at the European Community Health Council on 4 June concerning the campaign against AIDS; and if he will make a statement.

Mrs. Virginia Bottomley: The European Community Health Council agreed to adopt a plan of action within the framework of the Europe against AIDS programme. The intention of the plan is that member states should benefit from the exchange of information, expertise and examples of good practice.

A copy has been placed in the Library.

Births

Ms. Harman: To ask the Secretary of State for Health, pursuant to his answer of 8 March, *Official Report*, column *322*, if he can now list for the year 1989-90 for England and for each NHS region (1) the percentage of women who had (i) general anaesthesia, (ii) epidural or caudal anaesthesia, (iii) spinal anaesthesia, (iv) combinations of these methods of anaesthesia and (v) none of these methods of anaesthesia during labour or delivery;

(2) the percentage of women (i) whose labours were surgically induced, (ii) whose labours were induced by oxytocic drugs, (iii) whose labours were induced by a combination of surgical methods and oxytocic drugs, (iv) whose labours were of spontaneous onset and (v) who had elective Caesarian sections;

(3) the percentage of women whose deliveries were (i) at a domestic address, (ii) in a consultant ward of an NHS hospital, (iii) in a general practitioner ward of an NHS hospital, (iv) in a combined consultant/general practitioner ward of an NHS hospital, (v) in a private hospital, (vi) in another hospital or institution and (vii) elsewhere;

(4) the percentage of women whose deliveries were conducted by *(a)* a hospital doctor, *(b)* a general practitioner, *(c)* a midwife and *(d)* a person other than a doctor or midwife.

Mrs. Virginia Bottomley: The estimated national percentages for England for 1989-90 are given in the tables. The feasibility of producing estimated percentages analysed by NHS region is still being investigated and I shall write to the hon. Member when our investigations are complete.

1989-90 England	*Per cent.*
(i) Anaesthetic administered	
General	7
Epidural or caudal	15
Spinal	1
Combination	1
Other including no anaesthetic	66
Not known	11
(ii) Method of onset of labour	
Spontaneous onset	74
Elective Caesarean	5
Surgically induced	4
Oxytocic drugs	8
Combination	6
Not known	3
(iii) Place of delivery	
At a domestic address	[1]0
In a consultant ward	64
In a GP ward	5
Consultant/GP ward	31
Private hospital	[1]0
Other hospital or institution	[1]0
Elsewhere	[1]0
(iv) Person conducting delivery	
Hospital doctor	24
General practitioner	[1]0
Midwife	72
Other	2
Not known	2

[1] Less than 0·5 per cent.

Source: Hospital Episode Statistics 1989-90.

Pregnancy

Mr. Alton: To ask the Secretary of State for Health how much public money was given by which regional health authorities to *(a)* the British Pregnancy Advisory Service and *(b)* the Life Care and Housing Trust for the last year for which figures are available.

Mrs. Virginia Bottomley: No central record is kept of donations or grants made by regional health authorities. The British Pregnancy Advisory Service receives income as a result of service provision contracts with some district health authorities. Details of these arrangements are not held by the Department.

Trent Regional Health Authority

Mr. Patchett: To ask the Secretary of State for Health what were the numbers of operations and waiting lists for ear, nose and throat operations carried out year by year since 1986 in Trent regional health authority.

Mrs. Virginia Bottomley *[holding answer 7 June 1991]:* The information requested is given in the table. It is the time that individual patients wait for treatment that matters, not the total number on the list. The number waiting more than one year for in-patient ENT treatment in Trent has fallen by 8 per cent. since September 1986 and by 33 per cent. since March 1979. At the same time the number of in-patients treated has increased by 6 per cent. since 1986 and by 53 per cent. since 1979.

Numbers of operations and patients awaiting elective admission for the ENT speciality in Trent RHA—In-patients

Date	Number of operations[1]	Total patients waiting[2]	Patients waiting over 12 months	
			Number[3]	Per cent.[4]
1986	n/a	8,873	1,798	20
1987	n/a	7,578	1,629	20
1988	26,708	8,630	1,561	18
1989	26,656	8,516	1,608	18
1990	27,239	9,262	1,659	17

[1] Figures relate to the total number of cases operated on in the year ending 31 March.
[2] Figures exclude self-deferred cases and relate to the position at 30 September.
[3] Figures relate to the position at 30 September and for 1987 to 1990 include any self-deffered cases.
[4] Figures for 1987 to 1990 are based on the number of patients including self-deferred cases.
n/a = Not available.

Sources: Number of operations: DH Form KH08
Patients awaiting elective admission: DH Form KH07.

Pre-school Care

Ms. Armstrong: To ask the Secretary of State for Health if he will give the numbers of *(a)* day nurseries, *(b)* childminders and *(c)* playgroups in 1990 and the number of places in each.

Mrs. Virginia Bottomley *[holding answer 18 June 1991]:* The information requested is set out in the table. The figures include registered provision, local authority provision and for day nurseries and play groups some provision exempt from registration (eg provision on crown property).

Day care facilities for children under five at 31 March 1990 (provisional figures)

	Premises	Places
(a) Day nurseries	2,920	87,450
(b) Childminders	93,070	205,470
(c) Playgroups	17,790	416,380

WALES

Local Government Finance

Mrs. Roe: To ask the Secretary of State for Wales if he will list the financial adjustment fixed by each charging local authority in Wales for 1991-92 to be paid by each charge payer as a result of the failure, anticipated or actual, of all charge payers to pay charges lawfully demanded; and what were the comparable figures for 1990-91.

Mr. Nicholas Bennett: The collection fund adjustments payable by charge payers in 1991-92 are shown in the table. These adjustments reflect a number of factors including local authority assumptions as to any losses in collection in 1990-91 and estimates of interest paid from and accrued to the collection fund in 1990-91 and 1991-92. There are no comparable figures for 1990-91.

Collection fund adjustments 1991-92

Charging authority	[1]£
Alyn and Deeside	0·00
Colwyn	−0·17
Delyn	1·99
Glyndwr	0·00
Rhuddlan	0·00
Wrexham Maelor	0·00
Carmarthen	−7·00
Ceredigion	−5·00
Dinefwr	0·00
Llanelli	−8·28
Preseli Pembrokeshire	−2·88
South Pembrokeshire	0·22
Blaenau Gwent	0·00
Islwyn	0·00
Monmouth	0·00
Newport	4·00
Torfaen	0·00
Aberconwy	−3·01
Arfon	0·00
Dwyfor	0·00
Meirionnydd	−3·01
Ynys Mon	−5·01
Cynon Valley	0·00
Merthyr Tydfil	−3·01
Ogwr	−3·00
Rhondda	−5·00
Rhymney Valley	0·00
Taff Ely	0·00
Brecknock	0·00
Montgomeryshire	0·00
Radnorshire	0·00
Cardiff	0·00
Vale of Glamorgan	0·00
Port Talbot	0·00
Lliw Valley	0·00
Neath	0·00
Swansea	0·00

[1] A positive figure in the table denotes an addition to the 1991-92 charge.

Labour Statistics

Mr. Morgan: To ask the Secretary of State for Wales if he will list total employment in the electronics and information technology industries in Wales in each year from 1979 to the most recent year available.

Sir Wyn Roberts: There are several sources of information for employment in the electronics industry over the past decade. The most complete series available is that of the Engineering Industry Training Board and are given in the following table.

Year	*Employment*
1979	13,000
1980	13,100
1981	12,300
1982	12,400
1983	13,600
1984	14,900
1985	15,300
1986	15,900
1987	18,600
1988	21,300
1989	23,200
1990	25,900

Source: Engineering Industry Training Board Statutory Returns.
Note: Employment estimates rounded to nearest 100.

Group Transport 2000 Plus Report

Dr. Thomas: To ask the Secretary of State for Wales what assessment he has made of the implications for Wales of the recommendations of the Group Transport 2000 Plus report on transport options for the future, published by the European Commission in January.

Sir Wyn Roberts: I refer the hon. Gentleman to the reply given on 20 June 1991 by my hon. Friend the Minister of State, Department of Transport. My right hon. Friend will assess the implications for Wales of the EC Commission's paper on Community transport policy when it has been completed.

Community Care

Mr. Alfred Morris: To ask the Secretary of State for Wales what assessment he has made of the advantages over the arrangements now operating in England of the proposed new grant scheme for promoting the development of more flexible forms of community care for elderly people and for people with physical or sensory disabilities; and if he will make a statement.

Mr. Nicholas Bennett: This grant scheme has been introduced in 1991-92, for which we have announced allocations of £1·3 million to pump-prime innovation. It is too early to judge its effectiveness. Selected schemes will be subject to independent evaluation, along the lines of the existing arrangements to evaluate our earlier initiative to promote the development of innovative services for elderly people, with the aim of identifying and disseminating good practice. However, our main effort of assessment will go into the wider annual review of performance of social services and health authorities in developing effective social and community care, for which the principal means of Government financial support are, and will remain, the revenue support grant to local authorities and mainstream allocations to health authorities.

Departmental Circulars

Mr. Wigley: To ask the Secretary of State for Wales if he will make it his policy to ensure that hon. Members representing Welsh constituencies receive copies of all circulars issued by his Department to local authorities in Wales.

Sir Wyn Roberts: Those circulars issued by the Welsh Office to local authorities which deal with decisions or advice on important aspects of policy are distributed as a matter of course to hon. Members representing Welsh constituencies.

If the hon. Gentleman has experienced any difficulties with this arrangement perhaps he would write to my right hon. Friend so that my right hon. Friend can consider the matter further.

Video Recordings

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Cardiff, West of 18 June, *Official Report*, columns 96-97, if he will list those video cassette recordings purchased for use in conjunction with the video recorder installed in his flat at the Crown Buildings, Cathays park, Cardiff.

Sir Wyn Roberts: None.

ENVIRONMENT

Wild Birds

Mr. Simon Hughes: To ask the Secretary of State for the Environment what responsibilities his Department has for *(a)* conservation, *(b)* transport and *(c)* the welfare of imported wild birds.

Mr. Baldry: My Department has numerous responsibilities for the conservation of imported wild birds under:

- the convention on international trade in endangered species of wild fauna and flora (CITES), and EC Regulation 3626/82, which implements the convention in the European Community;
- the Endangered Species (Import and Export) Act 1976;
- the Wildlife and Countryside Act 1981; and
- EC Directive 79/409/EEC on the Conservation of Wild Birds.

Although these measures are primarily concerned with conservation, some contain subsidiary requirements relating to transport and welfare matters.

Community Charge

Mr. Fraser: To ask the Secretary of State for the Environment if he will investigate the reasons for the discrepancy between the number of community charge payers of 41,900,000 registered for 1990 in England, Scotland and Wales and the Government's estimated size of the population aged 18 years and over of the same countries of 43,160,000.

Mr. Key: The difference of 1,260,000 between the number of people shown on community charges registers in Great Britain and the estimated population aged 18 years and over is largely attributable to the number of exempt people. We estimate that at least 870,000 people are exempt from the personal community charge, not

including those who are exempt by virtue of living in short stay accommodation or because they have no fixed abode, for which no reliable information is available. Other factors affecting the comparison are: errors in the registers or under-registration; errors in reporting the numbers on the registers; errors in estimates of the adult population, which are based on the 1981 population census; and to a limited extent differences in timing and definition. It is not possible to quantify any of these factors.

Mr. Spearing: To ask the Secretary of State for the Environment if he will publish a table showing, for each local authority levying a community charge in England and Wales, the sum shown in their respective demand statements following the words "plus other adjustments", stating the nature of all elements or charges comprising such adjustments together with his, or other estimate, of the proportion of the global sum attributable to the additional shortfall of income for the year 1990-91 and projected shortfall for 1991-92, respectively.

Mr. Key *[holding answer 20 June 1991]:* I am arranging for the available information for England to be placed in the Library of the House. Information for Wales is a matter for my right hon. Friend the Secretary of State for Wales.

Hazardous Waste

Mr. Redmond: To ask the Secretary of State for the Environment if he will list, by year for the last 10 years, the countries which have made shipments of hazardous waste to England for disposal reported under the Transfrontier Shipment of Hazardous Waste Regulations.

Mr. Baldry: Information on the importation of waste by country of origin into the United Kingdom is available only since the introduction of the Transfrontier Shipment of Hazardous Waste Regulations in October 1988.

The information in respect of imports of waste for disposal in England for the financial years 1 April to 31March for 1988-89, 1989-90 and 1990-91 is shown in the following table.

Countries of origin

1988-89	*1989-90*	*1990-91*
Australia	Australia	Australia
Belgium	Austria	Austria
Canada	Belgium	Bahamas
Denmark	Canada	Belgium
Hong Kong	Channel Islands	Canada
Ireland	Germany	Germany
Italy	Denmark	Denmark
Netherlands	Finland	France
Switzerland	Ireland	Ireland
	Italy	Isle of Man
	Netherlands	Italy
	Norway	Luxembourg
	Singapore	Malaysia
	Spain	Netherlands
	Sweden	Portugal
	Switzerland	Singapore
	United States	Spain
		Sri Lanka
		Sweden
		Switzerland
		United States

Aggregates

Mr. Walden: To ask the Secretary of State for the Environment if he will list the organisations and individuals who have been sent a copy of his Department's report "Guidelines for Aggregates Provision in England and Wales, Review of MPG6"; and which organisations and individuals have formally been asked to submit comments on this report.

Mr. Yeo: To date 170 organisations and individuals have received this report. They are as follows:

Forecasts report
Penny Smyth—CBI
P. Stant—Savilles
Mrs. D. Milford—ECC Quarries
Robert Wemyss—Western Isles Island Council
D. Parkinson—Alfred McAlpine
D. Clark—West Midland Regional Forum
O. Avarrey—Evered Bardon Quarry Products
Harry Dicken—Mill Stream Cottage
C. Leese—Northern Aggregates
Tim Hammond—Aspinwall and Co.
J. Milner—Huntsman Quarries
B. McDonald—Nacco UK Ltd.
Claire Duncan—TM Economics
N. Everington—United Marine Aggregates
Ronald Dovan—Davy Energy and Environmental Ltd.
C. Williams—Ennemix Dev Ltd.
J. Hyde—CBI (Library)
G. Wilson—Davy Energy and Environmental
Terry Macintyre—SAGA
Mrs. Norrie—ECC Quarries
J. Drew—EEC Construction Materials Ltd.
Mrs. M. Williams—ECC Quarries
Sarah Leatherdale—MDIS Ltd.
J. Dickinson—CSL Surveys
Elizabeth Garland—CPRE
C. Dobbs—Tarmac Roadstone
Lisa Prior—McKenna and Co.
B. Dwyer—Hall Aggregates
Miss G. Mead—Alfred McAlpine Quarry
John Prescott MP—House of Commons
Chris Blasdale—Evered Barden plc
Moya Watson—Savilles Research
Tom Economou—RMC Group
D. Mathers—Equity Research
J. Bace—Countryside Commission (Library)
D. Bays—Association of County Councils
J. Jarver—Information Centre (EC1)
A. Everrad—Cardiff
N. Greene—Strutt and Parker
A. Carrington—Wimpey Minerals
A. D. Aggregates—Kidderminster, Worcestershire
J. Bennett—Pioneer Concrete Holding plc
B. West—Lazard Brothers
Mr. Harrison—Minerals Planning
F. Thompson—Strutt and Parker
C. Couzens—Royal Society for Nature Conservation
D. Sanderson—Martells
Mrs. E. Franklin—Somerset Trust for Nature Conservation
Dr. M. Bell—Co. Durham
P. Stephenson—Kendall, Cumbria
M. Hyslop—Pollerton, Nottinghamshire
Redlands Aggregates—Huntingdon, Cambridgeshire
T. Fairhead—Gent Fairhead and Co.
P. Scott—Greenham Construction
M. O'Neill
C. Stubbings—Mid-Essex Gravel
Mrs. J. Arkell—Wiltshire County Council
Dr. M. Bell—Co. Durham
Megan Mackay—Baring Brothers
D. Neil-Gallacher—Alfred McAlphine
P. Pomisford—Steetley plc
Mrs. Morris—Steetley plc
Mrs. M. Allan—Ron Allan Associates
M. Gentle—ARC Central
R. Ward—Tarmac Ltd.
Dr. C. Nicholas—ECC Quarries

Miss M. Steer—John Lang plc
Jill Davies—DSD Consultants Ltd.
N. Herbert—Pioneer Concrete
J. Drew—ECC Construction
Mrs. M. Buteux
P. Garrad
A. Mackay MP—House of Commons
K. Walmsley—Berkshire CC
Mrs. E. Pollock—Davis Langdon & Everest
Ms. E. Wilson—Headington, Oxford
P. Chillingworth—CNC Mineral Planning Services
C. Thompson—Frittch Cartwright
Mrs. J. Crooks—Steetley Quarry Products
K. Foley—ECC Quarries Ltd.
M. Johnson—Gloucestershire CC
Mrs. E. Potts
K. Adams—K. Adams Ltd.
A. Short—The Library, Gerald Eve & Co.
R. Donald—County Natwest
T. Bauman—Pegson Ltd.
M. Thompson—Walton, W. Yorks
Mr. Monk—Shepperton, Middlesex
Ms. L. Rowles—Saunders Sobel Light & Dobin
C. Martindale—Tarmac plc
Mrs. Blakemore—Tarmac Quarry
G. Jenkins—Wyn, Thomas & Partners
G. Storey
Ms. H. O'Neil—Linklaters & Paines
Lisa Prior—McKenna & Co.
R. Warrington—ECC Quarries Ltd.
S. O'Brien—P.O. Box 90, Erskine House
Steetley Quarry Products—SRO Leicestershire
R. Stock—Land and Mineral Resources Ltd.
Miss D. Cottle—Boral (UK) Ltd.
Ms. C. Pomeroy
K. Scholar—Eastleigh, Hants
G. Jenkins—Trainload Freight
J. Pick—MAFF
Ms. R. Jones—Buckinghamshire CC
M. Oakley—County Planning Officer Avon County Council
M. Gwilliam—County Planning Officer Bedfordshire CC
M. Shaw—County Planning Officer Norfolk CC
Dr. C. Nicholas—ECC Quarry
T. Ruizendaal—Spoorfingel Netherlands
B. Prior—Summerleaze Ltd.
S. Fantom—Tarmac Roadstone Ltd.
S. Hammond—Greenham Constr. Materials
Bowen Wells MP—House of Commons
J. Rennilson—County Planning Officer N. Yorks County Council
M. Flynn—County Planning Officer Mid-Glamorgan CC
L. Rendell—County Planning Officer Warwickshire CC
J. Henry—Wimpey Asphalt
G. Sadler—CharterHouse Pier Head Liverpool
Ms. C. Yates—Colas Holding Ltd.
W. Jermey—RMC (UK) Ltd.
Ms. M. Beth Glenn—Donald Zilkha & Co. New York 10022
Mr. P. Webster—Chief Planner Leicestershire County Council
W. Biggs—County Planning Officer Cumbria CC
P. Eyton-Jones—Dir. Arch. Planning Est. Clwyd CC
D. Tattersall—County Planning Officer Lancashire CC
B. Frost—RMC, RMC House Middlesex
S. O'Brien—SAGA
S. Savery—Redland Aggregates Ltd. Bradgate House Leicestershire
B. Spiers—Scottish Development Department Edinburgh EH1
Mr. P. Smith—CAGE
P. Hale—Secretary SWRAWP Avon CC
E. Turner—Secretary SERPLAN
Ian Thomas—Secretary EMRAWP National Stone Centre
T. Higgins—Wanlip Gravels Forest Field Loughborough
D. Thomas—ARC Aggregates Chipping Sodbury
R. Parry—Tarmac Quarry Production Wolverhampton
P. Samuel—Agriculture, Development and Advisory Service MAFF
B. Buckle—SERPLAN London
A. J. Williams—County Planning Officer Mid Glamorgan CC
P. Gordon—Cumbria CC
T. Macintyre—SAGA
D. Pollock—BACMI
B. Howarth—Tilcon Knaresborough
B. Courtier Welsh office Cardiff CF1
Ms. E. Close—Land Use and Tenure MAFF
C. Curry—Welsh Office Cardiff
B. A. Price—West Mid Reg Forum
J. Geldard—Lancashire CC
B. Marfleet—Norfolk County Council
Ralph Keeble Assoc.—Colchester Essex CO1 1RQ
K. Pearce—Boston Consulting Group Devonshire House Mayfair P1
J. Cowan—Ocean Shipping Cons. Chertsey Surrey
D. Harker—Tilcon Ltd.
K. Standing—Royal Soc. for the Protection of Birds Bedfordshire
B. Plowden—Council for the Protection of Rural England
M. Sant—Dennis Harmer & Partners Town Planning & Dev. Cons. Cardiff Business Park
P. Farrent—Secretary The Mendip Society
Celia Hukins—Manchester Chamber of Commerce & Industry 56 Oxford Street M60 7HJ
Mr. Horsley—Manstock Geotech. Cons. Manchester M3
G. Culley—Nature Conservancy Council
C. Stevens—Nature Conservancy Council
D. McLaren—Friends of the Earth London N1
R. W. Gisby—Charterrail Ltd. London NW2
A. Ball—12 Rose Bank Lynn, Cheshire
R. Haywood—Manchester College of Arts & Tech.
J. Robertson—Research & Dev. Shetland Island

A formal consultation exercise has not been undertaken, but my Department welcomes comments on the report from all interested parties.

EMPLOYMENT

Energy Expenditure

Mr. Dobson: To ask the Secretary of State for Employment if he will give figures for energy expenditure in 1989-90 and 1990-91 consistent with those given for 1988-89 in the answer of 30 April 1990, *Official Report*, column *448*.

Mr. Forth *[holding answer 19 June 1991]:* The information requested is as follows:

	1989-90 *£ million*	*1990-91* *£ million*
Electricity	6·558	6·651
Gas	2·628	2·578
Other	0·759	0·480

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Employment, pursuant to his answer of 3 June, *Official Report*, column *108*, what information he can provide on energy consumption for 1989-90 and 1990-91 to update, on a comparable basis, the information given in his answer of 30 April 1990, *Official Report*, column *448*.

Mr. Forth *[holding answer 19 June 1991]*: I regret that this information is not available for 1989-90. For 1990-91 I refer to my written answer of 3 June 1991.

HOME DEPARTMENT

Prison Suicides

Mr. Cox: To ask the Secretary of State for the Home Department what has been the number of suicides by inmates at prisons in England and Wales since 1 January.

Mrs. Rumbold: Between 1 January and 18 June 1991, 16 prisoners died at their own hand in prison service custody.

Long-stay Patients

Mr. Fearn: To ask the Secretary of State for the Home Department (1) what plans he has to remove the need for people with a mental handicap in long-stay hospitals to complete a patient's declaration before they are allowed to register to vote; and if he will make a statement;

(2) what plans he has to allow people with a mental handicap to use the addresses of their long-stay hospital as their residence for voting purposes; and if he will make a statement;

(3) how many residents in long-stay mental handicap hospitals are registered to vote;

(4) what plans he has to review the rule relating to voting for people resident in long-stay mental handicap hospitals; and if he will make a statement.

Mrs. Rumbold: Voluntary patients in psychiatric hospitals may register as electors in respect of any address with which they have been associated other than the hospital address. There are no plans to review this arrangement or the requirement for voluntary patients to make a declaration in order to register.

A total of 1,661 voluntary patients are included on the 1991-92 electoral register in the United Kingdom, broken down as follows:

	Number
England	883
Wales	164
Scotland	523
Northern Ireland	91

Work Permits

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department in what circumstances visas are granted for non-EC and non-Commonwealth residents to come to work in Britain for stays of a few weeks where payment is made by their employer in the country of origin; what assessment is made of the requirement for a work permit; and if he will make a statement.

Mr. Peter Lloyd: Under the Immigration Rules (HC 251 as amended) work permits are generally required by all non-EC nationals coming to work in the United Kingdom, irrespective of their length of stay or the source of their remuneration. Work permits are normally issued to employers only where jobs requiring high qualifications and skills cannot be filled by the EC labour force, and should be obtained from the Department of Employment before the person travels to the United Kingdom. The rules do, however, permit overseas-based people to enter without a work permit as business visitors in order to transact such business as attending meetings and briefings; negotiating contracts; delivering goods and, where necessary, installing and advising on the operation of their machinery here; or if they are sent by international companies to liaise with or advise United Kingdom subsidiaries. Business visitors who are nationals of the countries listed in the appendix to the rules must obtain a visa before travelling here.

Police Searches

Mr. Vaz: To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of Leicestershire on the circumstances surrounding the search of the home of the hon. Member for Leicester, East's constituent Mr. Peach of 15 Rushey close, Leicester.

Mr. Peter Lloyd *[pursuant to his reply, 28 January 1991, c. 371]:* I now understand from the chief constable of Leicestershire constabulary that a search did take place at the home of the hon. Member's constituent. The search was made following the arrest of a member of the family on suspicion of theft. The person concerned was later released without charge.

TRANSPORT

Road Safety

Mr. Fearn: To ask the Secretary of State for Transport what studies his Department has conducted into the effects of glare from on-coming car lights on dual carriageways and motorways.

Mr. Chope: Trials were carried out in the early 1960s and in the late 1970s into the effects of anti-dazzle screens erected on the central reserves of sections of the M1 and M6 motorways. The M6 trial was covered by three reports, a report by the Office of Population Censuses and Surveys, social survey division No. SS 1058 of 1976; TRRL report SR 327 of 1977 and TRRL report No. 955 of 1980. Copies of these reports are in the Library of the House.

There is continuing concern about glare from on-coming lights on all types of roads, often resulting from the poor standard of aim of headlamps on vehicles. This is why new stricter checks on aim will be introduced shortly into the annual test for heavy goods vehicles and extended to cover private car testing as soon as possible.

Traffic Congestion

Ms. Ruddock: To ask the Secretary of State for Transport what research has been conducted by his Department into the effects on traffic congestion of building new roads or widening existing roads; and if he will ensure that such research is placed in the Library.

Mr. Chope: The effects on traffic congestion of building new roads or widening existing roads are a major element in the traffic and economic appraisals carried out by the Department for all improvements to trunk roads. The Department's methods of traffic and economic appraisal have been developed over many years, based on a continuing and substantial programme of research projects.

In the traffic and economic appraisal of road schemes, the effect on traffic flows, queues and speeds are estimated first; these are then valued through the time savings to business and private road users and the improved productivity of commercial vehicles. For schemes in the current roads programme, on average, the present value of benefits, discounted at 8 per cent., is 2·4 times the present value of costs.

Ms. Ruddock: To ask the Secretary of State for Transport what research has been done by his Department

into the savings on emissions from a reduction in congestion; and if he will publish the modelling and methodolgy used to calculate the relationship between emissions and traffic congestion.

Mr. Chope: The research evidence on road transport emissions of greenhouse gases is summarised in TRRL contractor report No. 223, "UK road transports contribution to greenhouse gases: a review of TRRL and other research", a copy of which has been placed in the Library. To predict the impact of individual schemes on congestion, the Department makes use of detailed traffic simulation models. The models make use of information on road link and junction characteristics to predict vehicle flows and speeds which can in turn be used to estimate fuel consumption and emissions. The Department has a substantial programme of research into this and other environmental issues.

Road Accidents

Mr. Butcher: To ask the Secretary of State for Transport what was the number of cars registered and in use; and how many car drivers were *(a)* killed and *(b)* injured in road accidents for each year in the periods (i) 1980 to 1983 and (ii) 1986 to 1990.

Mr. Chope: The information requested is given in the table. Road accident casualty data for 1990 is not yet available.

Cars currently licensed and car drivers killed and injured: Great Britain: 1980-1983, 1986-1990

	Private cars currently licensed thousands	*Car driver casualties*		
		Killed	*Injured*	*Total*
1980	14,772	1,339	78,454	79,793
1981	14,943	1,346	79,733	81,079
1982	15,303	1,472	82,791	84,263
1983	15,543	1,198	71,941	73,139
1986	16,981	1,340	89,816	91,156
1987	17,421	1,327	90,683	92,010
1988	18,432	1,280	98,307	99,587
1989	19,248	1,498	107,681	109,179
1990	19,742	n/a	n/a	n/a

Mr. Butcher: To ask the Secretary of State for Transport how many motorcycles were registered and in use; and how many motorcyclists were killed in road accidents for each year in the periods *(a)* 1970 to 1973 and *(b)* 1986 to 1990.

Mr. Chope: The information is given in the following table. Figures are for two wheeled motor vehicles, which are motorcyles, motor scooters and mopeds. Road accident casualty data for 1990 is not yet available.

Although the number of motorcycles registered has declined, the use of these vehicles has increased. Total motorcycle traffic rose by an estimated 53 per cent. between 1970 and 1989.

Two-wheeled motor vehicles currently licensed and two-wheeled motor vehicle riders killed Great Britain: 1970-73, 1986-90

	Two-wheeled motor vehicles currently licensed (Thousands)	*Two wheeled motor vehicle riders killed*
1970	1,048	652
1971	1,021	657
1972	982	626
1973	1,006	641
1986	1,065	665
1987	978	650
1988	912	611
1989	875	636
1990	833	—

Alnwick (Traffic)

Mr. Beith: To ask the Secretary of State for Transport what assessment has been made of the reduction in traffic within the Alnwick built-up area which would result from providing a direct access from the A1 to the A1068.

Mr. Chope: None.

Marine Radio-navigation

Dr. Goodson-Wickes: To ask the Secretary of State for Transport whether he will make a statement about the future of marine radio-navigation in United Kingdom waters.

Mr. Rifkind: The United Kingdom has been negotiating over a period of time with eight other countries on the possible adoption of Loran C as part of a joint regional system of marine radio-navigation in north-west Europe and the North Atlantic. My right hon. Friend the then Secretary of State told the House in April 1990 the conditions on which the United Kingdom would in principle have been prepared to enter into an international agreement if it could be achieved by mid-1991. Some but not all of those conditions have been met. But a new factor has been a revised proposal recently put to me by the Racal Electronics Company to modernise and operate the existing Decca chains in the United Kingdom at a lower cost than in their 1988 proposal.

I have examined the proposal carefully and Racal has made further improvements to it. I now have decided to accept the Racal proposal and to withdraw from the Loran C discussions. Two main factors have led to this conclusion. First, it is now very doubtful whether an international agreement could be concluded and brought into effect within a timescale which would both ensure a three-year transitional period before the closure of the United Kingdom Decca system (under the existing contract by early 1997) and avoid a price increase in the Loran C investment. Second, the revised Racal proposal means that the case has changed significantly in favour of retaining the Decca system, both in the overall economic appraisal and in the effect on light dues. After taking account also of the costs of a change for users, I have concluded that, despite some factors which point towards Loran C, it would no longer be reasonable to impose this change of system on the United Kingdom user community. In reaching this conclusion, I have had particular regard to the representations made to my by the

fishing and electronics engineering industries against a change to Loran C, and to the fact that the Decca system continues to serve the mariners' needs satisfactorily within the overall requirements of marine safety.

Our partners in the international negotiations on the Loran C proposal are being informed of my decision. I now intend to invite the general lighthouse authorities to give effect to my decision by entering into formal negotiations with the Racal company on a new contract for operating the Decca system.

Orange Badge Scheme

Mr. Harry Barnes: To ask the Secretary of State for Transport when he intends to seek the implementation of the new draft regulations on the operation of the orange badge scheme; and if he will make a statement.

Mrs. Golding: To ask the Secretary of State for Transport if he will announce an implementation date for the new regulations governing the orange badge scheme for the disabled.

Mr. Chope *[holding answer 19 June 1991]:* I refer the hon. Members to the answer that I gave to my hon. Friend the Member for Exeter (Mr. Hannam) on 21 March at column *212*.

Speed Limits

Sir Patrick McNair-Wilson: To ask the Secretary of State for Transport, what recent discussions he has had with chief constables and others about the current level of speed limits on motorways.

Mr. Chope *[holding answer 12 June 1991]:* I have had no recent discussions with the police or others on this question but shall be meeting the M25 Chief Constables' Committee next month and will also be supporting the message of the forthcoming police national motorway campaign that drivers should drive safely and obey the law.

FOREIGN AND COMMONWEALTH AFFAIRS

Foreign Affairs Council

Mr. Ralph Howell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the Foreign Affairs Council on 17 and 18 June.

Mr. Garel-Jones: A meeting of the Foreign Affairs Council took place in Luxembourg on 17 and 18 June. My right hon. Friend, the Secretary of State for Foreign and Commonwealth Affairs and I represented the United Kingdom.

The Council adopted the food credit regulation for the Soviet Union. It reached a political orientation on a regulation covering technical assistance for the Soviet Union and instructed the committee of permanent representatives to continue its work.

The Council agreed that participation in the negotiations on a European energy charter should be limited to European countries (including the USSR) and the non-European members of the Organisation for Economic Co-operation and Development. The Council decided that other countries may accede to the Charter at a later stage and, together with representatives of international organisations, may be invited to attend the negotiations as observers.

The Council agreed on a mandate for the Presidency in its negotiations with EC staff unions on pay arrangements.

EC and EFTA ministers reviewed progress in the negotiations on a European economic area, which will extend the single market to the EFTA countries. Representatives of the two sides will meet again in Salzburg next week to discuss the next steps. The United Kingdom will continue to contribute constructively to these negotiations, with a view to their early and successful conclusion. We strongly support the idea of a European economic area, which will bring significant economic and practical benefits to the European Community and EFTA.

Ministers issued a statement welcoming the abolition of the Population Registration Act in South Africa. They also agreed that EC sanctions against Iraq should be maintained. They decided to give active support for the role of the UN in northern Iraq and to examine with the UN Secretary General what further humanitarian assistance could be provided for those in need in southern Iraq.

European Political Union

Mr. Burns: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the ministeral meeting of the intergovernmental conference on political union on 17 June.

Mr. Garel-Jones: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the ministerial meeting of the inter-governmental conference on political union on 17 June. The meeting discussed the structure of the draft treaty on political union, competence issues, and the institutional chapter of the draft treaty.

On the overall structure of the treaty, member states and the Commission fall into two camps: those who would like to see a unitary structure with all the activities of the European union coming under the treaty of Rome and those like us who would prefer to see a common foreign and security policy and co-operation on interior/justice matters preserved outside the provisions of the treaty of Rome. The latest Presidency draft treaty is a compromise between these two positions, maintaining three separate pillars of co-operation but attempting to bring them together under a unitary structure. My right hon. Friend argued that, while ingenious, this remained undesirable. The discussion was inconclusive.

The Presidency has proposed the extension of Community competence in a number of areas. The meeting discussed both the principle and the practical details of these proposed extensions. My right hon. Friend emphasised that we were not convinced of the need to extend Community competence in the areas under discussion.

Discussion of the institutional chapter focussed on the proposed co-decision procedure between the Council and the European Parliament. A range of views was expressed.

Several member states thought a co-decision undesirable or unnecessary, others could accept the procedure proposed and some member states wished to see the European Parliament's legislative role expanded even further. My right hon. Friend made it clear we did not see a case for upsetting the existing institutional balance. My right hon. Friend also emphasised the importance we

attached to ensuring the rule of law in the Community and argued for the United Kingdom proposals to strengthen the court of justice's powers to ensure compliance with its judgments.

Progress in the inter-governmental conference on political union will be reviewed by the European Council on 28-29 June.

Mr. Ramesh Kumar

Mr. Gorst: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what evidence relating to the funding of two-way travel, as well as support and accommodation while in the United Kingdom, together with guarantees from the hon. Member for Hendon, North about Mr. Kumar's subsequent departure from the United Kingdom, would suffice to enable a temporary visitor's visa to be issued to Mr. Ramesh Kumar so as to enable him to make a visit to London at the suggestion of and for the purpose of consulting the hon. Member for Hendon, North about matters concerning Mr. Kumar's wife;

(2) what specific guarantees from the hon. Member for Hendon, North regarding departure after the termination of a visa for a temporary visit to the United Kingdom would be acceptable to enable Mr. Ramesh Kumar to make a visit to London at the suggestion of and for the purpose of consulting the hon. Member about matters relating to his wife.

Mr. Lennox-Boyd: The immigration rules do not require specific evidence to be produced in support of an application. The evidence necessary to satisfy an entry clearance officer will vary in individual cases according to the applicant's economic, social and other circumstances.

Libya

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether any representations were received from the United States or any other country prior to his decision to reject the recent Libyan approaches for better relations with the United Kingdom; and if he will make a statement.

Mr. Douglas Hogg: We have received no such representations.

Liberia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the French Government about stopping the flow of arms from the Ivory Coast to Charles Taylor's forces in Liberia.

Mrs. Chalker: None, but my officials have regular contacts with the French Government at which a wide range of issues, including developments in west Africa, are discussed.

CIVIL SERVICE

Occupational Health Service

Mr. Simon Burns: To ask the Minister for the Civil Service what progress has been made in preparing a strategic plan for the civil service occupational health service executive agency; and what performance targets have been set for its second year of operation as an agency.

Mr. Renton: The OHS prime financial target for 1991-92 is to recover its full costs by charging customers for its services. Its subsidiary targets are to provide its services at a cost of £472 per productive professional day, and at a cost of £25 per case referral. In addition I have set quality targets of 70 per cent. customer satisfaction rated as very good or excellent, tight turn-round times for case referrals, and the issue of 80 per cent. invoices without errors.

THE ARTS

Local Museums

Mr. Atkinson: To ask the Minister for the Arts what is his response to the Audit Commission report "The Road to Wigan Pier" on the funding of local museums; and if he will make a statement.

Mr. Renton: I welcome the Audit Commission's report, "The Road to Wigan Pier?" which makes a number of constructive recommendations for local authorities and their museums and galleries. Officials from my Department have had a constructive discussion with the Audit Commission on the report.

The Audit Commission's report covered similar ground to the recently published Museums and Galleries Commission report on local authorities and museums. I will be responding to that report in due course.

NATIONAL FINANCE

Taxpayers

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will reconcile the figures given in his answers of 3 June, *Official Report*, column *24*, and 6 June, *Official Report*, column *326*, concerning the total number of taxpayers with earnings above the national insurance upper earnings limit; and if he will publish figures separately for the number of employees who are basic rate taxpayers with earnings above the upper earnings limit.

Mr. Maude: My answer of 3 June provided the estimated numbers of taxpayers in 1991-92 analysed by range of earnings subject to national insurance contributions. Tax liability depends on the cumulative annual amount of income subject to income tax. The levels of earnings used in the analysis were the combined total from employment or self-employment for the whole year which were then compared with the annual equivalent of the NIC upper earnings limit. On this basis an estimated 1·9 million basic rate taxpayers whose main source of earnings is as an employee will have earnings above the UEL.

The answer given by my hon. Friend the Parliamentary Under-Secretary of State for Social Security on 6 June

showed the estimated average number of employees who, in any one week during 1991-92, will be liable for national insurance contributions and whose earnings will exceed the upper earnings limit. Additionally, the answer showed the estimated number of self-employed people who, during the year 1991-92, will be liable for national insurance contributions and whose profits will exceed the upper profits limit.

Money Laundering

Mr. Rathbone: To ask the Chancellor of the Exchequer, pursuant to his answer of 13 May, *Official Report*, columns *23-24*, how many reviews of control system and accounting records in money laundering related areas of banks or other financial institutions, have been undertaken; what have been the conclusion of such reviews; and what action has been taken in light of this.

Mr. Maples: To date there have been some 160 reports on systems and controls related to money laundering commissioned under section 39 of the Banking Act 1987 as part of a rolling programme of identifying and prioritising particular areas of supervisory interest. Banks generally appear to have appropriate systems in place and have, in particular, been helped in formulating and implementing such systems by the publication at the end of last year of the guidance notes on money laundering for banks and building societies.

Building Societies

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer if he will estimate the accumulated net receipts of income tax from building societies since 1985-86 and the amount affected by clause 50 of the Finance Bill 1991.

Mr. Maples: Accumulated net income tax receipts from building societies for the six years 1985-86 to 1990-91 were £18,097 million, excluding those subsequently repaid as a result of decisions by the courts. Of these, an estimated £227 million would be repaid if clause 50 were not enacted.

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer in calculating the composite rate of tax for building societies and banks, for each year since 1985-86, if the Inland Revenue took account of the extra payments of income tax subject to clause 50 of the Finance Bill 1991.

Mr. Maples: Changes in the timing of tax payments by building societies, reflecting changes in collection arrangements of the kind introduced by the Building Society Regulations 1986, the subject of clause 50, had no bearing on the level at which composite rate was set. However, from societies as a whole there was slightly less income tax due for the financial year 1986-87 than would have been due if the timing arrangements had been left unchanged.

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer if he will estimate the contributory effects of changes in *(a)* interest rates, *(b)* volume, *(c)* tax rates and *(d)* the switch from the accrual basis to paid basis of receipts of tax on sums extinguishing liability to tax of building societies comparing 1985-86 with 1986-87 and 1986-87 with 1987-88 and 1985-86 with 1988-89.

Mr. Maples: I regret that the information could not be provided without disproportionate cost.

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer what he estimates the cash flow effects to be of change from accrual to paid basis of extinguishing net tax liability of building society investors.

Mr. Maples: About £110 million less income tax was received in 1986-87 under the quarterly payment system than would have been due under the old system. However, under the new system, instalment payments amounting to £35 million were due in later years. The new system also affected cashflow within the tax year, by bringing forward the average date at which income tax was payable.

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer taking the expected net receipts of income tax from a building society as an index of 100, what are the index estimates of the maximum and minimum additional payments, consequent on the Finance Act 1986 change retrospectively validating the 1985 regulations, assuming the enactment of clause 50 of the Finance Bill 1991, taking account of the effects of the range of society year end and payment dates.

Mr. Maples: Payments due in a year may be advanced or retarded under the new system introduced by the 1986 building societies legislation. At one extreme would be a hypothetical society with an accounting period ending on the first day of the tax year, 6 April, and crediting interest to investors wholly on a monthly basis on the last day of each month. For that society, income tax due on the 11 months' interest credited on 30 April 1985 to 28 February 1986, less that which had accrued in the first six days of April 1985, would be due in four instalments on the 14 March of the 1986-87 to 1989-90 tax years; tax would also be due in each of those tax years in respect of the 12 monthly creditings made between 31 March to 28 February. Taking income tax due for payment under the old system as an index of 100 for the four years together, tax due in those four years under the new system would be 122·5.

At the other extreme would be a hypothetical society with an accounting period coinciding with the tax year, and crediting interest to investors wholly on an annual basis, on 1 March. For that society, no payment of income tax under the new system would be due in the 1986-87 tax year, except in respect of interest on accounts closed up to 28 February 1987. The 1987-88 payment would be slightly less than in a full year. Taking tax due for payment under the old system as an index of 100 for the four tax years 1986-87 to 1989-90, tax due under the new system, if no accounts were closed, would be 72·5.

Economic Growth

Mr. Cox: To ask the Chancellor of the Exchequer what has been the rate of economic growth in the United Kingdom per quarter since October 1979.

Mr. Maples: Figures of the gross domestic product are available from the CSO database which may be accessed through the Library.

North Sea Oil

Mr. Cox: To ask the Chancellor of the Exchequer what has been the income from North sea oil revenues received by the United Kingdom for each of the years from 1980 to 1990.

Mr. Maples: Annual revenues to the Exchequer from the North sea have been as follows:

	£ million
1980-81	3,743
1981-82	6,492
1982-83	7,822
1983-84	8,798
1984-85	12,035
1985-86	11,348
1986-87	4,783
1987-88	4,618
1988-89	3,179
1989-90	2,393
1990-91	2,337

Earnings

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will publish a table showing the number of adult male full-time civil servants and the estimated number earning less than (i) half and (ii) two-thirds of the median hourly earnings of all full-time adult male workers on full-time rates.

Mrs. Gillian Shephard: There were about 251,000 adult male full-time non-industrial civil servants on 1 April 1991, and about 49,000 adult male full-time industrial civil servants on 1 January 1991.

My Department does not collect information on actual earnings of individual civil servants. The available information closest to that requested, on the distribution of earnings of civil servants, is published in the New Earnings Survey 1990 part A table 1 and part B tables 36 and 52. A copy of these reports is in the Library.

TRADE AND INDUSTRY

Manufactured Goods

Sir Richard Body: To ask the Secretary of State for Trade and Industry what was the percentage change by volume in United Kingdom exports of manufactured goods to the existing 11 other members of the EEC from 1970 to 1990; and what was the percentage change in volume of imported manufactured goods from the same countries in the same period.

Mr. Sainsbury: Statistics of global trade with individual countries are available in value terms only. However, volume indices for total United Kingdom trade in manufactured goods are published in the monthly publication "CSO Monthly Review of External Trade Statistics", copies of which are available in the Library.

Internal Market Council

Mr. David Evans: To ask the Secretary of State for Trade and Industry if he will make a statement on the outcome of the Internal Market Council held in Luxembourg on 18 June.

Mr. Redwood: I attended the Internal Market Council on 18 June, the last of the Luxembourg Presidency. My right hon. Friend the Member for Norfolk, South-West (Mrs. Shephard) attended for the item on baggage regulation. A number of measures were agreed, and in particular, significant progress was made in two single market priority areas for the United Kingdom—public procurement and insurance.

In public procurement, there was agreement in principle to a common position on the directive on legal remedies in the utilities sector. This will ensure compliance with the directive agreed in 1990 on public procurement in this key sector (in the same way as a similar directive will ensure compliance with the earlier supplies and works directive).

The two insurance items agreed will pave the way for further progress towards the single market in insurance. Agreement on the directive on insurance company annual accounts provides a common framework of accounting rules for insurance undertakings, including Lloyd's. The second measure provides for an insurance committee to give expert assistance to the Commission in the exercise of implementing powers conferred by insurance directives, and to advise the Commission on the preparation of new proposals in insurance.

The Council also reached a common position on the draft regulation concerning checks on baggage of persons travelling on intra-Community flights or sea crossings. The Government successfully negotiated to retain essential United Kingdom frontier checks against drugs and other items. However, the United Kingdom still had significant objections relating to the infrastructural costs for airports and potential inconvenience to passengers; and to the proposed operative date of the regulation (1 January 1993). The Government therefore voted against.

The Council agreed to a common position on the regulation on the collection of intra-Community trade statistics. United Kingdom concerns that the proposed system would be burdensome to business were reflected in a Commission statement for the minutes.

The Council also adopted measures previously agreed at Council as common positions. These included the weapons directive (on which a common position was reached at the December Internal Market Council); two amendments to the directive restricting the marketing and use of dangerous substances (the 10th amendment adding cadmium, and the 11th amendment adding Ugilec 121, Ugilec 141 and DBBT); and the Council decision to release an additional 25 million ecu (£17·5 million) for the Community budget for small and medium-sized enterprises for 1990-93.

There were policy debates (without a vote taken) on a number of issues: the proposed second directive on diplomas; the proposed directive on sweeteners in foodstuffs; and the location of a Community trade marks office. The Council revisited the draft council resolution on trans-European networks, but Spain continued to seek additional finance for the proposal, preventing agreement to the draft resolution as it stands. The Presidency made progress reports on the draft regulation to create a supplementary protection certificate for medicinal products; and on the draft regulation to create a European company statute. All these subjects are likely to be considered again at future Councils.

Finally, the Commission presented its sixth annual report on implementation of single market measures, and the Luxembourg Presidency made a report on progress over the last six months towards completion of the single market. The United Kingdom, along with France and Denmark, were congratulated on their good implementation record for single market measures.

Radio Equipment

Mr. Steen: To ask the Secretary of State for Trade and Industry if he will take steps to allow equipment submitted for type approval to be re-submitted for partial testing, where it can be technically shown that any adjustments could in no way affect the previous tests.

Mr. Sainsbury *[holding answer 19 June 1991]:* Formal testing is carried out under strict national measurement accreditation service (NAMAS) accreditation requirements. Where the type test results in a report that shows that the equipment submitted fully meets the technical requirements of the appropriate specification or standard, a type approval certificate is issued to the applicant for type approval by the Radiocommunications Agency.

If, however, the equipment does not meet the appropriate technical requirements, at the request of the applicant, the type testing may be continued or terminated at that point. The equipment will then be returned to the applicant along with a complete or partial test report. The applicant who may be the manufacturer or importer will in most cases re-design, modify or adjust the equipment prior to making a new submission for formal type testing.

When re-design, modification or adjustment of equipment to rectify a failure mechanism for one parameter takes place it is possible that other parameters may be affected to a point where they would now result in a type test failure. It would place an unacceptable responsibility on test houses to expect them to make value judgments on the total effect of such rectification activities on the overall performance of a piece of equipment. In some instances it could result in a test house operating outside its (NAMAS) accreditation conditions. Thus the results obtained from a number of separate type tests will not be accepted for type approval certification.

This approach to type testing and approval is in conformance with current practice in other European Administrations.

Radiocommunications Agency

Mr. Steen: To ask the Secretary of State for trade and Industry in what circumstances the Radiocommunications Agency issues type approval certificates to companies which are not equipped with the identical test equipment used for type approval testing.

Mr. Redwood *[holding answer 19 June 1991]:* Type approval relates to an item of radio equipment submitted for type testing and approval against the appropriate specification or standard. The equipment submitted for type approval is required to be a representative sample of production equipment. Submissions for type testing are made by manufacturers or importers who are not assessed as to their technical abilities or access to technical facilities. Notwithstanding this the applicant has the responsibility to ensure that the equipment supplied to the market place complies fully with the specification or standard against which it was approved. Many large radio manufacturers have fully equipped and certified test laboratories which they use in the design and development of their products. However, smaller manufacturers and importers do not have the personnel, financial resources or suitable laboratory facilities to set up fully certified test facilities. In many cases they make use of external test facilities on a consultancy basis.

AGRICULTURE, FISHERIES AND FOOD

Aflatoxins

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food what response his Department made to the proposal in the report of the 22nd session of the Codex Alimentarius Committee on Food Additives and Contaminants—March 1990—that the maximum level of total aflatoxins should be set at 10 micrograms per kilogram for all foods.

Mr. Maclean: The United Kingdom and a number of other EC states made it clear at the Codex Committee on Food Additives and Contaminants that we favoured a limit of 4 micrograms per kilogram for nuts and figs and their products for sale for human consumption.

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Food Advisory Committee's consideration of the possibility of a one part per billion limit on aflatoxin in nuts for sale for human consumption.

Mr. Maclean: The committee concluded that it would be unrealistic to establish a limit for aflatoxin of 1 part per billion (ppb) at present. It recommended that the following statutory limits should be introduced:

4 ppb total aflatoxin for nuts, dried figs and their products for sale, for incorporation in any compound food or for import for human consumption;

10 ppb for such imports intended for further processing before sale or incorporation in any compound food for human consumption.

The proposed limits of 4 ppb is as strict as any set by other EC member states.

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food when and in what form he will issue proposals for revised aflatoxin limits for consultation.

Mr. Maclean: We aim to consult on draft regulations under the Food Safety Act 1990 establishing maximum limits for aflatoxins in certain foods stuffs in the course of the next few months.

Canthaxanthin

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food if he has consulted the United States Government regarding the use the canthaxanthin in food and feedstuffs.

Mr. Maclean: Scientists from this Department and the Department of Health have discussed the use of canthaxanthin in food and feedingstuffs with United States colleagues.

Fruit and Vegetables

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the expenditure in the United Kingdom under the common agricultural policy on *(a)* fruit and *(b)* vegetables, indicating whether the expenditure was on (i) export refunds, (ii) disposal measures, (iii) production support or (iv) other measures in each case; if he will list which fruits and vegetables were involved; and if he will make a statement.

Mr. Gummer: This is an operational matter for the chief executive of the Intervention Board Executive Agency who will write to the hon. Member.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he will permit the publication of research tests for BSE identification by Harash Narang on samples of bovine brain tissues supplied by his Ministry.

Mr. Gummer: Publication of the results of Dr. Narang's research is a matter for him and not the Government, but we would welcome it.

DEFENCE

Hong Kong

Mr. Sayeed: To ask the Secretary of State for Defence what changes in deployment are planned for Her Majesty's ships based in Hong Kong.

Mr. Archie Hamilton: In line with our overall intention to reduce the Hong Kong garrison in stages between now and 1997, all parts of the garrison are kept under continuous review.

HMS Endurance

Mr. Sayeed: To ask the Secretary of State for Defence whether he has plans to pay off HMS Endurance; and whether there are any plans for a replacement.

Mr. Archie Hamilton: No decision has been taken to decommission HMS Endurance. The requirement for a replacement is being considered. No decision has been taken.

Grenadier Guards (Accident)

Mr. John Browne: To ask the Secretary of State for Defence (1) what steps he took to satisfy himself beyond all reasonable doubt that the finding of the board of inquiry into the accident at Batus, Canada, on 7 July 1989 that no one is to blame for the incident was based upon proper investigation and well-founded evidence as heard by the board of inquiry;

(2) what steps he took to satisfy himself beyond all reasonable doubt that the finding of the board of inquiry into the accident at Batus, Canada, of 7 July 1989, that the soldiers were adequately briefed for the execution of their task was based upon proper investigation and well-founded evidence as heard by the board of inquiry

Mr. Archie Hamilton: The board of inquiry into the accident at the Batus range on 7 July 1989 was convened and conducted in accordance with the procedures laid down in Queens Regulations for the Army 1975 and the Board of Inquiry (Army) Rules 1956. The board's findings were considered and accepted by the relevant authorities in the chain of command.

Mr. John Browne: To ask the Secretary of State for Defence which country accepted responsibility under paragraph 28 of part IV of the exchange of notes between Her Majesty's Government and the Government of Canada of 26 November 1979, for the clearance of, including the removal of unexploded rounds from, the area of land in Batus, Canada, upon which Grenadier Guardsmen Adrian Hicks, John Ray and Sean Povey were ordered to spitlock a trench on 7 July 1989.

Mr. Archie Hamilton: The general agreements in the exchange of notes under which United Kingdom forces use the Batus range are amplified by the range standing orders. These cover the clear-up procedures that take place after each exercise, including the requirement for the disposal of unused or unexploded munitions. The responsibility for the clear-up rests jointly with Batus staff and the forces who have undertaken the training exercise.

Mr. Winnick: To ask the Secretary of State for Defence if he will state the date of entry into the Army of Guardsmen Sean Povey, Adrian Hicks and John Ray and their respective ages at the time.

Mr. Archie Hamilton: It is not my Department's practice to release personal information without the prior consent of the individuals concerned.

Mr. Winnick: To ask the Secretary of State for Defence when a Minister last visited the training site in Canada where Guardsmen Povey, Hicks and Ray were serving in June and July 1989.

Mr. Archie Hamilton: The last visit by a Minister to the Batus training area was made in July 1989 by my right hon. Friend the Member for Ayr (Mr. Younger) when Secretary of State for Defence.

Mr. Winnick: To ask the Secretary of State for Defence what representations he has received that the board of inquiry into the circumstances which led to the serious injuries of Guardsmen Povey, Hicks and Ray in July 1989 be reconvened.

Mr. Archie Hamilton: I have received several letters and questions from hon. Members on behalf of the three soldiers. The question of reopening the board of inquiry was also addressed in the House in an Adjournment debate on 3 June at columns 129-36.

Written Answers to Questions

Monday 24th June 1991

FOREIGN AND COMMONWEALTH AFFAIRS

Kurdistan

Mr. Campbell-Savours: To ask the Secretary of State for Foreign and Commonwealth Affairs how many members of the armed forces of each of the allied coalition countries have been stationed in Iraqi Kurdistan on a week-by-week basis since 6 May.

Mr. Douglas Hogg: The information requested is not available.

Paraguay

Mr. Adley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British-Paraguayan relations.

Mr. Garel-Jones: We enjoy friendly relations with Paraguay and maintain an embassy in Asuncion. British-Paraguayan trade is on the increase. I welcome the current visit to United Kingdom of a Paraguayan parliamentary delegation.

Caribbean Dependent Territories

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Chief Ministers of *(a)* British Virgin Islands, *(b)* Turks and Caicos Islands, *(c)* Anguilla, *(d)* Montserrat, *(e)* Bermuda and *(f)* Cayman Islands; and what subjects were discussed in each case.

Mr. Lennox-Boyd: During my time in office I have met all the Chief Ministers of the Caribbean Dependent Territories. The Cayman Islands do not have a Chief Minister. I met Executive Council Members during my visit to Grand Cayman on 6 December 1990. I look forward to meeting the recently elected Chief Minister of Turks and Caicos Islands in London on 10 July. My right hon. Friend the Secretary of State last met the Premier of Bermuda on 27 November 1990 in London.

The United Kingdom's commitment to the good government of the territories and the ways in which we can assist the local governments with their economic and social developments were discussed at all these meetings.

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations he has had or proposes with the Chief Minister of the British Virgin Islands about the appointment of the new governor.

Mr. Lennox-Boyd: Following normal procedure Mr. Stoutt has already been advised of the appointment of the next governor in advance of the official announcement which is expected shortly.

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations have been undertaken with the Government of the British Virgin Islands on capital punishment; what was their result; and if he will make a statement.

Mr. Lennox-Boyd: The views of the Governments of all the Caribbean Dependent Territories on capital punishment are well known and were carefully considered before the decision to abolish capital punishment for murder in the Caribbean Dependent Territories was taken. I discussed them with the Chief Minister of the British Virgin Islands in London in March and when I visited the islands in April.

European Political Union

Mr. Favell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the latest draft treaty on political union submitted by the Luxembourg presidency.

Mr. Garel-Jones: The presidency circulated on 20 June a revised draft treaty text updating the version circulated on 17 April and taking account of discussions in the inter-governmental conference since then. This is an interim working document which will simply be a basis for the next phase of the negotiations. I understand the Library is taking steps to obtain a copy.

Hong Kong

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the People's Republic of China has ever suggested that it be allowed to construct the new airport or any part of it for Hong Kong.

Mr. Lennox-Boyd: No.

Information Services

Mr. Maclennan: To ask the Secretary of State for Foreign and Commonwealth Affairs what the costs of administering the market information inquiry service and the overseas status report service were in each of the last two financial years.

Mr. Garel-Jones: Information on the costs of supplying these individual export services is not, at present, separately identified.

Kuwait

Mr. David Howell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will discuss with the Government of Kuwait the most recent death sentences on alleged collaborators imposed by the military court in Kuwait.

Mr. Douglas Hogg: We shall continue as necessary both bilaterally and with our EC partners to urge the Kuwaiti authorities that trials should be conducted in accordance with due process of law and respect for the fundamental human rights of the defendants.

China

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Walsall, North of 19 June, if he will ask the Chinese authorities to produce Lee Bun and her

husband to demonstrate that they have not been executed; and if he will seek an account of the circumstances in which the couple are now living.

Mr. Lennox-Boyd: No. The Chinese authorities have told us that the couple are under investigation, accused of engaging in illegal petroleum transactions.

Gibraltar

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last carried out a review of the financial consequences for Gibraltar of their joining the EC customs union; and if he will make a statement.

Mr. Garel-Jones: At the request of the Government of Gibraltar we carried out such a review earlier this year. It has been passed, in confidence, to the Gibraltar Government.

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs whether there will be anything pertaining to Gibraltar at the British pavilion at Expo 92 in Seville.

Mr. Garel-Jones: I refer the hon. Member to the answer I gave him on 10 June at col. *417*. The theme of the British pavillion at Expo 92 will be "Original Britain". There is no plan to include exhibits based on specific geographical areas.

OVERSEAS DEVELOPMENT

Development Issues

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list for each year since 1979 Overseas Development Administration funding for research and development into development issues, in real and nominal terms.

Mrs. Chalker *[holding answer 19 June 1991:* The amount spent by the ODA on funding for research and development into development issues since 1979 is as follows:

	Cash terms £ 000	*Real Terms (1990 Prices) £000*
1979-80	25,800	51,771
1980-81	27,333	46,349
1981-82	26,474	40,940
1982-83	29,358	42,389
1983-84	32,588	44,973
1984-85	33,861	44,471
1985-86	32,875	40,950
1986-87	36,056	43,409
1987-88	48,906	55,897
1988-89	53,058	56,439
1989-90	58,486	58,486

Source: Statistics of the British Aid Programme

ATTORNEY-GENERAL

Crown Prosecutors

Mr. Alex Carlile: To ask the Attorney-General what research the Government have carried out on whether the quality of service to the public would be better and costs lower if Crown prosecutors were granted extended rights of audience; and if he will make a statement.

The Attorney-General: Research is at present confined to an initial assessment of the potential costs and savings to the CPS according to the range of options open to the Lord Chancellor's advisory committee on legal education and training. No research is feasible as regards the qualitative effect of any decision by the advisory committee.

Mr. Alex Carlile: To ask the Attorney-General what is his latest estimate of the full costs to public funds involved in providing the services for a full year of *(a)* a Crown prosecutor, *(b)* a senior Crown prosecutor and *(c)* a chief Crown prosecutor.

The Attorney-General: The latest estimates of the full costs to public funds involved in providing the services of Crown prosecutors for a full year, including accommodation costs and notional superannuation contributions are as follows:

	In London	*Outside London*
(a) a Crown Prosecutor	£36,868	£29,404
(b) a Senior Crown Prosecutor	£42,225	£34,306
(c) a Grade 4 Chief Crown Prosecutor	£67,424	£59,281
a Grade 5 Chief Crown Prosecutor	—	£53,056

Mr. Alex Carlile: To ask the Attorney-General what is his estimate of the number of salaried Crown prosecutors who appear in court as advocates on each sitting day.

The Attorney-General: No collected figures are available in respect of the number of salaried Crown prosecutors who appear in court each sitting day. In the financial year 1990-91 some 246,000 sessions in the magistrates' courts were covered by salaried Crown prosecutors. Assuming 250 sitting days in a year, the estimated average number of salaried Crown prosecutors appearing as advocates each day is 1,000.

Mr. Alex Carlile: To ask the Attorney-General what is the current annual cost of the Crown prosecution service; and if he will make a statement.

The Attorney-General: The current estimated annual cost of the Crown prosecution service for 1991-92 is £229,923,000. Further details were published in "Supply Estimates 1991-92" class X, votes 5 and 6.

Mr. Alex Carlile: To ask the Attorney-General if he is able to give an estimate of the number of hours per week spent in court, excluding waiting time, on average, by a Crown prosecutor and a senior Crown prosecutor respectively.

The Attorney-General: No specific figures are available of the average number of hours per week spent in court by Crown prosecutors. The best estimate that can be made is a figure of about 15 hours per week for both Crown

prosecutors and senior Crown prosecutors. Waiting time is not a significant factor—full list advocacy by Crown prosecutors results in efficient use of resources and reduces waiting time to a negligible level.

Mr. Alex Carlile: To ask the Attorney-General what proportion of advocates appearing in magistrates' courts on behalf of the Crown prosecution service on an average day are *(a)* counsel from the independent Bar instructed (i) on a case-by-case basis and (ii) otherwise, *(b)* solicitors in private practice instructed (i) on a case-by-case basis and (ii) otherwise, *(c)* salaried members of the Crown prosecution service and *(d)* other advocates.

The Attorney-General: Exact figures giving the proportions requested are not available. The estimated proportions for the financial year 1990-91 are:

(a) (i) 2 per cent.
(ii) 15 per cent.
(b) (i) and (ii) 17 per cent.
(c) 66 per cent.
(d) 0 per cent.—an insignificant number of cases is handled by advocates from other Government Departments on behalf of the Crown prosecution service where a joint prosecution arises.

Mr. Alex Carlile: To ask the Attorney-General what additional cost to public funds is involved in providing the services of a Crown prosecutor stationed in central London as against one stationed in Manchester.

The Attorney-General: The latest estimate of the additional cost to public funds involved in providing the services of a Crown prosecutor stationed in central London as against one stationed in Manchester is £7,464.

PRIME MINISTER

Baltic Republics

Dr. Thomas: To ask the Prime Minister when representatives of the Government of the United Kingdom will next meet representatives of Latvia, Lithuania and Estonia and what plans they have to discuss improved trade relations with the Baltic republics.

The Prime Minister: My hon. and learned Friend the Minister of State, Foreign and Commonwealth Office will meet the Lithuanian Foreign Minister, Mr. Saudargas on 25 June. My hon. and learned Friend expects to discuss a wide range of topics of mutual interest with Mr. Saudargas. We have regular contacts with Baltic representatives in London and Moscow, and in the Baltic republics. These contacts cover a wide range of bilateral political and economic issues.

Solvent Abuse

Mr. Trotter: To ask the Prime Minister which Department is responsible for the co-ordination of Government policies on solvent abuse; and what policies there are to reduce solvent abuse.

The Prime Minister: The Department of Health takes the lead on Government policies against solvent misuse. These policies are directed primarily towards education and prevention and, where practicable, the restriction of sales of products containing volatile substances to young people. We have supported a number of initiatives to educate young people at risk and to inform adults, including parents, professional workers and retailers who may become involved.

CHURCH COMMISSIONERS

Shops (Golders Green Road)

30. **Mr. John Marshall:** To ask the right hon. Member for Selby, representing the Church Commissioners, how many shops the Church Commission owns in Golders Green road; and what is their rent.

Mr. Alison: Forty shops producing nearly £850,000 per annum.

Property Holdings

Mr. Frank Field: To ask the right hon. Member for Selby, representing the Church Commissioners, what were the reasons for the reduction in the value of the Commissioners' holding in the Grange Precinct, Birkenhead between 1989 and 1990.

Mr. Alison: The value dropped by 13 per cent. in line with general market trends at a time of recession.

WALES

Mail Services

Mr. Wigley: To ask the Secretary of State for Wales what representations he has received concerning the intention of the Post Office to combine south Wales with south-west England for Royal Mail purposes; what discussions he has had with the Post Office concerning this matter; and if he will make a statement.

Sir Wyn Roberts: We have received representations from the hon. Member for Ceredigion and Pembroke, North (Mr. Howells) and from the Gowerton branch of Plaid Cymru concerning the location of the Royal Mail administrative headquarters for the combined south Wales and south-west England area. We understand that Royal Mail will not be transferring its total divisional administrative base into one location. There will be several outstanding administrative units. We have written to the chairman of the Post Office pressing the case for Wales as a location for the administrative staff. The chairman has assured me that the location of the divisional headquarters and its outstations will be carefully considered.

Cardiff Bay Development Corporation

Mr. Morgan: To ask the Secretary of State for Wales if he will list all the members of the Cardiff Bay development corporation.

Sir Wyn Roberts: Current members of Cardiff Bay development Corporation are:

Geoffrey Inkin OBE (Chairman)
Councillor Lord Brooks of Tremorfa (Deputy Chairman)
Mrs. Mair Barnes
Mrs. Honor Chapman
Alan Cox CBE
Hugh Hudson-Davies
Councillor Paddy Kitson
Professor Richard Silverman MSc(Edin) Dip Arch ARIBA ARIAS
James Beveridge MA FCA
Brian Thomas

At present there are three vacancies following recent district council elections.

HOME DEPARTMENT

Prevention of Terrorism Act

Ms. Gordon: To ask the Secretary of State for the Home Department (1) what proportion of people held under the Prevention of Terrorism (Temporary Provisions) Act 1989 in connection with Northern Ireland affairs were not allowed to contact a solicitor for the first 48 hours;

(2) what proportion of people held under the Prevention of Terrorism (Temporary Provisions) Act 1989 in connection with Northern Ireland affairs exercised their right under *(a)* section 56 and *(b)* section 58 of the Police and Criminal Evidence Act;

(3) what proportion of people held under the Prevention of Terrorism (Temporary Provisions) Act 1989 in connection with Northern Ireland affairs were not allowed to contact another person for the first 48 hours.

Mr. Kenneth Baker: This information is not available.

Ms. Gordon: To ask the Secretary of State for the Home Department how many searches were made of the records held by the national joint unit at Scotland Yard in each year from 1987 to 1990, respectively.

Mr. Kenneth Baker: The number of inquiries made of the records held by the national joint unit was as follows:

	Number
1987	81,060
1988	77,472
1989	101,766
1990	83,753

Ms. Gordon: To ask the Secretary of State for the Home Department how many computerised records the national joint unit holds on individuals for the control of terrorism in connection with Northern Ireland affairs.

Mr. Kenneth Baker: The information is not available in the form requested.

Ms. Gordon: To ask the Secretary of State for the Home Department how many men and how many women have been detained under the Prevention of Terrorism Acts in connection with Northern Ireland affairs each quarter since 22 March 1984 *(a)* at ports and airports and *(b)* elsewhere.

Mr. Kenneth Baker: The information requested is given in the tables.

	Men	*Women*	*Total*
(a) Ports			
1984			
Q1[1]	—	—	—
Q2[1]	—	—	20
Q3[1]	—	—	19
Q4[1]	—	—	16
1985			
Q1	12	0	12
Q2	18	4	22
Q3	17	5	22
Q4	14	0	14
1986			
Q1	30	2	32
Q2	6	1	7
Q3	14	1	15
Q4	19	1	20
1987			
Q1	41	2	43
Q2	38	2	40
Q3	26	3	29
Q4	21	1	22
1988			
Q1	22	1	23
Q2	17	0	17
Q3	42	2	44
Q4	25	1	26
1989			
Q1	19	1	20
Q2	19	0	19
Q3	21	0	21
Q4	17	1	18
1990			
Q1	14	0	14
Q2	16	2	18
Q3	9	1	10
Q4	9	2	11
(b) Elsewhere			
1984			
Q1			—
Q2			10
Q3			9
Q4			29
1985			
Q1	10	2	12
Q2	36	10	46
Q3	11	2	13
Q4	44	8	52
1986			
Q1	0	0	0
Q2	14	3	17
Q3	11	1	12
Q4	43	1	44
1987			
Q1	15	2	17
Q2	12	0	12
Q3	14	3	17
Q4	4	0	4
1988			
Q1	6	4	10
Q2	11	0	11
Q3	14	2	16
Q4	21	2	23
1989			
Q1	12	4	16
Q2	14	2	16
Q3	17	0	17
Q4	31	5	36
1990			
Q1	15	1	16
Q2	27	4	31
Q3	24	2	26
Q4	37	6	43

[1] From 22 March 1984. Figures not available in the form required.

This information is in respect of detentions in Great Britain only. Information in respect of detentions in Northern Ireland is not available by sex and could be obtained only at disproportionate cost.

Ms. Gordon: To ask the Secretary of State for the Home Department what is the role of the national joint unit at Scotland Yard; and how many people work in this unit.

Mr. Kenneth Baker: The role of the national joint unit at New Scotland Yard is to prepare, on behalf of all police forces in Great Britain, applications to the Secretary of State for extensions of detention and exclusion orders under the Prevention of Terrorism (Temporary Provisions) Act 1989, and to provide advice to police forces on the operation of the Act. The unit is staffed by 17 police officers, most of whom are seconded to it for short periods from provincial forces.

Ms. Gordon: To ask the Secretary of State for the Home Department (1) what was the average length of time from the initial arrest to the first interview under paragraph 3(2) of schedule 3 for all those arrested under the Prevention of Terrorism (Temporary Provisions) Act 1989 in connection with Northern Ireland affairs;

(2) what was the average length of time from the moment they were stopped to the first interview under paragraph 3(2) of schedule 3 for all those people stopped and examined at ports and airports and detained under the Prevention of Terrorism (Temporary Provisions) Act 1989 in connection with Northern Ireland affairs;

(3) in how many cases special arrangements for children have had to be made as a result of their parents or guardians being examined or detained under the Prevention of Terrorism Acts in connection with Northern Ireland affairs in each quarter since 22 March 1984;

(4) how many children have been taken into care as a result of their parents or guardians being detained under the Prevention of Terrorism Acts in connection with Northern Ireland affairs in each quarter since 22 March 1984.

Mr. Kenneth Baker: This information is not held centrally and could be obtained only at disproportionate cost.

Ms. Gordon: To ask the Secretary of State for the Home Department how many persons detained under the Prevention of Terrorism Acts in connection with Northern Ireland affairs have been charged only with criminal offences other than under the Act, shown by *(a)* principal offences and *(b)* where charged; and the outcome of the charge between 22 March and 31 December 1990.

Mr. Kenneth Baker: The information requested is given in the table:

Number of people	*Offence*	*Where charged*	*Outcome*
3	Conspiracy to cause explosions	London	In two cases the charges were dropped. The third is awaiting trial.
2	Conspiracy to murder	London	Awaiting trial.
1	Possession of a firearm with intent to endanger life	London	9 months in young offenders' institution.
1	Possession of a firearm in an aerodrome	Bedfordshire	Awaiting trial.
2	Assault occasioning actual bodily harm	1 Wiltshire 1 London	Fined 4 months' imprisonment.
1	Driving with excess alcohol	Essex	Fined.
1	Driving whilst disqualified	Warwickshire	6 months' imprisonment suspended for 2 years.
4	Various offences under Theft Acts 1968 & 1978	2 London	1 Failed to appear—warrant issued. 1 Fined.
		1 Essex	Conditional discharge.
		1 Surrey	6 months' imprisonment suspended for one year.
1	Possession of forged passport and driving licence	Greater Manchester	Fined.
1	Criminal damage	Belfast	1 month in young offenders' institution.

The table relates to those detained in Great Britain only. In addition 262 people who were detained in Northern Ireland between 22 March and 31 December 1990 were charged with offences in Northern Ireland. Details of the offences and the outcome of the charges are not available.

Police (Misconduct)

Mr. Cox: To ask the Secretary of State for the Home Department what has been the amount of compensation paid to civilians by the Metropolitan police in each of the last three years following complaints.

Mr. Peter Lloyd: Compensation payments may be made as the result of court proceedings or in out-of-court settlements, or when civil action has been suggested but not pursued. The matter concerned may not be such as to provide grounds for a complaint made under the terms of the Police and Criminal Evidence Act 1984.

Compensation payments totalling £388,000, £523,000 and £836,000 were paid in 1988, 1989 and 1990 respectively.

Mr. Cox: To ask the Secretary of State for the Home Department what has been the number of police officers dismissed from the Metropolitan police force for breaches of discipline, in each of the last three years.

Mr. Peter Lloyd: The number of officers dismissed from the Metropolitan police following disciplinary proceedings is published each year in the annual report of the Commissioner of Police of the Metropolis.

Mr. Cox: To ask the Secretary of State for the Home Department what is the present number of police officers

serving in the Metropolitan police force who are now suspended from duty pending inquiries as to their conduct as police officers.

Mr. Peter Lloyd: I understand that there are at present 72 officers suspended from duty in the Metropolitan police.

Mr. Cox: To ask the Secretary of State for the Home Department what has been the number of official complaints made against police officers serving in the Metropolitan police force, in each of the last three years; and how many have been upheld after inquiries.

Mr. Peter Lloyd: The number of complaints made against officers of the Metropolitan police under the terms of the Police and Criminal Evidence Act 1984, together with the number of complaints completed, are published in the annual report of the Commissioner of Police of the Metropolis. The Commissioner's 1990 report contains figures for the last three years.

The number of complaints substantiated in 1988, 1989 and 1990 are 184, 103 and 172 respectively.

Animal Experiments

Mr. Ron Davies: To ask the Secretary of State for the Home Department what is the number of *(a)* project licence and *(b)* personal licence applications rejected since the provisions of the Animals (Scientific Procedures) Act 1986 came into operation.

Mrs. Rumbold: The vast majority of project licence applications and many personal licence applications are discussed in detail at an early stage with the Home Office animals (scientific procedures) inspectorate. Many are revised and redrafted as necessary into a form which the inspector considers acceptable.

The normal procedure is for applications, mainly for project licences, to be withdrawn or not to be proceeded with in those cases where their justification is considered insufficient or where the applicant feels unable to refine the proposed procedures to an extent that the inspector is satisfied that it would be appropriate to advise my right hon. Friend that a licence should be granted. This means that it is only very rarely necessary to refuse an application formally.

Performance Indicators

Mr. Battle: To ask the Secretary of State for the Home Department what steps his Department has taken to involve consumer views in the development of performance indicators.

Mr. Kenneth Baker: Consumer views are taken into account, either directly or indirectly, in developing performance indicators, particularly those which measure quality of service to the public.

Of those operational services which the Home Office does not control, police forces consult local communities, often through opinion surveys, to obtain public views on police performance and worries about crime; fire brigades take pains to ensure that they have the views of the communities they serve and the fire service is currently looking at a scheme for introducing performance measures nationally, some of which will include measures of public satisfaction.

Of those services which the Home Office provides itself, the immigration service and the nationality division take account of consumer views, albeit less directly, in setting their performance targets; an opinion survey conducted last year by the Passport Agency led to the setting for this year of a target for customer satisfaction; Forensic Science Service Agency targets for turnround times for cases were set in consultation with its customers.

Mr. Battle: To ask the Secretary of State for the Home Department what performance indicators are published for his Department.

Mr. Kenneth Baker: Details of performance indicators for Home Office departments and services are published in the Home Office annual report 1991 (Cm 1509). For details of performance indicators for Home Office agencies (the Passport Agency and the forensic science service) I refer the hon. Member to the replies given to questions from my hon. Friends the Members for Cornwall, North (Sir G. Neale) and for Stockton, South (Mr. Devlin) on 27 March at columns 469-70.

Foreign Countries (Entry of British Citizens)

Mr. Bernie Grant: To ask the Secretary of State for the Home Department what is the Government's policy on the passing of names of British citizens to foreign Governments for the purpose of warning those Governments that these citizens should not be granted entry to those countries; and if he will make a statement.

Mr. Peter Lloyd: In the interests of international co-operation on law enforcement the names of people of whatsoever nationality may be passed to the authorities in other countries, for example for the purpose of taking forward an extradition request. All decisions over the granting of entry are the responsibility of the country concerned.

Victim Support

Mr. Alfred Morris: To ask the Secretary of State for the Home Department if he will provide the financial help needed by Manchester's victim support schemes to avert closure; what representations he has had about their urgent need for alternative funding; and if he will make a statement.

Mr. John Patten: The Home Office grant for local victim support schemes, which has increased by 20 per cent. from £4·5 million last year to £5·4 million this year, is administered by Victim Support under criteria which have been revised this year to allow grants for both salaries and running costs to be paid to schemes which are in danger of closure. Applications from a number of Manchester schemes are being considered by Victim Support nationally.

We have received representations about the funding of Manchester schemes from local Members of Parliament, district councils, representatives of Victim Support and the police.

Immigration

Mr. Nellist: To ask the Secretary of State for the Home Department if he is now in a position to determine the application for British citizenship, reference

IMPH330480/4 (S) which was first raised with his Department on 27 April 1989; on what date he requested from the embassy in Islamabad the confirmation that entry clearances for settlement had been issued and when that confirmation was received; whether all outstanding routine inquiries in this cases have now been completed; and if he will make a statement.

Mr. Peter Lloyd: A final decision on this application was delayed while we obtained evidence that the applicant met the statutory requirements regarding residence in the United Kingdom. With this in mind we wrote to the British High Commission in Islamabad on 21 December 1990 for details of entry clearances issued to the applicant and her daughter in 1982. This information was received at the beginning of February 1991. From that and from information supplied by her solicitors we are now satisfied that the application may be granted, subject to her making an affirmation of allegiance. Her daughter will also be registered as a British citizen.

Prisoners

Mr. Nellist: To ask the Secretary of State for the Home Department (1) when he intends to publish guidelines concerning remission for people imprisoned for poll tax non-payment; and if he will make a statement;

(2) if he will *(a)* outline what guidance his Department has circulated to prison governors concerning poll tax imprisonment, *(b)* list the circulars and the dates of their distribution and *(c)* place a copy of each in the Library.

Mrs. Rumbold: Guidance circulated to governors on 12 June advised that terms of imprisonment for non-payment of the community charge are not eligible for reduction by remission or remand time. A copy of this instruction is being placed in the Library together with prison standing order 12 which gives full details of the terms of imprisonment that do not attract remission on remand time. A revised version of the standing order, to be published in a few months' time, will include reference to the community charge.

Mr. Nellist: To ask the Secretary of State for the Home Department which categories of prisoners are allowed access to a telephone while in prison; and if he will list those of Her Majesty's prisons which have *(a)* payphones and *(b)* cardphones; what plans he has to improve access to phones; and if he will make a statement.

Mrs. Rumbold: Cardphones for use of convicted inmates have been installed in the category C and D, and equivalent female and young offender, establishments listed in the following table.

At all establishments inmates may have access to an official telephone with the permission of the governor in special circumstances.

On 25 February my right hon. Friend, the Home Secretary, announced on publication of the Woolf inquiry report that cardphones would be provided in all those establishments which do not already have them. This programme is being taken forward as quickly as resources permit.

There are no ordinary payphones designated for inmates' use except at Haslar in respect of those persons detained under the Immigration Acts.

Prisoners with cardphones for convicted inmates' use

Prison	*Category*
Acklington	C
Aldington	C
Ashwell	C
Askham Grange	Female
Aylesbury	Young Offenders Institution
Blantyre House	C
Bullwood Hall	Female/Young Offenders Institution
Camp Hill	C
Castington	Young Offenders Institution
Channings Wood	C
Cookham Wood	Female
Deerbolt	Young Offenders Institution
Dover	Young Offenders Institution
Downview	C
Drake Hall	Female
East Sutton Park	Female/Young Offenders Institution
Eastwood Park	Young Offenders Institution
Erlestoke House	C
Everthorpe	Young Offenders Institution
Featherstone	C
Feltham	Young Offenders Institution
Ford	D
Glen Parva	Young Offenders Institution
Guys Marsh	Young Offenders Institution
Haslar	Immigration Custody—payphones
Hatfield	Young Offenders Institution
Haverigg	C
Hewell Grange	Young Offenders Institution
Highpoint	C/D
Hollesley Bay	Young Offenders Institution
Holloway	Female
Huntercombe	Young Offenders Institution
Kirkham	D
Kirklevington Grange	Young Offenders Institution
Lancaster	C
Latchmere House	C
Leyhill	D
Lindholme	C
Littlehey	C
Low Newton	Female/Remand
Morton Hall	D
The Mount	C
New Hall	Female
Northallerton	Young Offenders Institution
Northeye	C
North Sea Camp	D
Norwich	C/D prisoners only
Onley	Young Offenders Institution
Portland	Young Offenders Institution
Pucklechurch	Female/Young Offenders Institution
Ranby	C
Risley	C
Rochester	C
Rudgate	D
Send	C
Shepton Mallet	C
Spring Hill	D
Stafford	C
Standford Hill	D
Stocken	C
Stoke Heath	Young Offenders Institution
Styal	Female
Sudbury/Foston	D
Swinfen Hall	Young Offenders Institution
Thorn Cross	Young Offenders Institution
Thorpe Arch	C
Usk and Prescoed	Young Offenders Institution
The Verne	C
Wayland	C
Wellingborough	C
Werrington	Young Offenders Institution
Wetherby	Young Offenders Institution
Whatton	C
Winchester	Local
Wymott	C

Notes:

1. Prisoners in female and young offender establishments who are on remand or who are being held in category A conditions are not permitted at present access to cardphones.
2. Winchester is a local prison, holding all categories of prisoner, including those on remand. Cardphones have been operational at Winchester since December last year in order to test the conditions under which category B and remand prisoners may have access to them.

Bailiffs

Mr. Nellist: To ask the Secretary of State for the Home Department if, further to his reply to the hon. Member for Huddersfield (Mr. Sheerman), 17 May 1991, *Official Report*, column *284*, he is now in a position to place a copy in the Library of the guidance notes for use of bailiffs by magistrates courts.

Mr. John Patten: Best practice guidance on the use of bailiffs by magistrates courts should be available shortly, and I shall arrange for a copy to be placed in the Library.

SCOTLAND

Mink Farms

Mr. Andrew Bowden: To ask the Secretary of State for Scotland how many licensed mink factory farms there are in Scotland; and if he will publish the names of the parliamentary constituencies in which they are located.

Mr. Michael Forsyth: There are two licensed mink farms in Scotland, one in Strathclyde region and the other in Grampian region. More precise information is not published.

Fishing Vessels

Mr. Austin Mitchell: To ask the Secretary of State for Scotland what is his estimate of the number of fishing vessels by port *(a)* over 400 hp and *(b)* below 400 hp.

Mr. Michael Forsyth: The information requested is given in the table for the base districts of active Scottish-based fishing vessels. Base districts are defined as the district in which the majority of the owners of the vessels live. District figures include vessels from a number of small ports and creeks in addition to those from the main port on which the district is centred.

Base district of vessel	*Horse Power*			
	Under 400	*400 or above*	*Not known*	*All*
Eyemouth	117	14	2	133
Pittenweem	110	18	—	128
Arbroath	81	4	—	85
Aberdeen	34	16	1	51
Peterhead	58	90	—	148
Fraserburgh	84	89	—	173
MacDuff	40	57	—	97
Buckie	56	51	—	107
Lossiemouth	45	53	—	98
Wick	87	3	—	90
Orkney	87	14	—	101
Shetland	55	37	—	92
Stornoway	298	4	3	305
Ullapool	52	—	—	52
Mallaig	216	3	5	224
Oban	142	1	1	144
Campbeltown	182	—	7	189
Ayr	108	20	1	129
Kinlochbervie	14	1	—	15
Lochinver	25	5	—	30
ALL	1,891	480	20	2,391

Salmon

Mr. Colvin: To ask the Secretary of State for Scotland what representations he has received about the consequences to the Scottish salmon farming industry of uncontrolled imports from Norwegian producers; and if he will make a statement.

Mr. Michael Forsyth: We have received representations from a number of hon. Members and from salmon farming companies in Scotland.

The Government understand the industry's concern about the current state of the market for farmed salmon. We are anxious to ensure a satisfactory and stable long-term future for the industry and are working closely with it to that end.

A74 (Archaeological Sites)

Mr. Dalyell: To ask the Secretary of State for Scotland (1) what steps are being taken to safeguard archaeological sites identified in the course of development of the M74—A74;

(2) what funds his office has made available, and to which organisations, in connection with emergency archaeological investigation of sites along the proposed development of the A74;

(3) for how long the Lintshie Gutter site will be available to archaeologists engaged in emergency investigation of the site.

Lord James Douglas-Hamilton: The upgrading of the A74 to motorway standard has provided an unexpected opportunity to discover some of Scotland's past. Throughout the development of the project the Scottish Office's roads directorate has liaised closely with Historic Scotland, an executive agency within the Scottish Office responsible among other things for the protection of ancient monuments. Every effort has been made in determining the line of the motorway to avoid disturbing sites of archaeological importance. In eight locations where this has not been possible, archaeological surveys and excavations have been carried out in advance of the road construction. Without the impetus of the motorway these important examples of Scotland's heritage might have remained hidden for many years to come.

Funds amounting to £100,000 have been granted by the Scottish Office towards archaeological surveys and excavations along the line of the motorway. In addition, Historic Scotland has made a contribution of £75,000. Apart from a small element of survey and monitoring carried out by the Biggar Museum trust, all the work has been undertaken by Archaeology Projects Glasgow (APG) which is a research group set up within Glasgow university archaeologist department to manage fieldwork and consultancy studies for Government and industry.

It is expected that the excavation of the Lintshie Gutter site will be completed by the end of June. The site will remain available for some months beyond that.

Waste Incineration

Mr. Wray: To ask the Secretary of State for Scotland, further to his replies to the hon. Member for Glasgow, Provan, *Official Report*, 14 June, column *713*, what information he has on whether clinical waste incinerators in the national health service in Scotland are effectively complying with current pollution control legislation; and when the last report of inspection of the clinical waste incinerators was submitted to him.

Mr. Michael Forsyth: I am aware that three clinical waste incinerators in the national health service in Scotland are experiencing difficulty in complying with current pollution control legislation. No report of inspection of clinical waste incinerators has been submitted to my right hon. Friend; powers to control emission standards are vested in local authorities.

Sites of Special Scientific Interest

Mr. Wilson: To ask the Secretary of State for Scotland what consultations took place with the chairmen of the Joint Nature Conservation Committee, English Nature and the Countryside Council for Wales, and the Nature Conservancy Council for Scotland, in advance of the introduction of provisions for the establishment of an advisory committee on sites of special scientific interest in the Natural Heritage (Scotland) Bill.

Lord James Douglas-Hamilton: Consultations took place between the Scottish Office Environment Department and the chairman of the Nature Conservancy Council for Scotland, the Government's statutory adviser on nature conservation in Scotland, before the amendments introducing these provisions were tabled. Since the committee relates exclusively to Scotland and its establishment does not affect the SSSI procedures laid down in the Wildlife and Countryside Act 1981, no consultation with English Nature and the Countryside Council for Wales was necessary. As the advisory committee can deal only with individual cases within the site guidelines overseen by the Joint Nature Conservation Committee and there will be no overlap in membership, it was not necessary to consult the JNCC chairman.

Mrs. Ray Michie: To ask the Secretary of State for Scotland of the total number of sites of special scientific interest in Scotland *(a)* how many were objected to at the point of notification and *(b)* how many were objected to subsequent to notification; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 21 June 1991]:* As at 31 March 1991, 1,319 sites of special scientific interest had been notified in Scotland. A right of objection was introduced by the Wildlife and Countryside (Amendment) Act 1985, which came into effect on 26 August 1985. The Nature Conservancy Council's latest available figures are that 541 sites were confirmed during the period from 1 August 1985 to 30 November 1990 and that representations or objections were received in respect of 153 of those sites. The detailed information about the stage at which objections were received is not available.

Scottish Action on Dementia

Mr. Wray: To ask the Secretary of State for Scotland what representations he has received from Scottish Action on Dementia; and if he will make a statement.

Mr. Michael Forsyth: I have this week received a report "Dementia in Scotland: Agenda for Action 1991-95".

Since the publication of the report "Scottish Health Authorities Priorities for the 80s" (SHAPE) in 1980, which drew attention to the need to develop services for this care group, the Government have given high priority to the development of such services in Scotland and now accord their development top priority. Since 1981 health board expenditure on services for elderly people with dementia has increased by 61·5 per cent. in real terms and it continues to rise.

Local Authority Housing

Mr. McMaster: To ask the Secretary of State for Scotland how many houses were available for rent by local authorities in Scotland in each year since 1980; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 20 June 1991]:* Information on the numbers of dwellings owned by local authorities is given in table 2 of statistical bulletin HSG/1991/4, "Housing Trends in Scotland—Quarter ended 31 December 1990". Copies were sent to all Members representing Scottish constituencies and are available in the Library.

Electricity Privatisation

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will list *(a)* the total number of domestic customers of Scottish Power and Scottish Hydro-Electric, respectively *(b)* how many of those individual customers, not including other members of their family or household, have bought shares in the recent privatisation and *(c)* how many of those customers have given postal addresses outside Scotland for correspondence about shares.

Mr. Allan Stewart *[holding answer 21 June 1991]:* Scottish Power plc and Scottish Hydro-Electric plc respectively have around 1,600,000 and 530,000 domestic customers. Information on the numbers of those individuals who have purchased shares in the two companies or have given correspondence addresses outwith Scotland is not separately available, since customer preference under the share offers extended to include other members of their family or household. The share registers of both companies will be publicly available from 3 July.

NORTHERN IRELAND

Video Recordings

Mr. Redmond: To ask the Secretary of State for Northern Ireland if he will list the titles of the video recordings purchased by his Department during the financial year 1990-91 and 1991-92 to date.

Dr. Mawhinney: The information in respect of Northern Ireland departments and the Northern Ireland Office is as follows:

Department of Finance and Personnel

1990-91

The Survival Game
Viruses on Personal Computers
Telephone Courtesy Pays Off
Inside Organisations
Counter Action II/III
Effective Management and Leadership
The Grapevine
Take it from the Top DF1
Take it from the Top DF2
Take it from the Top DF3
The Unorganised Manager
A Women's Place
Excellence in the Public Sector
Partners in Training
It's up to You
Let's be Fair
Let's be Fair (2)
Nobody's Perfect
The Customer Revolution
The Right Fit
The Tough Ones
Sense and Nonsense in Stress Management
Take It From The Top
Team Building
Team Building Volume 1
Team Building Volume 2
Total Fitness
The Successful Manager Executive
Time Management
The Telephone Sting
Meeting the Challenge of the 90's
The Management of Time

1991-92

The Professional Development Scheme
Making Customer Service Happen
Meeting to Build a Team
Meeting to Decide
Meeting to Negotiate

Department of Agriculture

1990-91

Rabbit production . . . naturally
Grime goes green: your business and the environment
Say what you want
Preview—COSHH (Control of Substances Hazardous to Health)
Working with Internal Audit
When letters work
Guide to Health and Safety
The Formal Meetings video
If looks could kill
The Technique of Volumetric Analysis
Hygiene at Work
Pests on the Menu
Fight against Bacteria
Microbes and their Control
Marketing Support for the '90s—Business Pack
A Vous la France
Hygiene in Practice
The Shooting Year
A Calf per Cow per year
Dairying—A Blueprint for Success
Wild Oats Control
Potato Production
Planning for Profit
Business Farming
MIG Welding (mild steel with low current sets)
Manual Metal Arc (Stick) Welding (mild steel with low power sets)
BBC RSPB—Video Guide to British Garden Birds
BBC—A Vous la France (parts 1-4)
Reproduction in Pigs (Lothian and Borders)
Royal Agriculture Society—Pigs
An Ounce of Prevention (CFL Vision)
Dog and Stick. Essential Dog Skills (A. Cooper)
Whatever happened to the Countryside (CFL Vision)
Carcase Quality

1991-92

Organic farming—is there a market?
Environmental enrichment: advancing animal care
Farming and Food Production
Dairy Farming
Pig Production
Pregnancy Detection of Pigs
Pregnancy Detection of Cattle
Pregnancy Detection of Sheep
Royal Agricultural Society—Beef Production
A Vous la France (parts 1-4)
Deutsch Direkt (parts 1-4)
Farm Diversification (NFU, RASE)
How to deal with Difficult People (volumes 1 and 2)
How to give exceptional Customer Service (volumes 1 and 3)
Team Building (volumes 1 and 2)
The Changing Countryside
The Medata Pregnancy Test for Cattle
The Medata Pregnancy Test for Sheep

Department of Economic Development

1990-91

AC Motors Part 1 and 2
Be Alive to Safety
Blind Man's Buff
Cables and Considerations
Car Bodywork Repairs (Welding)
Casebook Video Pack
Client and Professional
DC Motors Part 1 and 2
Electricity at Work
Inspection and Test
Isolation and Switching
Flying Start
Help Yourself—Careers Occupation Information Centre
I Can't See
Lights and Lighting Circuits
Made to Measure
Managing Energy—Burners for Boilers
Managing Energy—Exercise Control
Managing Energy—Hotels
Managing Energy—Insulation of Industrial Buildings
Managing Energy—Look at Lighting
Managing Energy—Pipe Insulation
Managing Energy—Refrigeration
Managing Energy—Retail Shops and Stores
Managing Energy—Small Firms
Managing Energy—Steam
Managing for Customer Care
Meetings Bloody Meetings
Moving On
Murder by Mixed Messages
PES Safety Computer Control
Routes—Wiltshire Careers Service
Take It From The Top
Timber Frame Housing
The Protection Factor
Tom Peters Experience Part 1
Tom Peters Experience Part 2
Tough Jobs/Problems

1991-92

Classical Change
Effective Business Reports
Snow Monkeys
Sun Cats

Department of Education

1990-91

Finance for Non-Financial Managers
Introduction to Assertiveness
A Matter of Time
Delegation
Performance Review
Are You Getting the Message
Making Belfast Work

Art in the Primary School
Simple Print Making in the Primary School

1991-92
NIL

Department of Health and Social Services
1990-91
Changing to Primary Nursing
Data Protection Training Package

1991-92
Something You Can Do
Training Video: Interviewing for Information
Healthy Eating in Later Life
Flora Project for Heart Disease
Affairs of the Heart
Finally Fitness for Men
Meetings

Department of the Environment
1990-91
Stranmillis Learning Resources Unit—Nendrum
Stranmillis Learning Resources Unit—Greyabbey
To see another day
Watch this space
I can't hear
COSHH in practice
What everyone should know about toxicology
Understanding material safety data sheets
PSA pacesetter in QA
CPI in the PSA
Managing for customer care
The helping hand
Data Insecurity
Next Steps—First Agencies
Let's be fair
The noise was deafening
Drive in total safety with Barry Lee
Radiodetection CAT and GENNY User training programmes
Water Pollution—1st Film
Biological Science—Ecological Biology
How flowers make seeds
Ecological Agriculture
Acid Rain the silent crisis
Saving the plants
Planning for survival
The life cycle of insects part III
Fungi
Fungi and Man
The process of pollination
The dispersal of seeds plus fruits
Discovering the Wild Bogland
Second Nature
Farming and Conservation
Safety Side Up
Round Robin
Early One Morning

1991-92
What's it all about?
A worker's overview of COSHH
What the window cleaner saw
Managing stress
I'm sorry. What's that you said?
You and your workforce

Northern Ireland Office
1990-91
Constructive Criticism Part 1 and 2
The Formal Meeting
Let's be Fair
An insider's guide to the European Community
What's it all about?
Don't let him Die
What Everybody should know about Toxicology
Taking to the Hills
The Professional Kitchen
The Human Factor

For children's use at the Visitors' Centres in Prison Establishments:
Fireman Sam
Children's Picturehouse
Flintstones
Cartoon Superstars II
Jetsons 1st Episode
Magic Roundabout
Tom and Jerry
Children's Cartoon Favourites
Postman Pat
Magic of Fairies
Fraggle Rock
Noah's Animals
Cartoon Superstars
Sooty Out and About
Waterbabies
Rainbow Music
Mickey's Christmas Carol
Snoopy and the Peanut Gang
Button Moon
Muppets
Mickey and the Gang
Mr. Ben
Children's Summer Stories
Children's Favourites Vol. II
The Carebears
Hillcraft and Navigation
Alf
Big
Goonies
Nursery Rhymes
Pinnochio
Count Duckula
Bill and Ben
Yogi's First Christmas
Tales of Button Moon
Neigbhours—Scott and Charlene's Love Story

For catering-based training
1991-92
Meat
Fish
Poultry and Game
Vegetables
Cakes
Pastries
Catering for Health
Eggs
Flour and Yeast
Desserts

Positive Time Skills
Put it in Writing

Civil Service Transfers

Mr. Mallon: To ask the Secretary of State for Northern Ireland how many employees of the Northern Ireland civil service have applied for a job transfer and have stated Newry (i) as their first preference or (ii) as a preference other than first preference.

Dr. Mawhinney: The number of non-industrial staff in the Northern Ireland civil service who have applied for a transfer and have stated Newry as:

(i) first preference is 159; and
(ii) as preference other than first preference is 66.

Social Security Agency

Sir John Wheeler: To ask the Secretary of State for Northern Ireland when he will make an announcement about the establishment of the social security agency.

Mr. Brooke: The social security agency was launched this morning and will be formally established on 1 July

1991. I have made arrangements for copies of the framework document and the business plan, which includes challenging quality of service and efficiency targets, to be placed in both Houses of Parliament.'

EDUCATION AND SCIENCE

Child Protection

Mr. Bernie Grant: To ask the Secretary of State for Education and Science if he will list the amounts allocated to local education authorities to enable them to carry out the training initiatives on child protection and child abuse under the new Children Act 1989, as described in consultative paper No. 22 "Working Together".

Mr. Fallon: The consultation paper is concerned with inter-agency co-operation, and emphasises the importance of joint training under the auspices of area child protection committees. Local education authorities and schools may choose to make specific provision for training teachers and certain other education staff in matters relating to child protection, drawing as appropriate on the support available under our programme of grants for education support and training. However, their allocations for this purpose cannot be readily quantified.

Polytechnics and Colleges Employers Forum

Mr. Murphy: To ask the Secretary of State for Education and Science what proportion of the total expenditure of the polytechnics and colleges employers forum for 1989-90 and 1990-91 was spent on entertainment.

Mr. Alan Howarth: This is not a matter for Her Majesty's Government.

TUC Courses

Mr. Nellist: To ask the Secretary of State for Education and Science what is the level of departmental funding of the Trades Union Congress for educational purposes; what criteria determine the continuity of that funding; which section of his Department is responsible for vetting materials used on TUC training or education courses which use departmental funding; and if he will make a statement.

Mr. Eggar: This Department does not provide any funds for the TUC for educational purposes.

Student Loans

Mr. Andrew Smith: To ask the Secretary of State for Education and Science if he will list in respect of the student loans scheme, (i) the most recent figure for loan applications received, (ii) the number of loans made, (iii) the value of loans made and (iv) total costs incurred administering the scheme.

Mr. Alan Howarth: As at 20 June 1991 over 181,000 students had applied for a loan from the Student Loans Company Ltd. Over 153,000 loans had been issued, with a total value of £59·2 million.

Between September 1990, when the scheme became operational, and 31 May 1991, the company's running costs were £7·73 million, exclusive of VAT.

Football

Mr. Pendry: To ask the Secretary of State for Education and Science what measures he has taken following his letter of 31 May to the Professional Footballers Association to bring together the Football Association, the Football League and the Professional Footballers Association to discuss plans for the future of football; what further measures he intends to take; and if he will make a statement.

Mr. Atkins *[holding answer 21 June 1991]:* I have had detailed discussions with each of the three bodies and have indicated to all of them that I stand ready to help, in an impartial manner, if the three organisations wish me to do so. In pressing the need for unity and for football to speak with one voice I have made it quite clear that the resolution of the various differences is for football alone.

NATIONAL FINANCE

Building Societies

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer if the Inland Revenue in court challenged the Woolwich tax model of the effects of regulations 3 and 11 (1985).

Mr. Maples: Yes. The Inland Revenue did not accept the conclusions of the Woolwich building society based on its hypothetical tax model.

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer if he will list the dates beginning and ending the financial years for which building societies' payments of members' income tax in *(a)* January 1984, *(b)* January 1985 and *(c)* January 1986 satisfied the Inland Revenue and the dates beginning and ending the period of deduction of tax to which the 1985, 1986 and 1991 legislation and regulations are directed; and if he will now add the information to a simple chart and place it in the Library.

Mr. Maude *[holding answer 21 June 1991]:* Payments of tax by building societies in January 1984, 1985 and 1986 under the former annual accounting arrangements satisfied their liability under those arrangements for the tax years 1983-84, 1984-85 and 1985-86 respectively.

The Building Societies Regulations 1986, to which the 1985, 1986 and 1991 legislation relates, required societies to account for tax from 1986-87 onwards at the end of each quarter. In addition, under transitional provisions, societies were required to account for the tax on interest paid to their investors in the gap period between the end of their accounting period in 1985-86—which formed the basis for the January 1986 payment under the annual arrangements—and 5 April 1986.

I have placed a chart explaining the sequence of events in the Library.

Balance of Trade

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will publish a table showing the balance of trade with *(a)* the other countries of the EC and *(b)* the rest of the world in (i) visible and (ii) invisibles in 1990 as a balance of payments basis; and if he will add the figures for imports and exports.

Mr. Mellor: Information about visible trade with the EC and the rest of the world in 1990 on a balance of payments basis can be found in the "Monthly Review of External Trade Statistics", available in the Library of the House, or on the Central Statistical Office database which may also be accessed through the Library. Comparable information about invisible trade will be published on 4 September in the 1991 edition of "The CSO Pink Book."

Insolvency Service

Mr. Gregory: To ask the Chancellor of the Exchequer if he will list his responsibilities in respect of the Insolvency Service.

Mr. Maples: Department of Trade and Industry Ministers determine and answer to Parliament on the general policy framework within which the Insolvency Service executive agency operates. The Treasury has a number of specific responsibilities as set out in the Insolvency Act 1986 for certain issues of finance, accounting and investment (part XIV sections 404-5 and 407-9) and for certain fees (part XV sections 414-5). The Treasury also has certain other order-making powers (part XV section 422); and the Insolvency Service executive agency is subject to Treasury staff inspection.

Tour Operators

Sir Dudley Smith: To ask the Chancellor of the Exchequer what considerations underlay his decision to continue to operate the tour operators' margin scheme.

Mrs. Gillian Shephard: The United Kingdom is obliged, under article 26 of the EC sixth VAT directive, to have a special scheme for taxing tour operators' margins.

Income Tax

Mr. Battle: To ask the Chancellor of the Exchequer if he will estimate the effect on Treasury revenues in 1991-92 and in a full year of the introduction of a 50 per cent. top rate of income tax on annual taxable income above *(a)* £42,000, *(b)* £47,000, *(c)* £52,000 and *(d)* £57,000.

Mr. Maude: The yield in a full year at 1991-92 levels of income is estimated to be *(a)* £1·7 billion, *(b)* £1·5 billion, *(c)* £1·4 billion and *(d)* £1·2 billion. The corresponding yields in 1991-92 are *(a)* £0·9 billion, *(b)* £0·8 billion, *(c)* £0·7 billion and *(d)* £0·6 billion.

No account is taken of possible behavioural changes or of any effect on receipts of capital gains tax.

Lloyd's Underwriters

Mr. Cryer: To ask the Chancellor of the Exchequer if he will list all the tax concessions available to members of Lloyd's insurance syndicates which may be set against income from sources other than underwriting profits; and if he will make a statement.

Mr. Norman Lamont: A Lloyd's underwriter carries on the business of insurance, and if he makes a loss in that business, he is entitled to effectively the same reliefs for a trading loss as any other trader. He may set the trading loss against

his income from other sources of the same year
his income from all sources of the previous year
his income from underwriting in a later year.

The Government have proposed that in common with all other traders, trading losses for 1991-92 and later years may be set against capital gains.

The only difference between the reliefs for losses of Lloyd's underwriters and those of other unincorporated traders is that Lloyd's is able to set off losses against total income of the same year and the previous year. Other traders are able to set off losses against total income of the same year and the succeeding year. This difference merely reflects the fact that Lloyd's is taxed on a current year basis whereas other trades are taxed on the preceding year basis.

Mr. Cryer: To ask the Chancellor of the Exchequer if the cost of annual premiums for stop-loss insurance policies available to Lloyd's underwriters are set against tax; and if he will make a statement.

Mr. Norman Lamont: An underwriter is entitled to deduct the cost of stop-loss policies in computing his taxable profits. He is also required to include any recoveries under a stop-loss policy as income in computing his profits. The position is no different from the tax treatment of comparable insurance policies taken out by other trades.

Value Added Tax

Mr. Spearing: To ask the Chancellor of the Exchequer if he will place in the Library a copy of any recent proposals of the presidency of the Council of Finance Ministers of the European Communities relating to the harmonisation of value added tax.

Mrs. Gillian Shephard: I wrote to the hon. Gentleman on Wednesday 19 June to bring him up to date on the position we have reached in the indirect tax negotiations in Europe. I attached to my letter a note summarising the previous proposals for the approximation of indirect taxes and the compromise proposals to be presented by the Luxembourg presidency to ECOFIN on 24 June, and an annex giving full details of the presidency proposals.

My letter and its attachments were placed in the Library on Friday 21 June. My right hon. Friend the Chancellor of the Exchequer will report the meeting of the ECOFIN in Council on 24 June to the House in the normal way.

HEALTH

Waiting Lists

Mr. Cummings: To ask the Secretary of State for Health how many patients are awaiting radiotherapy treatment in the Sunderland, Hartlepool and Durham area health authorities; how many were on the lists for treatment in each year since 1986; and what is the average waiting time for treatment in each of these years.

Mrs. Virginia Bottomley: There have been no in-patients waiting for radiotherapy treatment at hospitals in these three districts since 1986. Figures on patients waiting for out-patient treatments are not held centrally.

Aflatoxin

Dr. Thomas: To ask the Secretary of State for Health if he will list the scientific evidence held by his Department on whether aflatoxin is a human carcinogen; and if he will make a statement.

Mr. Dorrell: The most recent scientific publications held by the Department on the human carcinogenicity of aflatoxins are:

1. WHO (1979). Environmental Health Criteria 11. Mycotoxins. World Health Organisation, Geneva.

2. Linsell A, (1982). Carcinogenicity of Mycotoxins. Environmental Carcinogens Selected Methods of Analysis. Volume 5—Some Mycotoxins. Egan H, Stoloff L, O'Neill IK, Scott P, Castegnaro M, Bartsch H, Davis W (Eds.). International Agency for Research on Cancer, Lyon.

3. IARC (1987). Monographs on the Evaluation of Carcinogenic Risk of Chemicals to Humans. Suppl. 7, 82-88. International Agency for Research on Cancer, Lyon.

4. IARC (1988). Monographs on the Evaluation of Carcinogenic Risks to Humans. 44. —International Agency for Research on Cancer, Lyon.

5. Ivana Dvorackova (1990). Aflatoxins and Human Health. Published by the CRC Press, Florida.

Wheelchairs

Mr. Rowe: To ask the Secretary of State for Health what arrangements there are for the repair of wheelchairs for a disabled person staying away from his or her home area; and whether he will provide a list of approved repairers for each regional health authority.

Mr. Dorrell: As individual contracts are negotiated by health authorities, a list of approved repairers is not held centrally. All contracts with approved repairers cover work on NHS-supplied wheelchairs for both resident users and those visiting the area. Visitors may, however, need to contact the local disablement services centre to obtain details of the appropriate approved repairer.

Perinatal and Infant Mortality

Mr. Peter Bottomley: To ask the Secretary of State for Health what were the rates of perinatal mortality and infant mortality for Greenwich, Wandsworth and Lewisham in 1981 and for the latest year for which figures are available.

Mr. Dorrell: The table lists the perinatal and infant mortality rates for the London borough's of Greenwich, Wandsworth and Lewisham in 1981 and 1990.

Perinatal and infant mortality rates for the London Borough's of Greenwich, Wandsworth and Lewisham, 1981 and 1990

	1981		*1990*	
	Perinatal	*Infant*	*Perinatal*	*Infant*
Greenwich	11·8	16·0	7·1	8·2
Wandsworth	10·6	10·1	7·2	7·8
Lewisham	14·5	14·0	9·7	7·3

Source:
Local authority vital statistics, Series VS number 8, 1981.
VS1 statistics, 1990.

Registered Homes Act

Mr. Hinchliffe: To ask the Secretary of State for Health if he will list the number of owners of private care or nursing homes who had their registrations cancelled under the Registered Homes Act 1984 during 1990.

Mrs. Virginia Bottomley: The Department has been notified of 30 residential care home owners and 16 nursing home owners who had their registrations cancelled during 1990.

Diabetes

Mr. Speed: To ask the Secretary of State for Health what action his Department plans to take to recognise World Diabetes Day on 27 June and to implement the measures agreed in the St. Vincent declaration of October 1989.

Mr. Dorrell: The Department's chief medical officer has sent a message of encouragement to mark World Diabetes Day. The recommendations in the St. Vincent declaration for the care of people with diabetes in Europe have been incorporated in the Government's Green Paper "The Health of the Nation". We have invited comments on these with a view to the possible development of targets for this country.

GP Lists

Mr. John Marshall: To ask the Secretary of State for Health what is the average general practitioner list size; and what it was in 1978-79.

Mrs. Virginia Bottomley: At 1 October 1990, the latest date for which figures are available, the average general practitioner list size in England was 1,942. The corresponding figure for 1979 was 2,286.

Food Additives

Sir Russell Johnston: To ask the Secretary of State for Health what action he proposes to publicise the adverse effects on many children of sodium salt of benzoate (E211) in view of its use as a preservative in many popular branded drinks.

Mr. Dorrell: None. Sodium benzoate (E211) is a permitted preservative listed in schedule 1 of the Preservative in Foods Regulations 1989 (SI 1989 No. 533). The levels of sodium benzoate in foods are strictly controlled. Studies commissioned by the Ministry of Agriculture, Fisheries and Food of a number of additives, including sodium benzoate, have found the overall incidence of intolerance reactions to be very low. As its presence as an additive in food must appear on the product label those who consider themselves adversely affected can avoid foods containing this preservative.

Pregnancy

Mr. Alton: To ask the Secretary of State for Health what was the incidence of ectopic pregnancies in each of the last 25 years for which figures are available.

Mrs. Virginia Bottomley *[holding answer 13 June 1991]:* The figures for each year since 1979 are given in the table.

Estimated number of episodes where Ectopic pregnancy (ICD 633) is the principal diagnosis.
Ordinary admissions and day cases, NHS hospitals

Year	*Total*
1979-85[1]	
1979	4,240
1980	3,892
1981	4,253
1982	4,344
1983	4,841
1984	4,965
1985	4,788

Year	Total
1987-90[2]	
1987-88	4,941
1988-89	5,570
1989-90	6,928

[1] *Source:* Hospital In-Patient Enquiry. Ordinary admissions only until 1985, NHS hospitals for England and Wales until 1982, post 1982 England only.

[2] *Source:* Hospital Episode Statistics. Figures for 1987-88 onwards are provisional, based on incomplete, ungrossed data and may be subject to revision following analysis.

EMPLOYMENT

Labour Statistics

Mr. David Porter: To ask the Secretary of State for Employment what were the unemployment figures for Waveney in *(a)* May 1987 and *(b)* May 1991 as a whole and as a percentage of the work force; and if he will make a statement.

Mr. Jackson: In May 1991 the number of unemployed claimants, not seasonally adjusted, in the Waveney parliamentary constituency was 3,423. This compares with 5,847 in May 1987, a fall of 41·5 per cent.

Official unemployment rates are not available for parliamentary constituencies. The smallest areas for which unemployment rates are calculated by the Department are travel-to-work areas. These are broadly self-contained labour markets in which at least 75 per cent. of the people who work in the area, live in the area and vice-versa.

TUC Publications

Mr. Nellist: To ask the Secretary of State for Employment (1) if he will obtain a copy of the Trades Union Congress booklet, "Working Women," and place a copy in the Library, marking the passages which were considered by his Department as tendentious; and if he will make a statement;

(2) if he will list the Trades Union Congress publications designed for education or training courses to which he has objected being part of courses which attract financial support from his Department; and if he will make a statement.

Mr. Forth: The Government have always made it clear that they are not prepared to provide financial support under the trade union education and training grant for booklets which engage in political controversy. The booklet "Working Women" contained a number of passages which were openly critical of Government policy. When these passages were drawn to the attention of the TUC, it agreed that they were not appropriate in a booklet financed by public money. Since the TUC has now withdrawn the booklet, no purpose would be served by placing a copy in the Library.

TRANSPORT

Drink-Driving

Mr. Peter Bottomley: To ask the Secretary of State for Transport if he will place in the Library the 1991 research findings on the 1990-91 anti-drink driving advertising campaign.

Mr. Chope: Copies of the 1991 research findings on the Department of Transport's 1990 anti-drink driving advertising campaign have been placed in the Library.

Orange Badge Scheme

Mr. Morgan: To ask the Secretary of State for Transport when he expects to implement the draft regulations published in April 1990, pursuant to the review of the orange badge parking scheme for persons with disability.

Mr. Chope: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Exeter (Mr. Hannam) on 21 March at column *212*.

Public Transport

Mr. Steinberg: To ask the Secretary of State for Transport what steps he is taking to increase the use of public transport and to reduce traffic congestion.

Mr. Chope: The Government are supporting massive investment to improve facilities on British Rail and the London Underground, and are giving grant to two new light rail systems. A network of priority red routes is proposed in London to keep traffic moving. A working group has been set up with the bus industry, the local authorities and the police to encourage bus use and the development of bus priority measures. We are also commissioning wide-ranging research into urban traffic congestion, including the possibility of road pricing.

Road Proposals Display, Tower Hamlets

Ms. Gordon: To ask the Secretary of State for Transport what plans he has for displaying the proposals for the East India Dock road/Canning Town bridge and A13 flyover scheme at a venue in Tower Hamlets.

Mr. Chope: We are investigating the possibility of displaying our proposed exhibition at the Aberfeldy estate after it has been shown at the Mayflower centre, Canning Town.

Network SouthEast

Mr. Peter Bottomley: To ask the Secretary of State for Transport what investment he has approved for British Rail services on the Eltham and New Eltham lines of Network SouthEast.

Mr. Freeman: My right hon. and learned Friend announced approval on 19 June of investment in 188 Networker vehicles at a cost of £127 million. He had previously announced approval for 86 Networker vehicles on 13 May at a cost of over £67 million; 400 class 465 Networker vehicles for Kent link routes were approved in August 1989. The first of these is due to be delivered to British Rail in September this year. The new trains will begin to come into service on Kent link routes, which include Eltham and New Eltham, during the first few months of 1992.

London Transport (Salaries)

Mr. Cohen: To ask the Secretary of State for Transport by what percentage the salary of (i) the chairman and (ii) the board of directors as a whole of London Transport increased in the year 1990-91 on 1989-90; and what is the projected percentage increase in 1991-92 on 1990-91.

Mr. Freeman: The salary of the chairman of London Transport was increased by 25 per cent. and that of the deputy chief executive by 13·7 per cent. from 1 April 1990; these increases reflected additional responsibilities each had previously assumed. Other board members received increases of 8·5 per cent. or 8·6 per cent. My right hon. and learned Friend has not yet considered proposals for pay increases for members from 1 April 1991.

M40

Mr. Tim Smith: To ask the Secretary of State for Transport what is the present surface texture of the grooved concrete surface of the M40 between junctions 1 and 2 measured by the sand patch method; and what was the value of the surface texture in 1973.

Mr. Chope: The sand patch method of measuring texture is not appropriate to grooved concrete surfaces. The specification for measuring grooved concrete is to measure the depth of the grooves. On the M40 between junctions 1 and 2 the average depth is 3·6 mm.

The records from 1973 are no longer available.

Mr. Tim Smith: To ask the Secretary of State for Transport when he expects to receive the consultants' report on the proposed widening of the M40 between junctions 1 and 4; when public consultation will begin; and whether the consultants' terms of reference include the submission of measures to ameliorate the noise nuisance from this stretch of motorway.

Mr. Chope: We expect the consultants to submit their preliminary report appraising the options for increasing the capacity of this length of motorway towards the end of this year. That appraisal will include measures to mitigate the effects of the improved road on the local environment. A decision on the preferred widening option is expected to follow in the spring of 1992. The procedures to be followed from that stage will depend on the scale and nature of the works proposed.

Maritime Safety

Mr. Maclennan: To ask the Secretary of State for Transport which countries are signatories to the international convention on standards of training, certification and watchkeeping for seafarers 1978.

Mr. McLoughlin: There are now 82 countries which are signatories to the international convention on standards of training, certification and watchkeeping for seafarers 1978. I have placed International Maritime Organisation circular STCW/circular 76, which lists the countries concerned together with circulars 77, 79, 80, 81, 82 and 84 which give the most recent accessions, in the Library.

Mr. Maclennan: To ask the Secretary of State for Transport if he will list the number of foreign ships inspected in British ports in each of the last five years under the provisions of the 1982 memorandum of understanding to secure compliance of ships with international standards and indicate *(a)* how many ships were found to have deficiencies, *(b)* under which flag those ships with deficiencies were flying, *(c)* how many ships were detained pending the correction of deficiencies and *(d)* what financial penalties were imposed.

Mr. McLoughlin: The numbers of foreign ships inspected under the provisions of the memorandum of understanding on port state control 1982 were as follows:

	Number
1986	2,439
1987	2,250
1988	1,839
1989	1,692
1990	2,118

(a) The numbers of the above found to have deficiencies were:

	Number
1986	1,309
1987	1,228
1988	915
1989	1,003
1990	1,272

(b) Deficiencies were found on ships flying the following flags during 1989 and 1990:

Algeria, Antigua and Barbuda, Antilles (Netherlands), Argentina, Australia, Austria, Bahamas, Bangladesh, Belgium, Brazil, Bulgaria, Burma (Myanmar), Canada, Cape Verde, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Egypt, Faeroes, Finland, France, German Democratic Republic, German Federal Republic, Ghana, Greece, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Japan, Korean Republic, Liberia, Libya, Malaysia, Malta, Mauritius, Mexico, Morocco, Netherlands, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, St. Vincent and Grenadier, Saudi Arabia, Singapore, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Taiwan, Togo, Turkey, USA, USSR, Vanuatu, Vietnam, Yugoslavia, Zaire.

(c) the numbers of foreign ships detained were:

	Number
1986	18
1987	17
1988	37
1989	44
1990	79

(d) Financial penalties cannot readily be measured but usually comprise three main elements: the often considerable loss of revenue arising from delays in sailing, the cost of repairs and the cost of any further inspection to ensure that repairs have been satisfactorily carried out.

Carbon Dioxide Emissions

Ms. Walley: To ask the Secretary of State for Transport what estimate has been made of the impact of the introduction of catalytic converters on total emissions of carbon dioxide from motor vehicles.

Mr. Chope: Catalytic converters, which are essential to meet our future air quality objectives, can lead to an increase in fuel consumption and thus CO_2 emissions. But this effect will be offset by improved engine control systems which will be required to be fitted to new petrol-engined cars from the end of 1992.

Channel Tunnel

Mr. Fearn: To ask the Secretary of State for Transport when he expects to respond to the recommendation of the House of Lords Select Committee on the European Communities that his Department should commission a study of a Berne gauge line from the channel tunnel to the midlands and north-west, to be able to carry a mixture of containers, demountable bodies, and road trailers; and if he will make a statement.

Mr. Freeman: The Select Committee's report was debated in another place on 4 March. During the debate my noble Friend, Department of the Minister of State, Transport, said that it was clear that the cost of converting a rail route or routes to a continental gauge would be very high and that British Rail's initial strategy of using small-wheeled wagons for the larger continental containers was the right one. He added that the Government might consider whether a gauge conversion study related to the longer-term future would be sensible. So far we have not seen any case for such a study.

Mr. Wray: To ask the Secretary of State for Transport if he will make it his policy to bring forward legislation to provide financial support to British Rail for routes to and from the channel tunnel which are safe, environmentally acceptable and fast.

Mr. Freeman: We have no plans to amend section 42 of the Channel Tunnel Act 1987, which prohibits Government subsidy for international rail services. We are prepared to consider subsidy for any non-user benefits arising from the use by commuter services of a rail link between the channel tunnel and London.

Marchioness Inquiry

Mr. Bowis: To ask the Secretary of State for Transport if he will list the recommendations of the marine accident investigation branch inquiry into the Marchioness disaster, indicating which have been accepted and implemented, which have been accepted and not yet implemented and the date by which he intends that they should be implemented; and which have not been accepted and the reasons for such rejection.

Mr. McLoughlin: All 27 recommendations listed in the marine accident investigation branch report into the collision between the Marchioness and the Bowbelle were accepted on 24 July 1990 by the then Secretary of State. A copy of the recommendations was placed in the Library at that time. Action on 14 of the recommendations (Nos. 1-3, 6-11, 14, 16, 18, 23 and 25) has been completed. Action to implement the remaining recommendations is well advanced and will be completed as quickly as is practicable. Two of these recommendations (Nos. 26 and 27) require the Department to establish and maintain monitoring processes to ensure that the substance of the report's recommendations continues to be borne in mind in future developments; and this has been set in place.

Mr. Bowis: To ask the Secretary of State for Transport what action has been taken to review and, where necessary, to improve the procedures of the communications and emergency services as a result of lessons learnt about the Marchioness disaster.

Mr. McLoughlin: The procedures for communications between ships, the Port of London Authority (PLA) and the emergency services are contained in PLA's combined accident procedure (POLACAP) instructions. Two full-scale POLACAP emergency exercises have been held recently and the lessons learnt have been incorporated in the POLACAP instructions.

The PLA general directions for navigation have been amended to require:

1. Ships to be equipped with a VHF radiotelephone capable of communicating with the harbourmaster.

2. Ships to maintain a continuous watch on the VHF channel appropriate to the part of the Thames in which they are operating.

3. Ships to be fitted with vertical emergency aerials if main aerials are lowered when passing under bridges.

4. Ships of more than 40 metres length to be provided with telephone or portable handset communications between the navigating bridge and the lookout forward.

AGRICULTURE, FISHERIES AND FOOD

Mobile Abattoirs

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food what further review the Chief Veterinary Officer has made of the use of mobile abattoirs in remote areas since the answer to the hon. Member for Isle of Wight, *Official Report*, 17 January 1990, columns *290-91*.

Mr. Maclean: Veterinary staff are working closely with the Humane Slaughter Association to assist it in the development of a mobile abattoir. Any such abattoir will be required to meet the proposed single market standards.

Food Imports

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food what proportion of food imports into the United Kingdom came from *(a)* EEC countries in 1970 and *(b)* from the original Six in 1990.

Mr. Curry: In 1970, 13 per cent. of United Kingdom imports of food, feed and drink by value were from the original six members of the European Community; the comparable figure for 1990 was 43 per cent.

Hedges

Mr. Andrew Bowden: To ask the Minister of Agriculture, Fisheries and Food in what circumstances officials of the Agricultural Development Advisory Service charge for advice on the planting and management of hedges.

Mr. Curry: General advice on conservation matters, including advice on hedgerows, is available free of charge from the Agricultural Development and Advisory Service. A charge would be made, at a rate agreed between ADAS and an individual client, for detailed advice specific to a site, including survey and evaluation work and the provision of planting and management programmes.

Export Refunds

Mr. Illsley: To ask the Minister of Agriculture, Fisheries and Food what is the percentage change between 1991 and 1990 in export refunds for foodstuffs containing cereals; what is his policy on the level of export refunds on such foodstuffs; and if he will make a statement.

Mr. Curry: Export refunds for processed products containing cereals are derived by applying to the basic refunds, set each month by the Cereals Management Committee, co-efficients related to the cereal content of the processed product. The basic refunds for the principal grains and some example products determined for June 1990 and 1991, and the percentage increase for each, are set out in the table. Full details of export refunds on processed products applying in June 1991 are set out in EC regulation 1461/91 (OJ L138 of 1 June 1991) available in the Library of the House.

ecu/tonne	June 1990	June 1991	Per cent. increase 1990-91
Wheat	74·05	102·93	39
Wheat Pellets	75·53	104·99	39
Barley	72·41	90·22	25
Rolled or Flaked Barley	108·62	135·33	25
Maize	97·29	127·47	31
Maize Groats	175·12	229·45	31

Government policy is to seek to ensure that export refunds for processed products containing cereals are set at a level which adequately compensates processors for the cost of their cereals raw materials.

Farm Budget

Mr. Illsley: To ask the Minister of Agriculture, Fisheries and Food if he will publish details of the overall farm budget agreed for 1991-92 with the comparable figures for 1990-91.

Mr. Curry: I refer the hon. Member to the reply I gave to the hon. Member for Halifax (Mrs. Mahon) on 13 June 1991, *Official Report*, col. *669-70*.

Blue Ear Pig Disease

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, further to his answer to the hon. Member for South Shields of 17 June, *Official Report*, column *21*, on blue ear pig disease, if he will list in which counties his veterinarians are, or have been, on detached duty as a result of the disease; and if he will make a statement.

Mr. Gummer: During the current outbreak of blue eared pig disease, detached duty for veterinary staff in the field has so far been confined to Humberside. During the period of disease control 14 other veterinary field staff have had periods of detached duty in this county.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the counties where pigs from the area restricted as a result of blue ear disease have been sent in the last two months; and if he will make a statement.

Mr. Gummer: The counties which have been identified, as a result of the tracing of movements since 1 March, as having received pigs from infected and suspect holdings in the large restricted zone around Humberside are:

Cambridgeshire
Cheshire
Co. Durham
Cumbria
Devon
Essex
Gloucestershire
Lancashire
Leicestershire
Lincolnshire
Norfolk
North Yorkshire
Perth
Somerset
Suffolk
Tyne and Wear
Warwickshire
West Yorkshire
Wiltshire

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, further to his answer to the hon. Member for South Shields of 17 June, *Official Report*, column *21*, on blue ear pig disease, if he will list the number of veterinarians on detached duty, and their usual place of work within his Ministry; and if he will make a statement.

Mr. Gummer: There are currently two veterinarians on detached duty in Humberside; one from the Leeds animal health office and one from Carlisle.

Spongiform Encephalopathy

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many cases of feline spongiform encephalopathy have been confirmed in cats to date; and if he will make a statement.

Mr. Gummer: Feline spongiform encephalopathy is not a notifiable disease, but I am aware of 16 confirmed cases in the United Kingdom.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many cases of canine spongiform encephalopathy have been confirmed in dogs to date; and if he will make a statement.

Mr. Gummer: No case of a spongiform encephalopathy in a dog has been reported anywhere in the world.

Food Safety

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he intends to make a response to the report entitled Priorities Board: Food Safety on Applied Nutrition Research Consultative Committee of November 1988; and if he will make a statement.

Mr. Gummer: I refer the hon. Member to the reply I gave him on 30 October 1990, *Official Report*, column *426*.

Salmon

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food (1) if he will take steps to limit the importation of Norwegian salmon; and if he will make a statement;

(2) if he will discuss with European Community Agriculture Ministers the effect that unlimited imports of salmon from outside the Community will have upon United Kingdom and other European salmon farmers; and if he will make a statement.

Mr. Michael Forsyth: I have been asked to reply.

I refer to the answer I gave to the hon. Member for Argyll and Bute (Mrs. Michie) on 17 June.

TRADE AND INDUSTRY

Manufactured Goods

Sir Richard Body: To ask the Secretary of State for Trade and Industry what percentage share of the United Kingdom market for manufacturing goods was filled by imports from the EEC in 1970; and what was the percentage share in the last 12 months for which figures are available.

Mr. Sainsbury: My Department does not make regular estimates of import penetration ratios for particular groups of trading partners. Estimates broadly comparable to the published statistics for the percentage share of the United Kingdom market for manufacturing goods filled by imports are as follows:

EC imports as a proportion of home demand (manufacturing):

	percentage
1970	5
1990	20

European Single Market

Sir Richard Body: To ask the Secretary of State for Trade and Industry how many EC directives for the single market have been agreed at meetings of the Council of Ministers that he has attended; how many of these directives have been given legislative effect in the United Kingdom; and how many have been put into legislative effect by all member states.

Mr. Sainsbury: Following the Internal Market Council on 18 June some 202 of the 282 measures in the Commission's single market programme have been adopted, agreed in principle, or had common positions agreed for submission to the European Parliament.

The Commission presented to the 18 June Council its sixth annual progress report concerning the completion of the single market. This reaffirmed the United Kingdom's excellent record on implementation. Of the 126 individual provisions which are required to have entered into force by the end of May the report recorded the United Kingdom as still needing to implement only 20. This was bettered only by Denmark (12 not implemented) and France (18).

Although only 33 directives have been implemented in all member states, the Commission report noted an improvement in the overall level of implementation. This has increased from 69 per cent. in December 1990 to more than 73 per cent. in May 1991.

Bryanston (Report)

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry, further to his answer to the hon. Member for Great Grimsby on 22 May, *Official Report*, column *477*, if he is now in a position to make a statement on what representations he has received seeking the publication of the final report on Bryanston.

Mr. Redwood: From the papers which are now available, I am advised that there is no indication that my right hon. Friend received any representations seeking publication of the inspectors' final report.

Disclosure of Non-audit Fees

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if he will list the parties who responded to the draft of the statutory instrument relating to the disclosure of non-audit fees and opposed it.

Mr. Redwood: A number of responses were received, some of which expressed opposition to the use at the present time of the Secretary of State's power to require the disclosure of non-audit fees paid to a company's auditors and their associates. It would not be appropriate to disclose the views of identified respondents, since they were not told beforehand that their views would be made public.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry, further to his reply to the hon. Member for Great Grimsby on 20 May, *Official Report*, column *333*, on what date he intends the statutory instrument relating to disclosure of non-audit fees would come into operation.

Mr. Redwood: No date has yet been decided.

Auditors

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will propose legislation under which the auditing firms criticised by his Department's inspectors will be required to file a statement with the regulators stating that they have read and understood the criticisms made of their practices.

Mr. Redwood: No.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will propose legislation under which banks in their annual corporate reports will be required to publish the number of times their auditors have acted as receivers for any of the bank's clients.

Mr. Redwood: I have no plans to do so.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will indicate the dates on which his representative has attended the meetings of the Auditing Practices Board.

Mr. Redwood: The first meeting of the Auditing Practices Board is due to take place on 3 July.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what steps his representative on the Auditing Standards Board has taken to bring about a reduction in the influence of the six largest auditing firms in setting auditing standards.

Mr. Redwood: My Department has no role in the selection of voting members of the Auditing Practices Board.

Recognised Supervisory Bodies

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether under the Companies Act 1989 the recognised supervisory bodies will enjoy any immunities from prosecution.

Mr. Redwood: No.

Bank Loans

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will propose legislation under which banks in their annual corporate report will be required to publish the loans they have advanced to small, medium and large companies.

Mr. Redwood: As we made clear during the public consultation on the forthcoming implementation of the bank accounts directive, the Government support the principle of fuller disclosure aimed at benefiting users of accounts. Where possible, however, we prefer to allow the banking industry to develop its own response to the need for disclosure additional to the directive's requirements.

Bankruptcy

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if he will bring forward proposals for legislation to ensure that banks rank with all other creditors in bankruptcy and are prevented from imposing conditions which put them in a preferential position.

Mr. Redwood: I have no plans to propose any such legislation.

Recognised Professional Bodies

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what conditions he has laid down as to the number of visits to be made by each regulator to their members in respect of the recognised professional bodies listed in his answer of 22 May, *Official Report*, column *476*.

Mr. Redwood: This is a matter for the Securities and Investments Board.

European Regional Development Fund

Sir Thomas Arnold: To ask the Secretary of State for Trade and Industry if he will outline the procedure required for lodging an application for European regional development grant.

Mr. Leigh: Applications for European regional development fund (ERDF) grants are made to the secretariat of the monitoring committee of the appropriate ERDF programme. The secretariats for programmes in the north-west are provided by the Department of the Environment's regional offices in Manchester and Liverpool.

Sir Thomas Arnold: To ask the Secretary of State for Trade and Industry what has been the North-West region's share of European regional development grant in each year since the United Kingdom joined the EC.

Mr. Leigh: The north-west's share of European regional development fund grants is shown in the table.

	North West's per cent. share of England's ERDF Commitments	*North West's per cent. share of United Kingdom ERDF Commitments*
1975	25·1	8·5
1976	23·7	11·6
1977	19·6	9·1
1978	44·9	19·8
1979	26·3	9·1
1980	23·0	12·6
1981	19·1	7·1
1982	24·3	11·1
1983	38·3	16·0
1984	28·9	15·5
1985	38·1	21·6
1986	24·9	13·8
1987	16·3	8·4
1988	20·5	9·4
[1]1989 to 1991	26·7	12·5
[2]1975 to 1991	26·4	12·7

[1]Three year allocation from Community Support Framework.
[2]There are no figures for 1973 and 1974 as the ERDF did not start until 1975.

Data Protection

Sir Gerard Vaughan: To ask the Secretary of State for Trade and Industry pursuant to the answer to the hon. Member for Romsey and Waterside, 3 June 1991 *Official Report*, column *32*, (1) if he will arrange for the study being carried out by Coopers and Lybrand Deloitte to be extended to consider electronic raids on medical data;

(2) if he will arrange for the study being carried out by Coopers and Lybrand Deloitte to be extended to consider electronic raids on research data compiled by academic institutions as distinct from businesses.

Mr. Leigh: The focus of the study is on the requirements of business and the police. It would not be practicable for a relatively short-term study of this kind to collect material directly from all sectors. However, it is expected that the findings of the study would be applicable to the needs of most organisations which use information technology, and would therefore be likely to be relevant to those institutions which hold medical and research data in electronic form.

Insolvency Reports

Mr. Gregory: To ask the Secretary of State for Trade and Industry if he will list his responsibilities in respect of the insolvency service.

Mr. Redwood: The insolvency service is an executive agency within my Department. Its day-to-day management has been delegated under the terms of its framework document to its inspector general and chief executive. He is accountable to and reports to me on its performance. I remain answerable for the policy governing the service's work generally and determine the policy framework within which it operates.

A copy of the agency framework document is available in the House Library.

Synergistic Air-breathing and Rocket Engine

Mr. Atkinson: To ask the Secretary of State for Trade and Industry what support his Department is proposing to provide for the research and development of the synergistic air-breathing and rocket engine; and if he will make a statement.

Mr. Leigh: At present my Department has no plans to support the research and development of the synergistic air-breathing and rocket engine. There are many concepts for re-usable space launchers currently under study within Europe. What is clear is that any eventual development of such a vehicle will have to be collaborative, probably on a Europe-wide basis, if it is to be affordable. If, in the context of European collaboration, the European Space Agency were to propose a new optional technology support programme to explore such concepts as the synergistic air-breathing and rocket engine, the Government would be prepared to consider United Kingdom participation in such a programme.

Health Insurance Companies

Mr. Atkinson: To ask the Secretary of State for Trade and Industry what recent representations he has received from United Kingdom health insurance companies in seeking business opportunities in France, Italy and Germany; and if he will make a statement.

Mr. Redwood: United Kingdom health insurance companies were among the organisations which responded to my Department's consultative document on the proposed EC third non-life insurance directive published in February this year. They welcome the proposed directive and its liberalising provisions for the marketing of insurance throughout the Community. Our aim is to secure in the directive the maximum possible freedom in the single insurance market.

Buses

Mr. Steinberg: To ask the Secretary of State for Trade and Industry if he will list the number of buses *(a)* manufactured in the United Kingdom and *(b)* imported into the United Kingdom for each year since 1980.

Mr. Leigh: The available figures are as follows:

United Kingdom production and imports of buses

Year	Production number	Imports number
1980	21,572	417
1981	12,444	678
1982	13,107	1,041
1983	15,616	1,616
1984	4,726	1,301
1985	3,885	1,174
1986	2,514	1,493
1987	2,178	1,067
1988	2,511	1,045
1989	2,171	1,056
1990	1,504	665

Notes:
1. Prior to 1984 production figures include mini buses.
2. Imports figures are as defined by SITC(R3) 783.11 and 783.19 (New Buses and Coaches.

Source:
Society of Motor Manufacturers and Traders Ltd.
Her Majesty's Customs and Excise.

Steel

Mr. David Porter: To ask the Secretary of State for Trade and Industry if he will make a statement on the rules governing the import and export of steel for British manufacturing companies with subsidiaries in *(a)* EC countries and *(b)* non-EC countries with particular reference to the end-user costs.

Mr. Leigh: Steel prices within the European Community are governed by the pricing rules in articles 60 to 64 of the treaty of Paris. These rules are enforced by the European Commission and impose certain constraints on producers' pricing policies. However, producers are still free to compete on price. Hence prices for a given product will vary across the Community and within any individual member state, for example: on the basis of the range of products and services provided; on whether metric or imperial standards are involved; and on whether sales are direct from the mill or through a stockholder.

Enterprise Initiative

Mr. Battle: To ask the Secretary of State for Trade and Industry how many enterprise initiative consultants also contract for business arising from firms seeking enterprise initiative grants; and what proportion of the total grant allocation funding to these consultants represents.

Mr. Leigh *[holding answer 20 June 1991]:* Of the 3,298 consultancy practices listed with DTI contractors in the financial year 1990-91 to carry out work under the enterprise initiative assisted consultancy scheme, 2,239 undertook consultancy projects during that period. Payment of consultancy fees by the DTI represents either one half or two thirds of an individual project's cost, depending upon the location of the client business.

Shipbuilding

Ms. Quin: To ask the Secretary of State for Trade and Industry what was the legislative basis for the Government's decision to privatise British Shipbuilders; and what parliamentary approval was either required or given before the privatisation took place.

Mr. Leigh *[holding answer 20 June 1991]:* The legislative authority for the privatisation of British Shipbuilders' subsidiaries is the British Shipbuilders Act 1983. No further parliamentary approval was required for these privatisations, but Parliament was informed on each occasion.

Ms. Quin: To ask the Secretary of State for Trade and Industry if he will make a statement on the Government's reasons for closing the North East Shipbuilders Ltd yards in Sunderland as opposed to any other United Kingdom yards at the time of the 1988 agreement with the European Commission to reduce Britain's merchant shipbuilding capacity.

Mr. Leigh *[holding answer 20 June 1991]:* The decision to close the remaining NESL shipyards in Sunderland was taken by the Government in December 1988 because no acceptable bids had been received for them. In contrast, sale negotiations for British Shipbuilders' other remaining shipbuilding subsidiaries had by that time reached an advanced stage.

The package notification made in December 1988 to the European Commission of the proposed closure aid at NESL, the proposed terms of sale of the other British Shipbuilders' subsidiaries and forecast British Shipbuilders' results for 1988 and 1989 was to seek the Commission's approval of the overall level of subsidy to British Shipbuilders as conforming to the relevant Community shipbuilding aid ceilings, rather than a specific agreement to reduce United Kingdom merchant shipbuilding capacity.

Exports

Ms. Quin: To ask the Secretary of State for Trade and Industry if he will list the average annual growth in the volume of exports for the United Kingdom and other EC countries over the period 1979 to 1990.

Mr. Sainsbury *[holding answer 20 June 1991]:* The information is in the table. There are no data for Luxembourg or Portugal.

Annual average growth rates of the volume of total exports of goods 1979-90

	Per cent.
Belgium[1]	3·9
Denmark	4·8
France[2]	3·6
Germany	4·3
Greece[2]	4·7
Ireland[2]	8·7
Italy[2]	3·2

	Per cent.
Netherlands	3·9
Spain	6·7
United Kingdom	3·9

[1] Average for the period 1979-87.
[2] Average for the period 1979-89.
Source: OECD Monthly Statistics on Foreign Trade.
Notes:
(1) The average annual growth rate is the rate which, when compounded over the 11 calendar years from 1979 to 1990, gives rise to the observed change in export volumes.
(2) 'Total exports' include goods (including oil and erratics) but not services.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Trade and Industry when he will be able to give 1989-90 figures and 1990-91 figures on energy consumption and energy spending to update the 1988-89 figures given in the answers of 14 May 1990, *Official Report*, columns *277-78*, and 30 April 1990, *Official Report*, column *387*.

Mr. Leigh *[holding answer 20 June 1991]:* Some estimates have been prepared for 1989-90:

	Million	£ million
Electricity	10·4 Kilowatt hours	3·3
Gas	2·6 Therms	0·8
Oil	3·6 litres	0·4

However, it should be noted that these figures and previous figures given have been compiled from global billing of the Property Services Agency. This billing was not broken down in a way which readily identified the consumption of individual Departments. The figures are therefore only broad indicators and are not comprehensive.

From 1990-91 the Department will have figures based on direct billing which will be accurate and comprehensive. The 1990-91 figures will be available in October 1991.

Public Houses

Mr. Hardy: To ask the Secretary of State for Trade and Industry how many public houses and inns there were in England in 1981 and the last year for which figures are available; and if he expects the number to change significantly during the next two years.

Mr. Redwood *[holding answer 21 June 1991]:* The precise figures are not readily available. The number of full on-licensed premises—about 70 per cent. of which are public houses—in the United Kingdom in 1980 was 76,403. By 1989 there were 83,000 full on-licensed premises in the United Kingdom. I cannot predict whether this figure will change significantly in the next two years. I would not, however, expect it to reduce significantly as a result of the Beer Orders introduced following the Monopolies and Mergers Commission report. These require brewers to free from ties half the pubs they own in excess of 2,000; however pubs which are closed do not count towards the number to be freed.

Mr. Hardy: To ask the Secretary of State for Trade and Industry what recent discussions he has had with representatives of the brewing industry and the licensees of public houses with regard to the future of their trade.

Mr. Redwood *[holding answer 21 June 1991:]* In recent months the Secretary of State and I have had meetings with the Major brewers. I met the National Licensed Victuallers' Association in January this year and the Secretary of State has also recently offered to meet the NLVA. In addition officials are in regular contact with a wide range of representatives of the brewing industry.

ENVIRONMENT

Energy Use

Mr. Gould: To ask the Secretary of State for the Environment when the results of the survey on energy use, undertaken as part of the English house condition survey in 1986-87, will be published.

Mr. Heseltine: The results will be published this summer.

Consultancy Contracts

Mr. Morgan: To ask the Secretary of State for the Environment if he will list all consultancy contracts awarded in the past five years without competitive tender.

Mr. Heseltine: I have arranged for a list of the contracts awarded to management or computing consultants in the past five years without competitive tender to be placed in the Library.

Inner City Programme

Sir Thomas Arnold: To ask the Secretary of State for the Environment if he will specify the full range of grants currently available under his inner city programme with a brief technical description of each.

Mr. Portillo: Very important support is provided for the inner cities through the main programmes of the Home Office and the Departments of Trade and Industry, Employment, Education and Science, Transport, Health and Social Security and through support to local authorities and the Housing Corporation by this Department including the estate action programme.

My Department promotes inner city regeneration through a variety of programmes and initiatives, including the following grant measures.

City Challenge

City Challenge is a new initiative under which local authorities are invited to draw up comprehensive plans in partnership with the private sector, voluntary organisations and local people, to bid for resources for the regeneration of key parts of their areas within a five-year period. Fifteen authorities have been invited to compete for a share in over £250 million from DoE programmes during the five years 1992-93 to 1996-97.

Urban Development Corporations

Grant-aid is provided for the ten urban development corporations in England. Some £470 million will be available in 1991-92 to purchase and reclaim land, provide infrastructure, encourage development and improve the environment.

Urban Programme

Fifty-seven urban programme (UP) authorities in England receive 75 per cent. grant towards a wide range of projects with an emphasis on economic and environmental improvements as the key to self-sustaining regeneration in targeted inner city areas. In 1991-92, £268 million is available to support almost 9,000 projects.

City Grant

City grant is provided to support private sector capital projects which benefit run down urban areas and which

cannot proceed without grant. Over £56 million has been committed to the city grant programme for 1991-92 and will be available for industrial, commercial, housing and leisure projects.

Derelict Land Grant

Derelict land grant (DLG) is available throughout England to local authorities, other public bodies, voluntary organisations, private firms and individuals to promote the reclamation of land which has been so damaged by industrial or other development that it is incapable of beneficial use without treatment. The DLG programme for 1991-92 totals £88 million of which about £81·5 million is expected to be spent on local authority reclamation schemes. About 40 per cent. of the programme will be devoted to schemes in the inner cities.

City Action Teams

There are eight city action teams (CATs) operating in Birmingham, Cleveland, Leeds/Bradford, Liverpool, London, Tyne and Wear, Nottingham/Leicester/Derby and Manchester/Salford. The CATs are an important mechanism for co-ordinating and targeting Government programmes and harnessing the support of business and industry. Each CAT has a small budget, a total of £8·1 million in 1991-92, with which to prime action targeted on inner city problems of unemployment, environmental improvement and the need to promote enterprise.

London City Airport

Mr. Summerson: To ask the Secretary of State for the Environment when he expects to receive the report of the public inquiry into the planning application submitted on 12 September 1989 for the extension of the runway and the operation of jet aircraft at London city airport; and when he expects to complete his consideration of the report.

Mr. Wilshire: To ask the Secretary of State for the Environment arising from the planning application dated 12 September 1989 by John Mowlem and Co. plc. to extend the runway at London city airport *(a)* if he has now received the report of the inspector who conducted the public inquiry and *(b)* when he expects to be able to announce his decision.

Mr. Yeo: The inspector delivered on 14 June his report of the public inquiry into two applications relating to the London City airport. One application to vary the conditions of a permission granted on 23 May 1985 was submitted on 12 September 1989. The second application to carry out development of the runway was submitted on 15 December 1989. My consideration of the report will be completed when I have taken careful account of all relevant matters.

Refugees

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Environment if he has any plans to provide a per capita per refugee revenue support grant for receiving local authorities.

Mr. Key: There are currently no such plans.

Waveney District Council

Mr. David Porter: To ask the Secretary of State for the Environment when he expects to be able to report his Department's findings into the way Waveney district council assigned its buildings cleaning work contract to its own direct services organisation in March this year; and if he will make a statement.

Mr. Key: I am currently considering the response of Waveney district council to my Department's inquiries about its building cleaning work contract. A decision on whether the Secretary of State should use his powers of sanction under part I of the Local Government Act 1988 will be taken shortly. I shall write to my hon. Friend again at that time.

3Ds Ltd.

Mr. Cryer: To ask the Secretary of State for the Environment whether the application by 3Ds Ltd. for £5 million city grant has been considered; whether all the information required has been provided; whether the identify of all shareholders in 3Ds Ltd. has been ascertained; and if he will make a statement.

Mr. Key: The first phase of 3Ds proposed development is still under discussion and further information is still awaited before a full appraisal of the project can be undertaken. The identity of the shareholders in 3D Ltd. has been ascertained.

Sites of Special Scientific Interest

Mr. Wilson: To ask the Secretary of State for the Environment what plans he has to introduce an advisory committee on sites of special scientific interest in England.

Mr. Baldry: None.

Housing Improvement Grant

Mr. Hinchliffe: To ask the Secretary of State for the Environment what evidence he has of hardship caused to applicants for housing improvement grants under the Local Government and Housing Act 1989 by virtue of (i) the allowance of the notional housing premium for applicants with substantial housing costs being beyond what they can afford and (ii) the lack of an unearned income disregard affecting applicants with small occupational pensions.

Mr. Yeo *[holding answer 21 June 1990]:* We have received a number of representations from grant applicants and others on these matters and will be considering them as part of our review of the new grant system later this year.

SOCIAL SECURITY

Lone Parents (Benefits)

5. **Mr. Favell:** To ask the Secretary of State for Social Security what is the current level of spending on benefits for lone parents.

Mr. Newton: In 1990-91 expenditure on income-related benefits for lone parent families was approximately £3·4 billion.

National Insurance

15. **Mr. Harry Greenway:** To ask the Secretary of State for Social Security what estimate he has made of the weekly additional cost to a married man with a non-working wife and three children earning £26,000 a year of the abolition of the national insurance upper earnings limit.

Mr. Scott: If the upper earnings limit for national insurance contributions were removed, a married man earning £26,000 a year would have to pay about £10 a week extra in contributions.

20. **Mr. Norris:** To ask the Secretary of State for Social Security what estimate he has made of the impact on a person earning £35,000 per annum, of the removal of the national insurance contributions upper earnings limit.

Mr. Scott: If the upper earnings limit for national insurance contributions were removed, a person earning £35,000 a year would pay an extra £1,324·80 a year in contributions; that is over £25 a week.

Mr. Robert Banks: To ask the Secretary of State for Social Security what recent representations he has received about the national insurance upper earnings limit.

Mr. Scott: It remains the Government's intention to retain the national insurance upper earnings limit and we have received no recent representations about it.

Child Benefit

16. **Mr. Harris:** To ask the Secretary of State for Social Security what will be the impact on a typical family with two children of the last two increases in child benefit.

Mr. Jack: This year's increases mean that such a family will see their weekly tax-free income from child benefit rise by over 15 per cent. from £14·50 to £16·75.

Child Support Agency

17. **Mr. Alexander:** To ask the Secretary of State for Social Security how many new jobs are likely to be created as a result of the establishment of the Child Support Agency.

Mr. Jack: We anticipate that the proposed Child Support Agency, which becomes operational from April 1993, is likely to create around 2,200 new jobs across the country.

The majority of these jobs will be located in Belfast, Birkenhead, Dudley, Falkirk, Hastings and Plymouth. Each of the designated locations for these offices will provide around 500 administrative jobs. It is hoped that the majority of these job opportunities can be filled locally.

19. **Mr. French:** To ask the Secretary of State for Social Security if any estimate has been made of the potential reduction in spending on benefits for lone parents as a result of maintenance orders following the establishment of the Child Support Agency.

25. **Sir Robert McCrindle:** To ask the Secretary of State for Social Security whether any estimate has been made of the possible reduction in spending on benefits for lone parents as a result of improved assessment and enforcement of maintenance orders following the establishment of the Child Support Agency.

Mr. Jack: We expect spending on benefits to be about £400 million a year lower as a consequence of the full establishment of the Child Support Agency.

Family Credit

18. **Mrs. Margaret Ewing:** To ask the Secretary of State for Social Security what is the current length of time which elapses between receipt of application for family credit and a decision being reached in cases affecting *(a)* employed and *(b)* self-employed applicants.

Mr. Jack: In May 1991, the average clearance time for family credit claims was 17·7 days for employed cases and 31·5 days for self-employed cases.

Pensioner Premium

21. **Mr. Gregory:** To ask the Secretary of State for Social Security how many pensioners are estimated to have benefited from increases in the pensioner premium in income support.

Miss Widdecombe: Since October 1989 nearly 1·5 million pensioner claimants have gained directly from increases in income support premiums. And this takes no account of the millions who have benefited because improvements in income support levels have increased their entitlement to housing benefit and community charge benefit. We have added some £300 million to pensioner premiums over and above normal upratings in less than two years.

Healthy Diets

22. **Dr. Kim Howells:** To ask the Secretary of State for Social Security if he will make a statement on the measures his Department has taken to ensure that families on social security can pay for a healthy diet.

Miss Widdecombe: The Government do not prescribe what proportion of benefit should be spent on any particular budgetary item, but the social security reforms have made it possible to channel extra help to the most vulnerable groups. Compared with the pre-1988 position, the resources made available to families with children through income related benefits have risen by around £½ billion a year in real terms.

Personal Pensions

23. **Mr. Peter Bottomley:** To ask the Secretary of State for Social Security what would be the total value of the reduction in pension contributions to a man on average earnings with a personal pension if the 2 per cent. special incentive were withdrawn.

Miss Widdecombe: Based on average full-time male earnings of about £16,000 per year, the total amount of national insurance contributions payable in the year 1991-92 would be £3,745. The total amount payable from the national insurance fund to an appropriate personal pension scheme would be £1,037. Withdrawing the 2 per cent. incentive would reduce this by approximately £266.

26. **Sir Bernard Braine:** To ask the Secretary of State for Social Security what representations he has received about personal pensions.

Miss Widdecombe: We have received a number of representations about various aspects of personal pensions.

Local Offices

24. **Mr. Tony Banks:** To ask the Secretary of State for Social Security how much has been spent in London social security offices during the past 12 months on facilities for clients.

Miss Widdecombe: In the financial year 1990-91 £3·5 million was spent on capital refurbishment projects at 30 offices in the London area. Of this amount £1·8 million can be clearly identified as specifically for client facilities. The balance of £1·7 million was on schemes involving both client and staff areas.

Liable Relatives Officers

27. **Mr. Grist:** To ask the Secretary of State for Social Security if he will make a statement on the work of his Department's liable relatives officers.

Mr. Jack: Liable relative officers work within the current maintenance system to obtain maintenance for people claiming income support so that people are not unnecessarily dependent on income support because someone who can afford to pay maintenance fails to do so. We have carried out a wide-ranging review of the whole system of maintenance for children, and the Child Support Bill now before Parliament contains proposals for a new child maintenance system. Under the new system, assessment of maintenance for children will be by a standard formula. In addition, there will be a Child Support Agency dedicated to the assessment, collection and enforcement of child maintenance. The agency's services will be available to all parents bringing up children where maintenance is an issue.

Young People

Mr. Patchett: To ask the Secretary of State for Social Security whether he has received a copy of the recent report published by the Coalition on Young People on Social Security.

Mr. Scott: I have received a copy of the report by the Coalition on Young People and Social Security. I do not consider that the restoration of general entitlement to benefit for 16 and 17-year-olds recommended by the report is the right solution. However I shall be looking at the report's findings carefully, together with the Department's own research, to ensure that the most vulnerable young people receive the best possible service.

Performance Indicators

Mr. Battle: To ask the Secretary of State for Social Security what performance indicators are published for his Department.

Mr. Jack: A wide range of performance indicators are published in the DSS departmental report (cm 1514) most notably in tables 40, 41 and 42.

In addition each of the Department's agencies include performance targets, covering their most important activities, in their business plans. Targets are typically set for service delivery and for a range of financial indicators. Copies of the departmental report and the business plans are in the Library.

HOUSE OF COMMONS

Sittings

35. **Mr. Favell:** To ask the Lord President of the Council how many representations on hon. Members' hours have been received from hon. Members' spouses.

Mr. MacGregor: One.

EC Proposals

40. **Mr. Peter Bottomley:** To ask the Lord President of the Council if he will make a statement on the parliamentary procedures for debate and scrutiny of EC proposals.

Mr. MacGregor: The changes leading to the present scrutiny procedures were debated on 28 June 1990, 24 October 1990 and 22 January 1991. The Government are committed to carrying out a full review of the procedures at the end of this parliamentary Session.

In addition, I keep the arrangements constantly under review and I have recently tabled a proposal to deal with one technical point that has arisen from the operation of the European Standing Committees.

Regional Sittings

Mr. Hind: To ask the Lord President of the Council if he will bring forward proposals to permit the House of Commons to meet in Birmingham, Manchester, Leeds and Edinburgh; and if he will make a statement.

Mr. MacGregor: No.

Ibbs Report

Sir Gerard Vaughan: To ask the Lord President of the Council if he will list the several outbuildings to the precincts of the Palace of Westminster showing who is in charge of each building and what changes in these arrangements will follow from the Ibbs report.

Mr. MacGregor: The following House of Commons outbuildings form part of the parliamentary estate:

Number 1 Canon Row
Norman Shaw (North) and (South)
St. Stephen's House
Number 1 Parliament street
Number 1 Derby Gate
Number 3 Dean's Yard
Number 6-7 Old Palace Yard
Number 2 the Abbey Garden

In addition, Palace Chambers and Nos. 1 and 2 Bridge street are either vacant or occupied temporarily pending redevelopment as part of phase II of the new parliamentary building project.

No. 1 The Abbey gardens is occupied by the House of Lords.

Accommodation in these buildings is managed by the respective House authorities with works services being undertaken by the DOE Property Holdings, parliamentary works organisation. Implementation of the Ibbs report will transfer responsibility for the latter to the Houses.

Energy Conservation

Mr. Simon Hughes: To ask the Lord President of the Council what plans he has to maximise energy conservation and efficiency in the House during the current year.

Mr. MacGregor: Energy conservation work is treated both as a specific task and as integral part of both the maintenance of the fabric of the buildings and services on the parliamentary estate and the design of new facilities. During the year the coverage of the building energy management system will be extended, further energy efficient lighting will be installed, another major step in the modernisation of the heating system will be completed and other minor work will be carried out as the opportunity arises.

Staff of the parliamentary works office have a continuing brief to draw the attention of energy liaison officers where lighting is left on repeatedly, and security staff are asked to switch off lighting in empty rooms. It is, of course, incumbent upon all occupants of the parliamentary buildings to adopt a commonsense approach to the use of lighting and other energy consuming equipment.

Library

Mr. John Marshall: To ask the Lord President of the Council if he will list the books offered by a Member of the House in the last month for inclusion in the Library.

Mr. MacGregor: Members who are authors often present a signed copy of their book to the Library for its special collection. From time to time Members also offer books to the Library written by authors other than themselves. It is not, however, Library practice to reveal the names of Members who present books in this way without the agreement, in each case, of the Member concerned.

Millbank

Mr. Michael: To ask the Lord President of the Council what progress he has been able to achieve on improving safety for hon. and right hon. Members crossing Millbank to and from their offices.

Mr. MacGregor: I have little to add to the information I gave the hon. Member on 11 February last. Both Houses and Westminster city council have agreed to the installation of an additional island refuge outside the entrance to the Lords' car park. They are all agreed, however, that it would be impracticable to install an extra pedestrian crossing between those at the south-east corner of Parliament square and at Great College street.

DEFENCE

Civil Aircraft Notification Procedure

Dr. Thomas: To ask the Secretary of State for Defence what procedures exist for the reporting and recording of breaches by military aircraft of areas notified under the civil notification procedure, other than those incidents in which an air miss was reported.

Mr. Kenneth Carlisle: Complaints made to my Department relating to civil aircraft notification procedures, other than air miss reports, would be handled in the same way as other complaints about military low flying.

Dr. Thomas: To ask the Secretary of State for Defence if he will list the number of notifications made under the civil aircraft notification procedure in each year since 1979.

Mr. Kenneth Carlisle: Records are not available for notifications made under the civil aircraft notification procedure before August 1983. The number of notifications since then is as follows:

Year	*Number*
1983	[1]775
1984	5,976
1985	7,183
1986	4,598
1987	4,604
1988	3,213
1989	548
1990	412
1991	[2]51

Notes:
[1] Figure is for August to December inclusive.
[2] Figure is for January to May inclusive.

Dr. Thomas: To ask the Secretary of State for Defence if he will list the dates and locations of all air misses since 1979 in which a military aircraft breached an area notified under the civil aircraft notification procedure.

Mr. Kenneth Carlisle: Following is the information requested:

Date	*Location*	*Aircraft involved*
5 March 1980	15 NM[1] E of York	Starfighter/Schweizer AG-Cat
29 September 1980	7 NM S of Pitlochry	Buccaneer/Lama SA315B
22 September 1981	21 NM N of Dundee	Buccaneer/Lama SA315B
15 April 1982	5.5 NM NE of Leconfield	Lightning/Schweizer AG-Cat
23 February 1983	Foulsham Airfield	Caberra/Schweizer AG-Cat
14 June 1984	4 NM SW of Eshott	Jaguar/Sioux Trooper
15 January 1985 (11.35 am)	18 NM SW of Wick	Harrier/Hiller 360 UH12E
15 January 1985 (12.15 am)	18 NM SW of Wick	Untraced military aircraft/Hiller 360 UH12E
25 February 1985	11 NM NE of Cottesmore	Untraced military aircraft/Pawnee
12 April 1988	5 NM N of Dalwhinnie	Buccaneer/Hughes 500
13 April 1988	4 NM SW of Newtonmore	F16/Hughes 500

Date	Location	Aircraft involved
15 April 1988	5 NM S of Newtonmore	Hunter/Jet Ranger
11 October 1988	1 NM W of Fort William	Tornado/Jet Ranger

[1] NM—Nautical mile.

Low Flying

Dr. Thomas: To ask the Secretary of State for Defence what was the number of booked low-flying movements at less than 250 ft over the United Kingdom in each year since 1979, broken down by aircraft type.

Mr. Kenneth Carlisle: I refer the hon. Member to my Department's evidence to the recent inquiry by the Select Committee on Defence (HC 120/90, page 141) and to the written answers to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 19 December 1990 at column *208* and to the hon. Member for Leyton (Mr. Cohen) on 8 March 1991 at column *332*.

Dr. Thomas: To ask the Secretary of State for Defence if the flow control regulations in the United Kingdom low-flying system apply to traffic at all altitudes within the system.

Mr. Kenneth Carlisle: Yes, except for some helicopter operations and above certain flowed valleys.

The Gulf

Mr. Trotter: To ask the Secretary of State for Defence when he expects that the official board of inquiry into the incident in which British soldiers in Iraq were killed by friendly fire will be completed.

Mr. Archie Hamilton: I have nothing to add to the answer I gave to my hon. Friend the Member for Winchester (Mr. Browne) on 19 June at column *226*.

Grenadier Guardsmen (Accident)

Mr. Winnick: To ask the Secretary of State for Defence how many documents requested by the solicitor acting for Guardsmen Povey, Hicks and Ray have been *(a)* withheld and *(b)* withheld in part; and if he will make a statement.

Mr. Archie Hamilton: None of the documents which the solicitors have requested has been withheld. Their outstanding request for the 1984, 1985 and 1989 editions of the Batus range standing orders will be met if they are still available.

Mr. Winnick: To ask the Secretary of State for Defence how many special socks have been provided to Guardsmen Povey, Hicks and Ray; and if he will make it his policy to supply such special socks free on demand.

Mr. Archie Hamilton: My right hon. Friend the Secretary of State for Health will reply shortly.

Charter Technologies (Liquidation)

Mr. Dalyell: To ask the Secretary of State for Defence what representations he has had from Muras, Baker, Jones and Co., liquidators of Charter Technologies.

Mr. Kenneth Carlisle: None.

Submarines

Mrs. Ray Michie: To ask the Secretary of State for Defence if he will make a statement about the operation of the scheme under which the Royal Navy notifies details of planned activity by submerged submarines in the inner Clyde.

Mr. Archie Hamilton: The Clyde submarine movements notification scheme was introduced on 17 December 1990. Under this scheme the Royal Navy gives notice of the sea areas and times of planned submerged submarine activity in the inner Clyde. The information is broadcast by the Clyde coastguard every four hours on VHF and is also available by telephone from the operations room at the Clyde submarine base. Local fishermen have also undertaken to inform the Navy in advance of those times and locations when fishing activity is expected to be heavier than usual. The scheme does not preclude fishing in notified areas, but alerts fishermen to those areas where dived submarine activity may occur. The operation of the scheme has been monitored closely since its introduction and I believe it is working well and has achieved a worth while improvement in fishing vessel and submarine safety in the areas covered. In the light of this, I have agreed that from 1 July the scheme will be expanded to cover all Clyde submarine exercise areas lying either wholly or partly within the United Kingdom 12-mile limit. The ranges at Rona and Raasay are also to be included in the notification arrangements.

Written Answers to Questions

Tuesday 25 June 1991

TRANSPORT

Channel Tunnel

Mr. Rowe: To ask the Secretary of State for Transport when he expects to receive the environmental assessment report on the proposed high-speed rail link; and if he will then publish it.

Mr. Freeman: The environmental assessment which British Rail has been carrying out of the safeguarded section between Cheriton and Upper Halling may need revision, depending on the choice of a preferred route for the whole rail link. However, before embarking on the formal approval process for the rail link, British Rail intends to prepare and publish a full environmental statement for the complete route between the channel tunnel and London.

Motorways (Litter)

Mr. Pawsey: To ask the Secretary of State for Transport how much his Department has paid Warwickshire county council as its agent for clearing litter from the M6 in Warwickshire each year for the last five years.

Mr. Chope: Separate figures for litter clearance on the M6 in Warwickshire are not available. The amounts paid by the Department to Warwickshire county council for sweeping and cleansing, including litter clearance, on those stretches of the M6 in Warwickshire and the west midlands for which it is the Department's agents were:

	£
1986-87	28,665
1987-88	30,004
1988-89	[1]142,480
1989-90	97,194
1990-91	[2]42,906

[1] Including £70,000 additional litter scavenges.
[2] Latest available figure.

Mr. Pawsey: To ask the Secretary of State for Transport what arrangements he has for ensuring value for money in payments made to his agents for clearing litter from motorways.

Mr. Chope: Agent authorities are required to expose litter clearing on motorways to competitive tendering in the same manner as their own highway work. Private sector agents let all this work by competiton.

Mr. Pawsey: To ask the Secretary of State for Transport who is responsible for monitoring the application of the code of practice on litter under the Environmental Protection Act 1990 to motorways.

Mr. Chope: The application of the code to motorways is being monitored both by the Department of Transport and by its agents.

Air Passenger Breathing Equipment

Mr. Day: To ask the Secretary of State for Transport whether the Eurocae standard on passenger protective breathing equipment has now been published; and if he will make a statement.

Mr. McLoughlin: The Eurocae minimum operational performance specification for passenger protective breathing equipment (PPBE), document Eurocae ED-65, was approved for publication by the Eurocae Council on 30 April 1991. I understand that publication is expected by mid-July 1991.

Mr. Day: To ask the Secretary of State for Transport if he will call for a report from the chairman of the Civil Aviation Authority on its policy on the use of smoke hoods by its staff when travelling by air.

Mr. McLoughlin: I am advised that the Civil Aviation Authority does not issue smoke hoods to its staff and has no policy concerning the use of smoke hoods by its staff when travelling by air. It is open to all individuals, including CAA staff, to buy a smoke hood for themselves if they so choose; but I understand that the smoke hoods currently on the market do not meet the CAA's specification for aircraft smoke hoods, being primarily designed for escape from fires in buildings.

Planning Decisions, East London

Mr. Tony Banks: To ask the Secretary of State for Transport when he expects to announce decisions on the extension of the runway at London City airport and the east London river crossing.

Mr. McLoughlin: My right hon. Friend the Secretary of State for the Environment and my right hon. and learned Friend the Secretary of State for Transport expect to receive the inspector's report into the east London river crossing when he has completed it and to make decisions after they have considered it carefully. As regards London city airport, I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State for the Environment to my hon. Friend the Member for Walthamstow (Mr. Summerson) yesterday at col. *393*.

Mr. Tony Banks: To ask the Secretary of State for Transport what representations he has received regarding London city airport planning application; and if he will make a statement.

Mr. McLoughlin: I have received a number of representations pressing for a speedy decision on the London city airport planning application.

This decision is for my right hon. Friend the Secretary of State for the Environment; I refer the hon. Member to the reply my right hon. Friend gave yesterday to my hon. Friend the Member for Walthamstow (Mr. Summerson).

Crash Cushions

Mr. Day: To ask the Secretary of State for Transport when he anticipates the production of a British or equivalent European performance specification for roadside crash cushions, following the recent submission of a draft specification to the CEN 226 committee.

Mr. Chope *[holding answer Monday 24 June 1991]:* Harmonised European standards covering terminology,

performance specification and impact testing procedures for vehicle safety restraint systems, including crash cushions, are now being prepared by working group 1 of CEN technical committee No. 226 ("Road Equipment").

The current target date for the draft standards is December 1991 with the publication stage in late 1993.

HOME DEPARTMENT

Immigration

Mr. Redmond: To ask the Secretary of State for the Home Department what was discussed, and what agreements were reached, with other European Community ministers during his talks on 13 June with the ad hoc group on immigration; and if he will make a statement.

Mr. Peter Lloyd: I refer the hon. Member to the reply given by my right hon. Friend to a question from my hon. Friend the member for Westminster, North (Sir J. Wheeler) on 20 June 1991 at columns *242-43*.

Mr. Gordon Warren

Mr. Forman: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on when the review of the case of Mr. Gordon Warren will be completed; and if he will make a statement.

Mr. Peter Lloyd: I understand that the review has been completed and the matter is now under consideration by the commissioner.

Asylum Seekers

Mr. Roy Hughes: To ask the Secretary of State for the Home Department if he has any plans to increase fines on airlines carrying asylum seekers.

Mr. Peter Lloyd: The level of the charge payable under the Immigration (Carriers' Liability) Act 1987 in respect of inadequately documented passengers is under review.

Prisoners

Mr. John Garrett: To ask the Secretary of State for the Home Department on how many occasions prison inmates have been offered ex gratia payments if they would cease making allegations of improper treatment in prison and would undertake not to seek further publicity.

Mrs. Rumbold: Payments are sometimes made, on legal advice in the normal course of litigation, in settlement of claims by prison inmates. In a few cases, the agreement to settle has been subject to an undertaking that the prisoner would not take any further legal proceedings on the claim or seek publicity about the terms of the settlement. Records are not kept of the number of cases in which "no publicity clauses" have been used, but they are believed to be rare, and their use is being reviewed.

Mr. Karamjit Singh Chahal

Mr. Madden: To ask the Secretary of State for the Home Department if he will cancel the deportation notice issued against Mr. Karamjit Singh Chahal, allow him to remain in the United Kingdom with his wife and family, and release him from prison immediately; and if he will make a statement.

Mr. Peter Lloyd: The three advisers have now tendered their advice on Mr. Chahal's case. My right hon. Friend will give full and careful consideration to their recommendation and to all representations received on Mr. Chahal's behalf before deciding whether to make a deportation order. If it is decided to make a deportation order, Mr. Chahal will have a right of appeal against destination to the independent appellate authorities.

Castington Youth Custody Centre

Mr. Beith: To ask the Secretary of State for the Home Department how many uniformed staff, other than night patrols and auxiliary officers, were in post at Castington youth custody centre when it commenced Fresh Start working in August 1987; and how many are currently in post.

Mrs. Rumbold: The number of prison officers, including principal and senior officers and specialists, in post at Her Majesty's young offender institution Castington was 118 when it commenced "fresh start" working in August 1987. There are currently 136 officers in post.

Mr. Beith: To ask the Secretary of State for the Home Department how many additional staff were due to be provided to Castington youth custody centre by April 1991 and April 1992, respectively; and what steps are being taken to meet their staffing requirements.

Mrs. Rumbold: The target for the number of prison officers, including principal and senior officers and specialists, to be in post at Her Majesty's young offender institution Castington by 31 March 1991 was 136, an increase of three on the number of officers who were in post on 1 April 1990. This target was achieved. The current target staffing figure is 137 and during 1991-92 the area manager will be keeping this figure under review taking into account factors such as the work load of the establishment and the scope for achieving improvements in efficiency.

Young Prisoners

Mr. Flynn: To ask the Secretary of State for the Home Department how many young people are now imprisoned in Cardiff and Swansea prisons because no other appropriate accommodation is available to them; and how many young people are in prisons elsewhere in England and Wales for the same reason.

Mrs. Rumbold: On Friday 21 June, there were 61 males under the age of 21 at Swansea prison and 87 at Cardiff prison in remand centres which are separate from adult accommodation. Due to industrial action by prison officers at Cardiff, a further 45 young men were held in police cells in Gwent, South Wales and Avon and Somerset forces.

On the same date, throughout England and Wales a total of 3,245 young men under the age of 21 who were remanded for further appearances or sentence by the courts were held in prison service establishments, of whom 1,188 were in local prisons.

Young female prisoners are not held in separate establishments and on 21 June there were a total of 108 young women in custody in prison service establishments in England and Wales.

Information on young persons in prison custody in other parts of the United Kingdom is a matter for my right hon. Friends the Secretaries of State for Scotland and for Northern Ireland.

Prison Service

Ms. Richardson: To ask the Secretary of State for the Home Department (1) what are the latest available figures for the total numbers of people employed in the prison service broken down by *(a)* occupation and grade, *(b)* gender and *(c)* ethnic background;

(2) what has been the percentage increase of *(a)* women and *(b)* ethnic minorities employed in the prison service between 1978 and the latest available figures broken down by occupation and grade.

Mrs. Rumbold *[holding answer 18 June 1991]:* The available information is as follows:

Grade	*Male*	*Female*	*Total*
Grade 2	1	—	1
Grade 3	4	2	6
Grade 4	1	—	1
Assistant Director	6	—	6
Grade 5	8	5	13
Governor 1	39		39
Grade 6	17	1	18
Governor 2	63	6	69
Grade 7	85	16	101
Governor 3	96	6	102
Governor 4	289	29	318
Governor 5	370	54	424
Governor 5 (works)	52		52
Governor 5 (catering)	7	—	7
Governor 5 (PE)	8	—	8
Governor 5 (hospital)	12	—	12
Principal Officer	1,036	36	1,072
Principal Officer (works)	209	1	210
Principal Officer (catering)	47	2	49
Principal Officer (PE)	65	1	66
Principal Officer (hospital)	67	—	67
Principal Officer (dog handler)	2	—	2
Principal Officer (instructor)	7	1	8
Senior Officer	2,227	83	2,310
SO (works)	200	1	201
SO (catering)	92	2	94
SO (PE)	105	5	110
SO (hospital)	172	1	173
SO (dog handler)	20	—	20
SO (instructor)	42	1	53
Prison Officer	14,149	1,341	15,490
Prison Officer (works)	585	7	592
Prison Officer (catering)	360	15	375
Prison Officer (PE)	294	16	310
Prison Officer (Hospital)	626	71	697
Prison Officer (Dog handler)	332	1	333
Prison Officer (Instructor)	234	4	238
Temporary Officer	—	25	25
Senior Executive Officer	65	13	78
Higher Executive Officer (D)	—	1	1
Higher Executive Officer	191	118	309
Executive Officer	277	340	617
Administrative Officer	560	1,451	2,011
Administrative Assistant	167	585	752
Principal Medical Officer	9	3	12
Senior Medical Officer	30	4	34
Medical Officer	71	10	81
P/T Medical Officer	111	7	118
Senior Professional and Technical Officer	115	1	116
Higher Professional and Technical Officer	122	2	124
Professional and Technical Officer	58	3	61
Senior Psychologist	19	23	42
Higher Psychologist	2	5	7
Psychologist	12	15	27
Psychological Assistant	17	19	36
Psychological Graduate Trainee	—	1	1
Chaplain General	1	—	1
Deputy Chaplain General	1	—	1
Assistant Chaplain General	5	—	5
Principal Roman Catholic Chaplain	1	—	1
Senior Roman Catholic Chaplain	2	—	2
Church of England Chaplain	95	1	96
P/T Church of England Chaplain	23	3	26
Roman Catholic Chaplain	12	—	12
P/T Roman/Catholic Chaplain	84	5	89
Chief Education Officer	1	—	1
Senior Principal Nursing Sister	1	—	1
Principal Nursing Sister	—	4	4
Senior Nursing Sister	1	22	23
Nursing Sister	3	78	81
Nursing Officer	—	5	5
Senior Enrolled Nurse	—	6	6
Enrolled Nurse	5	48	53
Sister (Midwife)	—	2	2
Nurse (Occupational Health)	—	1	1
Nursing Auxiliary	—	10	10
Head Pharmacist	1	—	1
Principal Pharmacist	4	4	8
Senior Pharmacist	1	—	1
Pharmacist	—	1	1
Staff Principal Pharmacist	13	—	13
Pharmacist Technician	2	13	15
Senior Farms and Gardens Officer	2	—	2
Farms and Gardens Officer	4	—	4
Farm Manager	51	—	51
Landscape Gardening Officer	2	—	2
Higher Instructional Officer	30	1	31
Instructional Officer	970	134	1,104
Senior Personal Secretary	—	7	7
Personal Secretary	1	150	151
Typing Manager	—	11	11
Typist	—	440	440
Auxiliary Officer	1,052	267	1,319
Night Patrol	954	82	1,036
Stores Officer grades	19	3	22
Storesperson	448	19	467
Assistant Storesperson	136	12	148
Support grades	28	206	234
Librarian	—	1	1
Tracer	—	1	1
Industrial staff	2,744	185	2,929
Total	30,452	6,056	36,508

Note: Figures including staff in the Directorate of Works and the Supply and Transport Branch, both of which perform some functions for other parts of the Home Office.

A total of 16·6 per cent. of prison service staff are women. The proportion of female prison officers is 8·8 per cent., compared with 3·5 per cent. in 1978.

Comparably detailed figures are not available in relation to ethnic background, because of an incomplete response by staff to voluntary monitoring, but it is estimated that fewer than 1 per cent. of the prison service unified grades are from the ethnic minorities. Efforts are being made to improve the response rate and to increase the number of members of the ethnic minorities recruited to the service.

ENVIRONMENT

Homelessness

Mr. Atkinson: To ask the Secretary of State for the Environment how he proposes to extend his policies to help homeless people in London and the South East to the rest of the country; and if he has any plans to make available grants to match money raised by local voluntary organisations to establish hotels for the homeless; and if he will make a statement.

Mr. Yeo: My Department is pursuing two initiatives to help homeless people in the particularly hard-pressed areas of London and the south-east: £96 million has been provided over three years to provide permanent and hostel accommodation and support for rough sleepers in central London; £300 million is available over two years to provide permanent housing for homeless families in London and the south-east. These special initiatives are additional to the Housing Corporations's special needs programme, which funds the provision of 3,000 places a year for homeless and other special needs. Under its hostels initiative the corporation has funded the provision of over 25,000 hostel places in the past 10 years. This year we have again doubled the amount available to voluntary organisations concerned with homelessness to over £4·5 million.

Caledonian Forest

Mr. Dalyell: To ask the Secretary of State for the Environment what consideration he has given in the negotiations on the European Environment directive to the designation of areas of the ancient Caledonian forest as world heritage sites.

Mr. Yeo: Although the Secretary of State for the Environment takes the lead in matters concerning the world heritage convention, it is for the Secretary of State for Scotland to decide which Scottish sites should be nominated for inclusion on the world heritage list. The draft EC directive on flora and fauna habitats lists in annex 1 the Caledonian forests as a type of habitat of Community interest.

Hazardous Waste

Mr. Redmond: To ask the Secretary of State for the Environment if there have been any shipments of hazardous waste to England for disposal that have not been reported under the Transfrontier Shipment of Hazardous Waste Regulations.

Mr. Trippier: My Department has no information on this. Responsibility for enforcing the Transfrontier Shipment of Hazardous Waste Regulations lies with disposal authorities. There is no requirement that they report any breaches of the regulations to my Department.

Households

Mr. Peter Bottomley: To ask the Secretary of State for the Environment if he will estimate the change in the numbers and proportions of households in shared occupation since 1981 in Greenwich, Wandsworth and Lewisham.

Mr. Yeo: Up-to-date information on households in shared occupation in these areas will not be available until figures from the 1991 census of population are published next year.

Lone Parents

Mr. Peter Bottomley: To ask the Secretary of State for the Environment if he will estimate the increase in the numbers of children in lone-parent households since 1981 in Greenwich, Wandsworth and Lewisham.

Mr. Yeo: Up-to-date information on the number of children in lone-parent households in these areas will not be available until results from the 1991 census of population are published next year. However, the Department's estimate of the numbers of lone-parent households, which are based on mid-year population estimates by the Office of Population Censuses and Surveys, are given in the following table.

Lone-parent households

	Mid 1981 thousands	*Mid 1989 thousands*	*Increase thousands*	*Increase Per cent.*
Greenwich	8·3	10·6	2·3	28
Wandsworth	12·0	15·1	3·1	26
Lewisham	10·6	13·0	2·4	23

East London Planning Decisions

Mr. Tim Smith: To ask the Secretary of State for the Environment when he expects to receive the reports of the inspectors considering the proposed extension of the runway at London City airport and the proposed east London river crossing; and when he expects to make decisions on these matters.

Mr. Yeo: As regards London city airport, I refer my hon. Friend to the answer I gave on Monday 24 June to my hon. Friend the Member for Walthamstow (Mr. Summerson), *Official Report*, column *393*.

As regards the east London river crossing, I and my right hon. and learned Friend the Secretary of State for Transport expect to receive the inspector's report when he has completed it, and to make decisions on it after we have considered all the relevant matters carefully.

Waste Disposal

Mr. Butler: To ask the Secretary of State for the Environment whether he is now ready to publish a timetable for legislation on waste disposal on land; and if he will make a statement.

Mr. Trippier: I have today placed in the Library copies of our target timetable for implementation of legislation on waste disposal on land. This covers part II of the Environmental Protection Act 1990 and now substantially completes our implementation plans for the Act as well as for the Control of Pollution (Amendment) Act 1989. It should allow the local authorities sufficient time to make the necessary arrangements; I shall consult the local authority associations as to whether there are any detailed problems.

This legislation brings a complete overhaul of the regulation of waste management. It provides opportunities

and responsibilities for all those concerned with waste management to contribute to a better environment for tomorrow.

As I told the Select Committee on the Environment on 17 May, we are considering whether HMIP might be given responsibility for waste regulation as suggested in paragraph 18.17 of the Environment White Paper. Whatever the outcome, we need to make progress on the framework of the new regulatory system.

The proposed timetable for implementing the new regulatory system is as follows:

Waste Disposal Legislation Implementation Timetable

Target Date	*Task*
Summer 1991	Lay regulations and issue circular on the registration of waste carriers and seizure of vehicles. Waste regulatory authority powers to seize vehicles used for fly tipping come into effect. Consult on draft regulations to implement a duty of care of waste producers and holders.
November 1991	Issue circular and code of practice giving guidance on compliance with the duty of care. Lay regulations implementing duty of care.
April 1992	Duty of care regulations and provisions on the registered carrying of waste come into effect.
Early summer 1992	Consult of regulations and statutory guidance for the licensing of waste disposal.
Summer 1992	Consult on a scheme of charges for licensing.
December 1992	Lay regulations, announce charging scheme and statutory guidance, issue circular on licensing.
April 1993	Licensing regulations and charging scheme come into effect.

The Gulf

Mr. Dalyell: To ask the Secretary of State for the Environment (1) if he will make a further statement on the compensation he is giving to local authorities who release service personnel serving in the Gulf from their poll tax registration;

(2) if he will make a statement on refunds from the Ministry of Defence to his Department in relation to service men returning from the Gulf.

Mr. Key *[holding answer 24 June 1991]:* This Department issued further advice to local authorities on the community charge treatment of people serving in the Gulf and the reimbursement scheme on 16 May. A copy of this advice has been placed in the Library of the House.

WALES

Travellers

Mr. Barry Jones: To ask the Secretary of State for Wales if he will visit the proposed itinerants' camp at the Gresford-Pulford bypass to meet residents to discuss plans to establish an itinerants' camp; and what representations he has received on this matter.

Mr. Nicholas Bennett: The proposal has been referred to my right hon. Friend for determination. It would not therefore be appropriate for him to visit the site or meet the local residents. They will however have the opportunity at the inspector's discretion, to express their views at the public local inquiry to be held on 16 July.

My right hon. Friend has received 27 representations, one of which included a petition of 770 signatures and 22 letters, all opposed to the proposals.

Teachers' Pay

Mr. Morgan: To ask the Secretary of State for Wales how many teachers in full time employment with seven years experience are earning *(a)* £10,000 to £12,000, *(b)* £12,000 to £14,000, *(c)* £14,000 to £16,000, *(d)* £16,000 to £18,000, *(e)* £18,000 to £20,000, *(f)* £20,000 to £22,000, *(g)* £22,000 to £24,000 and *(h)* £24,000 to £26,000 per annum, or the nearest convenient salary breakpoints.

Sir Wyn Roberts: Information on the number of teachers in full-time employment in maintained nursery, primary and secondary schools in Wales with seven years' experience as at 31 March 1988 is given in the following table. Information for more recent years is not yet available.

£ per annum	*Number*[1]
10,000-12,000	400
12,000-14,000	141
14,000-16,000	89
Over 16,000	13
TOTAL	643

[1] Includes teachers with completed service of seven but less than eight years at 31 March 1988.

Travellers

Mr. Barry Jones: To ask the Secretary of State for Wales how many existing sites there are; and in what locations there are itinerant camps in each of the counties of Wales.

Mr. Nicholas Bennett: The information requested, which has been provided by local planning authorities in Wales, is given in the following tables:

Gipsy sites in Wales on 16 January 1991

Location	*Authorised*		*Unauthorised*
	Local authority	*Private*	
CLWYD	1	2	4
Alyn and Deeside	—	—	(i) Deeside Industrial Park (ii) Dirty Mile, Buckley
Colwyn	—	—	—
Delyn	—	(i) Milfords, Tyn yr Morfa, Gronant (ii) Dee Banks, Bagillt	—
Glyndwr	—	—	—

Location	Authorised		Unauthorised
	Local authority	Private	
Rhuddlan	—	—	—
Wrexham Maelor	Ruthin Road, Wrexham	—	(iii) Croesnewydd Road, Wrexham (iv) Alyn Waters Park, Llay
DYFED	6	2	6
Carmarthen	—	—	(i) A482 Cwmann Junction (ii) Old Alltycnap Road, Johnstown (iii) Cillefwr Industrial Estate (WDA land)
Ceredigion	—	—	(iv) Layby, Ffostrasol (v) Quarry Villa, Gorsoch
Dinefwr	—	(i) Pontrhyd y Bishell, Cwmgwili (ii) Thornhill, Cwmgwili	—
Llanelli	(i) Morfa	—	—
Preseli	(ii) Under the Hills, Haverfordwest (iii) Withybush, Haverfordwest	—	—
South Pembrokeshire	(iv) Waterloo, Pembroke Dock (v) Kingsmoor Common, Kilgetty (vi) Catshole Quarry	—	(vi) Kingswood Industrial site, Pembroke Dock
GWENT	2	—	4
Blaenau Gwent	(i) Cwmcrachen, Nantyglo	—	—
Islwyn	—	—	—
Monmouth	—	—	—
Newport	—	—	(i) Coldra, Newport (ii) Broad St. Common, Nash
Torfaen	(ii) Shepherds Hill, Pontypool	—	(iii) Upper Race, Pontypool (upper) (iv) Upper Race, Pontypool (lower)
GWYNEDD	1	1	—
Aberconwy	—	—	—
Arfon	Llandegai	Bethesda	—
Dwyfor	—	—	—
Meirionnydd	—	—	—
Ynys Môn	—	—	—
MID GLAMORGAN	1	—	2
Cynon Valley	—	—	—
Merthyr Tydfil	Glynmil, Merthyr	—	(i) Heolgerrig Road, Merthyr (ii) Cwmbargoed Road
Ogwr	—	—	—
Rhondda	—	—	—
Rhymney Valley	—	—	—
Taff Ely	—	—	—
POWYS	1	—	1
Brecknock	—	—	A40 layby near Sennybridge
Montgomery	Withybeds	—	—
Radnor	—	—	—
SOUTH GLAMORGAN	2	—	3
Cardiff	(i) Rover Way (ii) Shirenewton	—	(i) Turner's Yard, Grangetown (ii) Brindley Road, Leckwith (iii) Spring Meadow, Lamby Way
Vale of Glamorgan	—	—	—
WEST GLAMORGAN	3	—	14
Lliw Valley	—	—	(i) Rear of Alltywerin Road, Pontdardawe
Neath	(i) Briton Ferry Industrial Estate	—	(ii) Briton Ferry, Industrial Estate (iii) Site adjacent to above
Port Talbot	(ii) Caegarw, Margam	—	—

Location	Authorised		Unauthorised
	Local authority	Private	
Swansea	(iii) Pantyblawd	—	(iv) Jersey Road, Bonymaen (v) Morris Bros. Depot, Bonymaen (vi) Morris Bros. Depot (rear), Bonymaen (vii) Waunarlwydd (viii) Ffordd Cynone, Fforestfach (ix) Smiths Crisps, Fforestfach (x) Enterprise Zone, Fforestfach (xi) Near Hilton Hotel, Morriston, Enterprise Zone (xii) Slip road, Morganite, Enterprise Zone (xiii) Above official Pantyblawd site (xiv) Below official Pantyblawd site
WALES	17	5	34

Education (Special Needs)

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list for each of the last 10 years, and for each local education authority area in Wales, the number of statements of special educational need issued, separately distinguishing between primary and secondary schools.

Sir Wyn Roberts: The number of children for whom statements of special educational need were made for the first time are given in the following table. Information on the number of new statements issued is not available by sector nor for years prior to 1986.

	Calendar year				
	1986	1987	1988	1989	1990
Clwyd	377	187	213	264	318
Dyfed	160	104	121	193	225
Gwent	272	235	463	338	402
Gwynedd	80	70	99	133	130
Mid Glamorgan	537	575	643	543	490
Powys	17	16	30	78	120
South Glamorgan	217	201	174	243	184
West Glamorgan	274	234	304	307	358

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list for the most recently available date and for each local education authority, the number of applications for statements of special educational need that are still pending; and if he will identify the mean, median and mode of waiting times for those applications.

Sir Wyn Roberts: The information requested is not collected centrally.

Welsh Language

Mr. Barry Jones: To ask the Secretary of State for Wales how much has been spent by each local education authority in Wales in each year since 1989 on teacher training courses for Welsh in the national curriculum.

Sir Wyn Roberts: The total amount which local education authorities spend on training for Welsh language teaching is not collected centrally. However, we have approved the following levels of expenditure for specific grants in support of local education authority training of teachers in Welsh.

£ thousands

	1989-90		1990-91		1991-92	
	INSET	ESG	INSET	ESG	INSET	ESG
Clwyd	26·7	16·9	95·9	54·5	195·6	57·1
Dyfed	38·9	17·3	128·6	56·1	246·7	58·8
Gwent	19·6	17·1	200·2	55·3	452·0	57·9
Gwynedd	56·3	15·7	124·6	49·2	192·3	51·5
Mid Glamorgan	30·1	18·3	153·6	48·8	310·4	63·7
Powys	12·8	14·4	65·5	43·4	143·5	45·5
South Glamorgan	20·2	16·1	138·1	50·9	229·0	53·3
West Glamorgan	18·6	16·2	93·5	51·3	206·5	53·7
WJEC	—	28·0	—	88·5	—	92·7
TOTAL	223·2	160·0	1,000·0	498·0	1,976·0	534·2

INSET—In-service training grant.
ESG—Education support grant.

Mr. Barry Jones: To ask the Secretary of State for Wales how many qualified teachers of Welsh at (i) primary and (ii) secondary level there were in *(a)* 1988 and *(b)* the latest date available; and if he will make a statement.

Sir Wyn Roberts: Information on the number of qualified Welsh teachers at primary and secondary schools is available from a range of tables presented in the 1987 primary school staffing survey and the 1989 secondary school staffing survey, copies of which are available in the Library of the House.

(i) Primary level

Information about teachers who teach Welsh as a subject is not held centrally but the number of primary school teachers with a qualification in Welsh is as follows:

Subject of qualification[1]	Number of teachers
Welsh	2,300
Teaching Welsh as a second language	400

[1] Main/subsidiary/related subject qualification.

(ii) Secondary level

In secondary schools the qualifications of teachers who teach Welsh as a subject are as follows:

Subject	Main/ subsidiary subject[1] per cent.	No qualification per cent.	Number of teachers
Welsh as a first language	83·1	16·9	300
Welsh as a second language	69·9	30·1	600

[1] Main/subsidiary/related subject qualification.

In order to increase the supply of teachers of the language in secondary schools, Welsh has been added to the list of shortage subjects for which a bursary of £1,500 is paid to students on initial teacher training courses. As part of the monitoring of the national curriculum, schools will be supplying the Department with information about the number of qualified teachers capable of teaching Welsh in the classroom. The Department is also shortly to consult with interested groups on a limited survey of staff in primary schools in 1992.

Myalgic Encephalomyelitis

Mr. Alex Carlisle: To ask the Secretary of State for Wales if he will carry out an epidemiological survey into the incidence of myalgic encephalomyelitis in Wales; and if he will make a statement.

Mr. Nicholas Bennett: No. Myalgic encephalomyelitis is not a clearly defined disease. Diagnosis rests upon identification of a cluster of symptoms for which there is no diagnostic test. The views of doctors vary widely about diagnosis and treatment, there could be no agreed case definition, and it would thus not be practicable to collect data for an epidemiological study.

Radioactivity

Mr. Flynn: To ask the Secretary of State for Wales what estimate he has made of the time it will take before the radioactive products from the 1986 nuclear accident at Chernobyl will be reduced to a level to permit normal hill farming to resume.

Sir Wyn Roberts: It is not possible to estimate how long radioactivity from the Chernobyl nuclear accident will require those hill farms within the restricted area in Wales to remain subject to controls on the sale and movement of their sheep. Our "mark and release" arrangements and associated compensation payments are designed to ensure minimum disruption to normal farming practices.

Following an intensive monitoring programme my right hon. Friend was able to announce in January this year the lifting of controls from an area near Harlech in Gwynedd. We are continuing with our monitoring and assessment programmes in the remaining restricted area with a view to lifting controls as soon as it is possible to do so without comprising food safety.

EMPLOYMENT

Earnings

Mr. Nicholas Brown: To ask the Secretary of State for Employment if he will estimate for 1991-92 *(a)* the level of median weekly earnings for all full-time adult employees and *(b)* median hourly earnings for part-time employees.

Mr. Jackson: The results of the NES 1991 survey will begin to be published on 26 September 1991 and publication will be complete by the end of this year. The estimates called for in the question are, therefore, not yet available.

Company Debts

Mr. Wardell: To ask the Secretary of State for Employment if he will introduce legislation to require all registered companies in Britain to meet their debts within six weeks of those debts being invoiced.

Mr. Forth: No. The existing legal framework already provides avenues to pursue commercial debt. Rather than add to the burden of legislation, much can be achieved to speed up payments by the education of both suppliers and providers. To this end, the Government will be launching, later this year, a revision of the booklet for suppliers, "Prompt Payment Please", and a new booklet aimed at larger purchasing organisations.

OVERSEAS DEVELOPMENT

International Tropical Timber Organisation

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to ensure that the United Kingdom Government only approves activities of the International Tropical Timber Organisation which incorporate strict environmental safeguards.

Mrs. Chalker: Following the International Tropical Timber Organisation's bi-annual meeting in Quito—28 May to 7 June 1991—independent consultants will be appointed to draft a manual on project preparation for the International Tropical Timber Organisation. The consultant's terms of reference will include making proposals to take full account of environmental impacts of projects. The British Government called for and fully support these and other reforms in the International Tropical Timber Organisation's project cycle.

SOCIAL SECURITY

Housing Benefit

Mrs. Roe: To ask the Secretary of State for Social Security how much the capital disregard for housing benefit would be if it had been uprated in real terms since 1988.

Miss Widdecombe: Based on a rise in the retail prices index of 25·8 per cent. between April 1988 and April 1991, the level at or below which capital is disregarded would now be £3,774.

Mrs. Roe: To ask the Secretary of State for Social Security what would be the cost of restoring to its real term 1988 value the £3,000 capital disregard for housing benefit.

Miss Widdecombe: The latest available estimates suggest that the cost in 1991-92 would be around £20 million.

Source: Modelled using data drawn from the 1986, 1987 and 1988 Family Expenditure Surveys.

Mrs. Roe: To ask the Secretary of State for Social Security what would be the cost of changing the rules on tariff income on capital disregards for housing benefit to assume £1 of income from every £500 above the lower limit; and if he has any plans to do so.

Miss Widdecombe: The latest available estimates suggest that the cost in 1991-92 would be around £60 million. We have no plans to change the rules in housing benefit or any of the other income-related benefits.

Source: Modelled using data drawn from the 1986, 1987 and 1988 Family Expenditure Surveys.

Cold Weather Payments

Mr. Dewar: To ask the Secretary of State for Social Security if he will list the dates and areas in the United Kingdom in which the temperature averaged 0 deg C. or below for a period of seven days between 1 November 1990 and 30 April 1991.

Mr. Scott: Information on weather station seven-day mean temperatures is held in the Library for the period 1 November 1990 to 11 April 1991. Information after 11 April is not available. Information relating to Northern Ireland is a matter for my right hon. Friend the Secretary of State for Northern Ireland.

Community Charge

Mr. Simon Hughes: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Southwark and Bermondsey, *Official Report*, 1 May 1991, columns *249-50*, if he will publish a similar table showing the net income at which community charge benefit runs out taking account of the community charge reduction scheme.

Miss Widdecombe: The information requested is in the table.

Net income at which entitlement to community charge benefit ceases

	Average Community Charge £	*Average Weekly Charge* £	*Maximum 80 per cent. Benefit* £	*Single Under 25* £	*Single Over 25* £	*Pensioner Couple 60-74* £	*Pensioner Couple 75-79* £	*Pensioner Couple 80* £	*Single Parent Child U/11* £	*Couple 2 Children U/11* £
England	214·00	4·09	3·27	57·98	66·48	126·81	129·26	132·11	117·83	150·56
Scotland	241·00	4·61	3·69	60·73	69·23	132·32	134·77	137·62	120·58	156·07
Wales	92·00	1·76	1·41	45·53	54·03	101·92	104·37	107·22	105·38	125·67

Notes:

1. The average community charge figures for England, Scotland and Wales take account of the £140 reduction in charge levels and also of the effect of the Community Charge Reduction Schemes (CCRS).
2. The effect of the Community Charge Reduction Schemes (CCRS) on the average community charges for England, Scotland and Wales is based on Budget estimates of projected CCRS spending and not on actual subsidy returns, since these are not yet available.
3. An average community charge figure taking account of CCRS is currently not available for inner London. This is because the Budget estimates of CCRS spending are "modelled" on an England wide basis. A figure will become available once subsidy returns are analysed.
4. The average community charge figure for England takes account of charge substitution.

Local Authority Housing (Transfers)

Mr. Pawsey: To ask the Secretary of State for Social Security whether residents of former local authority part III homes, which are transferred to the private or voluntary sectors, are eligible for the higher levels of income support; and if he will make a statement.

Mr. Newton: Local authorities in England and Wales have a duty under the National Assistance Act 1948 to arrange for the provision of residential accommodation for those in need. They can exercise this by providing accommodation in their own homes or by arranging accommodation in an independent home. In either case, the local authority meets the full cost of the accommodation and care. Similar arrangements apply in Scotland.

My right hon. Friends the Secretaries of State for Health, for Scotland and for Wales, and I are fully committed to the principles of community care as outlined in the White Paper "Caring for People" (Cm. 849) and the National Health Service and Community Care Act 1990. These include encouraging local authorities to act as enablers rather than providers and to promote and stimulate the development of the independent and voluntary sectors in the provision of care.

We are aware, however, that some local authorities may have sought to dispose of some or all of their residential homes to the private or voluntary sector in order to enable the residents to qualify under present regulations for the higher level of income support and so to reduce financial support by the local authority. While the Government favour a mixed economy in the provision of care, the balance between voluntary, private and public ownership should be determined by the long-term needs of those needing care rather than by short-term financial considerations.

We therefore intend to introduce as soon as possible amending regulations regarding entitlement to income support in such cases. They will make it clear that the benefit position for existing residents who continue to receive residential care under arrangements made by their local authority remains unchanged by a transfer of ownership.

I understand that at the same time as these regulations come into force, my right hon. Friends the Secretaries of State for Health, for Scotland and for Wales also intend to issue directions to local authorities to make clear the status of residents in a home which is transferred to private ownership by a local authority.

The draft regulations that I have outlined will shortly be considered by the Social Security Advisory Committee. It is our intention that they will take effect at the earliest possible date.

NATIONAL FINANCE

Value Added Tax

Mr. Lord: To ask the Chancellor of the Exchequer if he will list the goods and services which he assesses correspond with the European Community's social or cultural objectives so as to make them eligible for a reduced or zero rate of VAT should the Council of Ministers' proposals to approximate rates of VAT applied by members of the Community be adopted.

Mrs. Gillian Shephard: On Friday 21 June I placed in the Library my letter of 19 June to the honourable Member for Newham, South (Mr. Spearing) to which was attached a note summarising the previous proposals for the approximation of indirect taxes and the compromise proposals to be presented by the Luxembourg Presidency to ECOFIN on 24 June and an annex giving full details of the Presidency proposals.

These attachments include the list of essential products and goods and services "which correspond to social or cultural policy objectives" which was agreed as a basis for discussion at ECOFIN on 18 March.

However, the list itself is to be defined more closely, and it is not therefore possible to give a list of the items which might fall under it.

Value Added Tax

Mr. Cartwright: To ask the Chancellor of the Exchequer what proposals he has received from European Community Finance Ministers for the closer approximation of VAT rates and excise duties from January 1993; and if he will make a statement.

Mrs. Gillian Shephard *[holding answer 14 June 1991]:* I refer the hon. Gentleman to the answer I gave the hon. Member for Newham, South (Mr. Spearing) on 24 June, at column *374*.

Tax-exempt Special Savings Accounts

Mr. Arbuthnot: To ask the Chancellor of the Exchequer what has been the take-up of TESSAs so far.

Mr. Maude: TESSA has made a highly successful start. In its first three months, to 31 March this year, over 2 million people invested more than £5 billion in TESSAs.

Business Rate

Mr. Gareth Wardell: To ask the Chancellor of the Exchequer if he will list, with regard to the uniform business rate, for each local authority in England and Wales for the financial year 1990-91, *(a)* the number of appeals that were lodged against its level, *(b)* the number of appeals that have been heard, separately distinguishing the successful and unsuccessful, *(c)* the number of appeals that have not yet been heard, *(d)* the shortest time in days that elapsed between the lodging of an appeal and the decision, *(e)* the longest time in days that elapsed between the lodging of an appeal and the decision and *(f)* the longest time in days to date between the lodging of an appeal and the actual hearing which is yet to take place.

Mr. Maples: The information required could not be provided in the format requested without a disproportionate expenditure of time and resources.

Nationally some 705,000 appeals had been received by 31 May 1991. About 45,000 of these have been settled—256 at hearings. The arrangements and timing of appeal hearings are the responsibility of the valuation and community tribunal, part of the Lord Chancellor's Department.

Takeovers

Mr. Butler: To ask the Chancellor of the Exchequer what was the value of takeovers by overseas companies in the United Kingdom for the latest convenient period: and what was the corresponding figure for overseas takeovers by United Kingdom companies.

Mr. Maples: The latest information was published in CSO Business Bulletin 23/91, "Cross-border Acquisitions and Mergers" (Fourth Quarter 1990). Information up to the first quarter 1991 will be published on 28 June.

Monetary Policy

Mrs. Gorman: To ask the Chancellor of the Exchequer what plans he has to relax monetary policy; and what representations he has had to the effect that it is currently over-tight.

Mr. Maples: My right hon. Friend has received a number of representations on monetary policy. Interest rates will continue to be set at the level needed to keep sterling within its ERM bands and to bear down on inflation.

Family Expenditure Survey

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer when he expects that the results of the family expenditure survey for 1990 will be available.

Mr. Maples: It is expected that the report on the 1990 Family Expenditure Survey will be published in November 1991.

Building Industry

Mrs. Gorman: To ask the Chancellor of the Exchequer what recent representations he has received from the construction and building industry regarding the recession and high interest rates.

Mr. Maples: My right hon. Friend has received a number of such representations.

ECOFIN

Mr. Andrew Mitchell: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the latest meeting of the European Community's Economic and Finance Council.

Mr. Norman Lamont: The Economic and Finance Council of the European Community met in Luxembourg on 24 June. I represented the United Kingdom.

Following the meetings on 3 June and 10 June, the Council again discussed the presidency's proposals for the future of VAT and excise duties in the single market. Agreement was reached, subject to Parliament's views, on a set of Council conclusions. The main points are as follows.

On VAT, all member states declared that they will apply a standard VAT rate of 15 per cent. or more from 1 January 1993. The other member states said that this political declaration should be translated into a directive. I made it clear that the United Kingdom does not believe that a directive is necessary. Statements were made in the minutes of the Council, reflecting these points of view. I also reiterated that the Government have no present intention of making any change to the current United Kingdom rate of 17·5 per cent.

Agreement was also reached on the key aspects of the VAT regime which will enable fiscal frontiers to be abolished after 1992.

There was acceptance in principle of a move at the end of 1996 to the origin system, under which the VAT rate applied to goods and services is that of the country in which they are produced, rather than where they are sold; but this would require a unanimous decision by the Council.

The agreement provides for the retention of all United Kingdom zero rates during the period before any move to the origin system, without prejudice to what happens thereafter.

It was also agreed that member states should have the option of applying one or two reduced rates, not lower than 5 per cent. The United Kindom Government have no present intention of introducing reduced rates.

On excises, agreement was reached on specific minimum rates for petrol, derv, heavy fuel oil, beer and cigarettes. It was agreed that these would be reflected in a directive in due course. The rates agreed are shown in the table.

Excise Duties: Minimum rates in ECUS

	Minimum rate agreed (ecus)
Leaded petrol (1,000 litres)	337
Unleaded petrol (1,000 litres)	287
Diesel (1,000 litres)	245
Heavy fuel oil (1,000 kg)	13
Cigarettes (specific plus ad valorem duties, but excluding VAT)	57 per cent. of retail price (including tax) of cigarettes in the most popular price category[1]
Beer (hl of end product)	[2]1·87

[1] Specific duty element to be between 5 and 55 per cent. of total duty.
[2] Per degree of alcohol.

None of these requires any change in United Kingdom rates of excise duty.

A provisional agreement was reached on a zero rate for wine, heating kerosene and heating gas oil, pending a further report from the Commission on whether a satisfactory control system could be operated in the absence of a positive rate for these products.

Agreement was also reached that rules will be devised to distinguish between commercial and private alcohol and tobacco transactions, which will include minimum indicative levels above which the transactions will be taken to mean, in the absence of evidence to the contrary, that they are of a commercial nature. A directive to cover these will be brought forward to accompany the directive on minimum rates of excise duties.

There was no agreement on a minimum rate for spirits. With a nil rate proposed for wine, the proposed rate for spirits would have worsened the current discrimination against, for example, Scotch whisky exports. I argued strongly that this was not acceptable, and secured agreement that the Commission's report should be extended to cover possible distortions in the drinks market. The minimum rate for spirits was therefore left to be decided later on the basis of that report.

I believe that this is a very good agreement for both the United Kingdom and the Community. For the United Kingdom it fully safeguards our zero rates; it will not require us to change any of our tax rates; it will not prevent future Governments and Parliaments from taking a different view about VAT if they want to; and it shows quite clearly that our Community partners have recognised our concerns. For the Community it provides Governments and businesses with the assurances needed to plan for the abolition of all fiscal frontiers from 1 January 1993.

Full details of the Council conclusions will be deposited in the Library of the House as soon as they are received.

AGRICULTURE, FISHERIES AND FOOD

Farmers (Advice)

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food if he will list his Department's scale of charges to farmers seeking advice or assistance.

Mr. Curry: Advice to farmers and growers from the Department is provided principally by the Agricultural Development and Advisory Service. There is no generalised scale of charges. Contracts and services are largely tailored to the needs of individual clients and priced accordingly. A published price list would not be appropriate.

Set-aside Scheme

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food if he has completed his review of the set-aside scheme; and if he will make a statement on his proposals for one-year set-aside.

Mr. Curry: A review of the EC five-year set-aside scheme is due to be carried out by the Commission before 1993. I refer my hon. Friend to the reply I gave my hon. Friend the Member for Leicestershire, North-West (Mr. Ashby) for details of the one-year set-aside scheme—*Official Report*, 18 June 1991, c. *125*.

Chernobyl

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the time period it will take before the radioactive products from the accident at Chernobyl will be reduced to a level to permit the return of normal hill farming in the areas affected.

Mr. Curry: We were able to reduce the size of the Cumbria post-Chernobyl restricted area at the beginning of this year. Monitoring and research continue with a view

to making further reductions just as soon as it is possible to do so without compromising the safety of the food chain.

It is not possible to say when the last of the restrictions will be lifted. However, the "mark and release" and associated compensation arrangements are designed to impose the minimum possible disruption of normal farming practices.

HEALTH

Psychiatry

Mr. Redmond: To ask the Secretary of State for Health if he will list by regional health authority *(a)* the increase or *(b)* the decrease in hospital bed provision for old age psychiatry for the 12 months ended 31 March.

Mr. Dorrell: The information requested in respect of NHS hospitals is given in the table. Health authorities and other statutory agencies also support substantial numbers of elderly mentally ill people in private nursing and residential homes. Further details about NHS bed availability are contained in the Department's annual publication "Summary of Bed Availability", copies of which are available in the Library. March 1990 is the latest date for which this information is held centrally. Details of the number of patients in private nursing and residential homes who are receiving support from the public sector are not collected centrally.

Average number of beds available daily in mental illness wards designated for elderly patients

Region	Year ending March 1988-89	1989-90	Percentage change[1]
Northern	2,057	2,105	+2
Yorkshire	2,051	1,802	−12
Trent	2,631	2,523	−4
East Anglian	1,048	992	−5
North West Thames	2,454	2,304	−6
North East Thames	1,963	1,962	—
South East Thames	2,113	1,959	−7
South West Thames	1,091	1,087	—
Wessex	1,337	1,336	—
Oxford	754	761	+1
South Western	1,544	1,528	−1
West Midlands	2,357	2,348	−0·4
Mersey	1,693	1,448	−14
North Western	2,162	2,126	−2
Special Health Authorities	31	32	—
England	25,287	24,313	−4

Source: KHO3/SM12.
[1] No change.

Long-stay Patients

Mr. Fearn: To ask the Secretary of State for Health what information he has on the current balance of moneys held by hospitals on behalf of long-stay patients; what advice he intends to give to health authorities to ensure that current practice in handling these moneys will be adopted by directly managed units and by national health service trusts; and if he will outline the reasons for the changes in accumulated balances over recent years.

Mr. Dorrell: The balance at 31 March 1991 was estimated at £63·4 million, this being the first significant decrease in balances which had previously risen from £66·1 million in 1988 to £67·8 million in 1990. The Department proposes to write to health authorities and NHS trusts to ensure that both directly managed units and NHS trusts observe good practice and take steps to secure further reduction in the level of the balances. The recent reduction in the level of accumulated balances is attributed to action taken by the NHS management executive in October 1990.

Core Services

Mr. Atkinson: To ask the Secretary of State for Health (1) if he will treat the provision of obstetric services and emergency casualty services as core services to be provided by NHS trust hospitals;

(2) if he will list those core services to be provided by NHS trust hospitals.

Mrs. Virginia Bottomley: It is not the Government's policy to designate such services centrally. District health authorities are responsible for assessing the health needs of their local population and contracting for health services. NHS trusts largely depend on these contracts for their income. Thus it is unlikely that an NHS trust would refuse to provide a service for which there was a local demand. If such a situation did arise, involving a service which needed to be provided locally, and which could not be provided elsewhere, that trust would be directed to provide the designated service.

Severely Disabled People

Mr. Rowe: To ask the Secretary of State for Health how many letters and other representations he has received regarding direct payments by local authorities to severely disabled people to make their own personal assistance arrangements.

Mrs. Virginia Bottomley: We have received a small number of representations regarding direct payments by local authorities.

Polyscythaemia

Mr. Wilson: To ask the Secretary of State for Health whether there is any evidence of connections between the disease polyscythaemia and the nuclear industry.

Mr. Dorrell: The Department is not aware of any epidemiological studies which suggest a link between Polycythaemia rubra vera and the nuclear industry.

Children's Care

Mr. Peter Bottomley: To ask the Secretary of State for Health how many children were in care in each Inner London borough in 1981 and at the latest date for which figures are available.

Mr. Dorrell: The table shows numbers of children in care in 1981 and in 1990, the latest date for which figures are generally available. Where figures are not available for these years, the most recent year's return has been quoted and the year of the return shown in brackets.

Data for 1990 are provisional.

Numbers of Children in care at 31 March—Inner London boroughs

Inner London	*1981* *Numbers in care*		*1990* *Numbers in care*	
Camden	379		338	(1988)
Greenwich	567		387	(1989)
Hackney	1,008		759	(1987)
Hammersmith and Fulham	596		237	
Islington	769	(1979)	769	(1979)
Royal Borough of Kensington and Chelsea	454		199	
Lambeth	1,337		670	
Lewisham	877		587	(1985)
Southwark	1,148		654	(1988)
Tower Hamlets	915	(1980)	390	
Wandsworth	997		421	
City of Westminster	537		261	
City of London	8		4	

Research Ethics Committees

Mrs. Wise: To ask the Secretary of State for Health when he will issue guidance on the membership and duties of research ethics committees.

Mr. Dorrell: We hope to issue this guidance shortly.

Census

Mr. Brazier: To ask the Secretary of State for Health if he will make a statement on the enumeration of the population of Great Britain in the 1991 census.

Mr. Dorrell: The Registrar General for England and Wales and the Registrar General for Scotland have reported to me and to my right hon. Friend the Secretary of State for Scotland that, thanks to a good response from the public and good work by census field staff, the enumeration has gone well over the country as a whole. Initially, census staff were not able to contact around 410,000 households, mainly in city areas; but by the end of May many households had responded to a request to post in their forms to the local census manager and only some 160,000 cases remained unresolved, representing about 0·8 per cent. of all households. Action to reduce this number is continuing, including sending a further request to around 10,000 relevant households in those census districts with the highest proportions of households from whom a form has not yet been received.

A preliminary count of the population present on census day, 21 April, in each local authority district will be published in July in preliminary reports for England and Wales and for Scotland.

RHA Chairmen

Mr. Jacques Arnold: To ask the Secretary of State for Health whether he will make a statement about the appointment of regional health authority chairmen from 1 August.

Mr. Waldegrave: The terms of office of two of the 14 regional health authority chairmen expire on 31 July 1991. I have made one new appointment and one reappointment. The new chairman of the South East Thames regional health authority is Mr. Peter Barker presently chairman of the Lewisham and North Southwark health authority. He has been appointed for three years and succeeds Sir Peter Baldwin who has served with distinction since 1983.

Sir Colin Walker, chairman of the East Anglian regional health authority, has accepted my invitation to serve for a further term of four years.

Local Authority Homes (Transfers)

Mr. Arbuthnot: To ask the Secretary of State for Health what are the local authorities' continuing responsibilities for residents of former local authority part III homes which are transferred to the private or voluntary sectors; and if he will make a statement.

Mr. Waldegrave: As my right hon. Friend the Secretary of State for Social Security has announced today, the Government, while wishing to encourage a mixed economy in the provision of care, are taking steps to clarify the status of residents in homes transferred to the private or voluntary sector by local authorities. Residents in a home at the time of transfer will continue to be the responsibility of the local authority, as long as they remain in the home.

After consulting local authority interests I intend to issue directions under section 21(1) of the National Assistance Act 1948 and under paragraph 2 of schedule 8 to the National Health Service Act 1977 to make it clear that the status of residents in a home which is transferred to private ownership by a local authority will remain unchanged by the transfer, in that the full cost of the accommodation and care will continue to be the responsibility of the local authority which placed them there subject to the relevant charging provisions. My right hon. Friends the Secretaries of State for Wales and for Scotland intend to issue similar directions.

It is our intention that the directions will take effect at the same time as the regulations announced today by my right hon. Friend the Secretary of State for Social Security.

Myalgic Encephalomyelitis

Mr. Alex Carlile: To ask the Secretary of State for Health how much money has been spent by his Department in funding research on myalgic encephalomyelitis since 15 October 1990; and if he will make a statement.

Mr. Dorrell: The Department is not directly funding any research on myalgic encephalomyelitis at present, but the Medical Research Council is funding a study at the Institute of Psychiatry which is to investigate chronic fatigue, another term used for ME, in general practitioners' attenders. The MRC and the Department are always willing to consider sympathetically soundly based research proposals in competition with other applications.

Mr. Alex Carlile: To ask the Secretary of State for Health if treatment of myalgic encephalomyelitis by way of special dietary supplement is available on the national health service; and if he will make a statement.

Mr. Dorrell: Treatment in individual cases is a matter for the clinician who is treating the patient. Dietary supplements are not normally prescribed under the national health service, but certain nutritional products can be prescribed where necessary for the treatment of a condition.

Oil Seed Rape

Mr. Kirkwood: To ask the Secretary of State for Health what guidance is issued by the chief medical officers to individuals living in close proximity to flowering crops of oil seed rape.

Mr. Dorrell: No such guidance is issued, and there are no plans to do so. Treatment for allergy is a matter for discussion between the patient and his or her clinician.

Mr. Kirkwood: To ask the Secretary of State for Health if he has any evidence of potentially adverse effects on the health of individuals who live or work in the vicinity of flowering crops of oil seed rape during the months of May and June.

Mr. Dorrell: Some individuals may be allergic to the pollen and other products of oil seed rape, as they are to other crops and plants. There is no conclusive evidence of increases in allergic conditions in vicinities where this crop is cultivated.

Mr. Kirkwood: To ask the Secretary of State for Health if he will list in the *Official Report* any occupational health studies current, planned or in progress to determine whether flowering crops of oil seed rape cause adverse health effects on those who live or work near fields planted with the crop.

Mr. Dorrell: The Government have given financial support for a project based at Aberdeen university examining the possible effects on public health which might be associated with oil seed rape. The results of this study will not be known for some time.

Insulin

Mr. Terry Davis: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Glanford and Scunthorpe (Mr. Morley) of 23 May, *Official Report*, columns *595-6*, when he expects discussions about the supply of insulin injectors to be completed.

Mrs. Virginia Bottomley: I cannot give an estimate of when the present discussions on making pen systems and needles available on prescription will be completed. The pricing and cost implications of various systems and other technical matters need to be resolved before a decision can be reached.

"The Health of the Nation"

Mr. Amos: To ask the Secretary of State for Health which organisations he has invited to comment on the Green Paper, "The Health of the Nation."

Mrs. Virginia Bottomley: More than 7,000 copies of "The Health of the Nation" have been distributed as part of the consultation process. NHS management and staff, the health professions, patients' organisations, the independent health care sector, employers' and employees' organisations and local authorities have been invited to comment. The views of some 200 voluntary organisations have also been sought.

Registered Homes Act

Ms. Harman: To ask the Secretary of State for Health if he will bring forward legislation to disqualify any person whose registration under the Registered Homes Act 1984 has been cancelled from being registered under the Act.

Mrs. Virginia Bottomley: There are no plans to do so. There are various grounds on which registration in respect of a home may be cancelled. They include not only the fitness of the person carrying on the home, but also the adequacy of the accommodation or facilities provided, and of any staffing arrangements. It does not necessarily follow that a person whose registration has been cancelled will never again be fit to run a home of any size or type. The earlier cancellation of registration would, however, be one of the factors which a registration authority would want to take into account when considering whether any later application for registration should be granted.

Food Premises

Dr. David Clark: To ask the Secretary of State for Health (1) if he will list all the organisations that responded to the consultation concerning the draft regulations on the registration of food premises under the Food Safety Act 1990; and which organisations were in favour;

(2) if he will identify the main issues of concern raised by organisations consulted about the registration of food premises under the Food Safety Act 1990; and if he will make a statement.

Mr. Dorrell: A list of those who responded to the consultation exercise has been placed in the Library. The issue which caused most comment was which premises should be covered by the regulations.

Dr. David Clark: To ask the Secretary of State for Health (1) if he can identify the different categories of food premises it is intended that local authorities will be obliged to register under the Food Safety Act 1990; and if he will make a statement;

(2) if he will give estimates for the number of premises likely to be identified in each category of premises that will be registered under the Food Safety Act 1990; and if he will make a statement.

Mr. Dorrell: The draft regulations propose that premises used for a food business for five or more consecutive days, or for eight or more days in any four consecutive weeks, should be registered. They propose an exemption for two main groups of premises; for those already registered or licensed under food legislation and those which local authority officers would not need to include in their regular inspection programmes. Information on the number of premises in each category is not available centrally.

NHS Spending (Cornwall)

Mr. Robert Hicks: To ask the Secretary of State for Health by how much expenditure on the national health service has increased in real and cash terms since May 1979 in the Cornwall health authority area and the East Cornwall overlap part of the Plymouth health area; and what are the figures when expressed as expenditure per head of population.

Mr. Dorrell *[holding answer 10 June 1991]:* The annual accounts of the Cornwall and Isles of Scilly health authority and those of its predecessor area health authority record total revenue expenditure of £29·11 million (cash) for 1978-79 and £98·58 million cash for 1989-90. Those figures represent increases of 238·7 per cent. in cash terms and 44·7 per cent. in real terms, measured at 1989-90 prices.

Expressed as average expenditure per head of resident population the figures equate to £70 (cash) per head for 1978-79 and £212 (cash) per head for 1989-90 representing cash and real-terms increases of 202·9 per cent. and 29·3 per cent., respectively.

Expenditure data for part of health districts are not collected centrally and prior to 1 April 1982 the Plymouth health authority's predecessor health district was included in the larger Devon area health authority. However, for Devon as a whole the annual accounts of the relevant health authorities record total revenue expenditure averaging £89 (cash) per head of resident population for 1978-79 and £271 (cash) for 1989-90 representing cash and real-terms increases of 204·5 per cent. and 30·3 per cent.

Figures of expenditure per head of resident population tend to vary between individual authorities reflecting patterns of local service provision and the fact that people travel across authority boundaries for treatment.

FOREIGN AND COMMONWEALTH AFFAIRS

Burma

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs if a date has yet been set for a debate in the United Nations on the resolution on Burma which was co-sponsored by the United Kingdom last November; and what the motion includes on trade sanctions.

Mr. Lennox-Boyd: The resolution is expected to be reconsidered in the course of debate at the 46th United National General Assembly in New York this autumn. The General Assembly works through a pre-set agenda rather than setting precise dates for each debate. The resolution does not refer to trade sanctions.

Sir David Steel: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the European Community has taken in response to the violation of human and political rights in Burma.

Mr. Lennox-Boyd: The EC suspended all bilateral aid to Burma in 1988. EC countries also refrain from selling military equipment to Burma, and are discussing our proposal for a formal embargo.

Frequent representations have been made to the Burmese: this year EC statements were issued on 4 January and 27 May, and the joint declaration from the EC-ASEAN Foreign Ministers' meeting in Luxembourg on 30-31 May included a reference to Burma.

Soviet Research Ship

Mr. Boyes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the reasons for banning the Soviet research ship Akademick Boris Petrov from British waters.

Mr. Lennox-Boyd: Certain elements of the research programme were unacceptable, particularly regarding research in United Kingdom internal waters and in areas where our defence and security interests may be affected.

Environmental Modification Techniques

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will meet the United Nations Secretary General to discuss the strengthening of the 1977 United Nations convention on the prohibition of military or any other hostile use of environmental modification techniques.

Mr. Lennox-Boyd: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has no plans to meet the United Nations Secretary General to discuss the 1977 United Nations convention on the prohibition of military or any other hostile use of environmental modification techniques.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to press for an early review conference on the 1977 United Nations convention on the prohibition of military or any other hostile use of environmental modification techniques.

Mr. Lennox-Boyd: The United Kingdom will be sending representatives in a personal capacity to the Canadian conference of experts on the use of the environment as a weapon of war on 10-12 July. This meeting is likely to discuss, inter alia, the 1977 UN convention on the prohibition of military or any other hostile use of environmental modification techniques.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to propose the establishment of a consultative committee under the 1977 United Nations convention on the prohibition of military or any other hostile use of environmental modification techniques to investigate the environmental destruction in the Gulf region.

Mr. Lennox-Boyd: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has no such plans.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations he has had with other signatory states of the 1977 United Nations convention on the prohibition of military or any other hostile use of environmental modification techniques, concerning the possibilities of strengthening the regulations of the convention; and if he will make a statement.

Mr. Lennox-Boyd: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has had no such consultations. UK experts will attend, in a personal capacity, the forthcoming Canadian conference of experts on the use of the environment as a weapon of war which we expect is likely to discuss, inter alia, the 1977 UN convention on the prohibition of military or any other hostile use of environmental modification techniques.

Kurds

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what military equipment will be deployed by the United Nations forces to protect the Kurds in northern Iraq.

Mr. Douglas Hogg: The UN security guards will be equipped to carry out their mandate.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what guarantees of protection have been provided by Her Majesty's Government to the Kurdish population of northern Iraq.

Mr. Douglas Hogg: We have made it clear publicly and to the Kurdish leadership that the deployment of allied forces in northern Iraq was intended as a temporary measure to meet an urgent and overwhelming humanitarian need. We have also made clear that it is our intention to withdraw our forces from Iraq in conditions which will encourage those living in the areas of northern Iraq at present under the control of allied forces to remain.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what guarantees of protection were offered by Her Majesty's Government to Kurdish refugees to encourage them to come down from the mountainous regions of northern Iraq.

Mr. Douglas Hogg: Allied forces were deployed to northern Iraq to encourage the refugees to come down from the mountains to places where humanitarian relief could be provided effectively and in safety. The operation has succeeded in that objective.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what information his Department has as to the presence of Iraqi Government agents in the camps of the Kurdish people currently under the protection of United Kingdom forces.

Mr. Douglas Hogg: We are aware of reports that Iraqi Government agents may be present in the area of northern Iraq presently controlled by the allied forces.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs how many military personnel will comprise the United Nations force envisaged for the protection of the Kurds in northern Iraq.

Mr. Douglas Hogg: The United Nations intends to deploy by mid-July 500 security guards throughout Iraq to complement the UN relief effort.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's assessment of the likelihood of the return of the Kurds to the mountainous areas of northern Iraq once United Kingdom and United States forces have withdrawn.

Mr. Douglas Hogg: We intend that the withdrawal of the allied forces should be completed in conditions which will enable those living in the area at present controlled by allied forces to remain.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what assurances have been received by his Department from the Iraqi authorities that further military action will not be conducted against the Kurdish population after United Kingdom and United States forces have withdrawn from northern Iraq.

Mr. Douglas Hogg: We and other members of the Security Council have made clear to Iraq the serious consequences of a renewal of its repression of its civilian population. We expect Iraq to continue to comply with Security Council resolution 688.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to offer individual guarantees of protection to Kurds who have assisted United Kingdom forces during the course of their presence in northern Iraq.

Mr. Douglas Hogg: It is our intention that the allied forces should withdraw from Iraq in conditions which will encourage those living in the area at present under the control of allied forces to remain.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the information provided by Kurdish refugees to United Kingdom armed forces during their presence in northern Iraq.

Mr. Douglas Hogg: We take full account of all information reaching us on the situation in Iraq.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's policy towards the prevention of further military action by the Iraqi armed forced against its Kurdish population.

Mr. Douglas Hogg: Security Council resolution 688 calls on Iraq to end its repression of its civilian population. We expect Iraq to continue to comply with that resolution. We have made clear to Iraq the serious consequences of a repression of its civilian population.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement of his policy on what guarantees of protection will be provided by Her Majesty's Government to the Kurdish population of northern Iraq once United Kingdom forces have been withdrawn.

Mr. Douglas Hogg: It is our intention that allied forces should withdraw from Iraq in conditions which will encourage those living in the area of northern Iraq at present controlled by allied forces to remain.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy regarding the deployment of United Kingdom forces to protect the Kurds in northern Iraq.

Mr. Douglas Hogg: The deployment of allied forces to establish safe havens in northern Iraq was always intended as a temporary measure to meet an urgent and overwhelming humanitarian need. Latest reports show that the immediate humanitarian need has been largely met. Those forces whose task is complete are being withdrawn. But no date has been fixed for the complete withdrawal of allied forces which we intend should take place in conditions which will encourage those living in the area now controlled by allied forces to remain.

Iraq

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards the future safety of Iraqi refugees living in camps outside the safe havens.

Mr. Douglas Hogg: We expect Iraq to continue to comply with Security Council resolution 688, which calls for an end to Iraq's repression of its civilian population. We would take the gravest view of any renewal of systematic repression.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's assessment as to the present level of food stocks in Iraq.

Mr. Douglas Hogg: On 15 May the UN published a comprehensive report on the situation in Iraq. This report is available in the Library of the House. The United Nations Secretary-General's executive delegate, Prince Sadruddin Aga Khan, will lead a multi-agency team to Iraq to reassess the situation in early July.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's assessment as to the potential risks of epidemics of serious diseases in Iraq during the summer.

Mr. Douglas Hogg: We are aware of reports from the International Committee of the Red Cross that diseases related to drinking water have increased in recent weeks. The ICRC is therefore distributing purified water to vulnerable groups throughout Iraq.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the condition in Iraq of (i) the food distribution system, (ii) the supply of drinking water, (iii) sewerage and (iv) irrigation.

Mr. Douglas Hogg: On 15 May the United Nations published a comprehensive report on the situation in Iraq. This is available in the Library of the House.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's assessment as to the likelihood of famine in Iraq during the summer months.

Mr. Douglas Hogg: Reports from northern Iraq indicate that this year's harvest will be significantly better than last year's. Prince Sadruddin Aga Khan will report on the situation in the rest of the country when he visits Iraq in July.

Mr. McFall: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the objectives of the United Nations force in northern Iraq.

Mr. Douglas Hogg: The United Nations guard's mandate is to protect United Nations personnel, assets and operations and to report any significant incidents.

EC Regulations

Sir Michael McNair-Wilson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about United Kingdom policy towards the proposals that European Community member states not complying with the directives or regulations are to be subject to fines; and whether this proposal has been discussed by EC foreign ministers.

Mr. Garel-Jones: In the intergovernmental conference on political union the United Kingdom has put forward a proposal which would allow the European Court of Justice to impose a financial penalty on a member state which failed to comply with an earlier judgment of the European Court of Justice. This proposal was discussed by EC Foreign Ministers at the IGC ministerial meeting on 17 June.

Hong Kong

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the percentage of Hong Kong citizens entitled to register to vote at present on the Hong Kong electoral roll; and whether there are any plans to increase it.

Mr. Lennox-Boyd: A total of 1,855,443 names have been included in the current final register of electors, representing a registration rate of 50·2 per cent.

Consideration will be given to improving the registration arrangements in the overall review of the electoral system of Hong Kong to be conducted by the Hong Kong Government after the September election to the Legislative Council.

ENERGY

Mersey Barrage

Mr. Morgan: To ask the Secretary of State for Energy when he expects to make a decision on the next stage of funding for the Mersey barrage and its associated design and study programme.

Mr. Moynihan: The current phase of the studies is due for completion in July. A decision on work will depend on the assessment of the results of the current phase.

Mr. Morgan: To ask the Secretary of State for Energy what representations he has received concerning his decision-making timetable and other aspects of public funding for the Mersey barrage.

Mr. Moynihan: My right hon. Friend and I have received a number of representations on a variety of aspects of work on the proposed Mersey barrage system.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Energy whether the target of cutting energy consumption in Government Departments by 15 per cent. over five years relates to *(a)* energy expenditure in money terms, *(b)* energy expenditure in real terms or *(c)* energy use in fuel value terms.

Mr. Wakeham: The target of the energy efficiency campaign on the Government estate is to achieve a 15 per cent. reduction in weather-corrected energy consumption per unit of floor area, converted to expenditure using standard fuel prices. Using standard fuel prices eliminates the effect of changing fuel prices; and introducing floor area helps to eliminate the distorting effect of the changing size of Departments' estates.

Electricity Privatisation

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to his answer of 18 June, *Official Report*, columns *117-18*, if he will give for *(a)* 1987-88, *(v)* 1988-89, *(c)* 1989-90 and *(d)* 1991-92 estimates, the total costs of electricity privatisation, breaking down the figures for each year into (i) underwriting costs, (ii) selling and broking commissions, (iii) receiving bank costs, (iv) marketing, (v) advisers' fees and (vi) other costs.

Mr. Wakeham: Total expenditure on electricity privatisation was as follows:

Year	£ million (VAT inclusive)
1987-88	0·8
1988-89	5·5
1989-90	12·5

Prior to 1990-91 there was no expenditure on items (i) to (iv) inclusive and only £0·2 million on item (vi) in 1989-90. For 1991-92 the Department has sought provision, through the supply estimates, for £116·7 million. Expenditure in 1991-92 is still the subject of commercial negotiation and it would be inappropriate to give further details at this time.

Mr. Dobson: To ask the Secretary of State for Energy what factors account for the difference in the total underwriting costs given in his answer of 18 June, *Official Report*, columns *117-18*, and the sum of the costs given in his answers of 28 November 1990, *Official Report*, column *416*, and 25 April, *Official Report*, column *498*.

Mr. Wakeham: The principal reason for the difference is that, following a re-classification, overseas underwriting is now included under the category "Selling and Broking Commissions". In addition, the underwriting costs referred to in my reply of 18 June also included the lead underwriting costs of £0·4 million on which information was not sought in the question of 28 November 1990.

Mr. Dobson: To ask the Secretary of State for Energy, pursuant to his answer of 18 June, *Official Report*, columns *117-18*, if he will break down the underwriting total of £51·5 million into *(a)* United Kingdom primary underwriting for the regional electricity companies, *(b)* United Kingdom sub-underwriting for the regional electricity companies, *(c)* overseas underwriting for the regional electricity companies, *(d)* United Kingdom sub-underwriting for National Power and PowerGen and *(e)* overseas underwriting for National Power and PowerGen.

Mr. Wakeham: A breakdown of the £51·5 million previously reported is as follows:

	£ million
Regional electricity companies	
United Kingdom primary underwriting:	6·7
United Kingdom sub-underwriting:	29·5
United Kingdom lead underwriting	0·4
National Power and PowerGen	
United Kingdom sub-underwriting	14·9
Sub-total	51·5
Regional electricity companies	
Overseas commissions	13·3
National Power and PowerGen	
Overseas commissions	6·0
Total	70·8

Uranium Mines

Mr. Flynn: To ask the Secretary of State for Energy whether his Department or the United Kingdom Atomic Energy Authority have offered the assistance of experts to the Governments of *(a)* Hungary, *(b)* Czechoslovakia and *(c)* Yugoslavia in the technical clean-up and restoration of (i) formerly used and (ii) currently operating uranium mines.

Mr. Heathcoat-Amory: Neither my Department nor the United Kingdom Atomic Energy Authority has made any formal offers of such assistance, though the AEA has had informal discussions with Czechoslovakia.

Biomass Energy

Mr. Flynn: To ask the Secretary of State for Energy whether he will make an assessment of the opportunities existing for United Kingdom based agro-energy research institutes and organisations for the development of biomass energy development in Hungary.

Mr. Moynihan: My Department has no plans at present to make such an assessment.

TRADE AND INDUSTRY

Auditing Firms

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry which auditing firms against which the Government are currently engaged in litigation have supplied his Department's inspectors at any time since 1979.

Mr. Redwood: None as far as I am aware.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what plans he has to abolish the audit requirements for two-shareholder small family-owned limited companies.

Mr. Redwood: None.

Financial Reporting Review Panel

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry how many cases he has referred to the financial reporting review panel.

Mr. Redwood: None.

Auditing Practices Board

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry (1) if he will make it his policy to place in the Library a copy of all documents obtained by his representative on the Auditing Practices Board;

(2) whether he will propose legislation under which it will be an offence for the Auditing Standards Board not to provide information to a Member of the House which it provides to auditing firms.

Mr. Redwood: No doubt the Auditing Practices Board will bear in mind the hon. Member's interest when deciding its policy on access to its papers.

European Single Market

Mr. Butler: To ask the Secretary of State for Trade and Industry what information he has as to the number of directives aimed at the creation of a single market within the European Community which have been enacted in the national legislatures of each member state and subsequently implemented; and what percentage of the total number of directives this represents in each case.

Mr. Sainsbury: The Commission's sixth report to the Council and European Parliament was presented to the Internal Market Council on 18 June. The report shows that out of 126 measures due in force on 31 May 1991 member states have the following record:

	1 Measures not implemented	*2 Measures implemented*	*3 Derogations*	*4 Not applicable*	*5 Percentage implemented*[1]
Denmark	12	107	0	7	90
France	18	103	0	5	86
United Kingdom	20	99	1	6	84
Portugal	25	96	3	2	80
Germany	25	95	0	6	80
Greece	29	87	5	5	77
Belgium	31	89	0	6	75
Netherlands	34	86	0	6	73
Luxembourg	37	81	0	8	71
Spain	38	83	2	3	70
Ireland	44	74	1	7	65
Italy	69	52	0	5	45

[1] Includes columns 3 and 4.

Burma

Sir David Steel: To ask the Secretary of State for Trade and Industry whether Burma currently receives export credit guarantees.

Mr. Sainsbury: Guarantees for medium and long-term credits in connection with exports from the United Kingdom to Burma have not been available from ECGD since September 1988. Guarantees are, however, available for short-term credits normally secured by irrevocable letters of credit.

Co-operatives

Mr. Michael: To ask the Secretary of State for Trade and Industry what United Kingdom organisations his Department has consulted on the proposal for a European statute on co-operatives, mutuals and voluntary organisations.

Mr. Redwood: The European statute proposed by the European Commission on co-operatives, mutuals and voluntary organisations is still at draft stage. However, a large number of organisations in the United Kingdom are already aware of it. Should a formal proposal emerge from the Commission, the Government will consult widely among interested organisations, as is the normal practice.

PRIME MINISTER

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 25 June.

Mr. John Evans: To ask the Prime Minister if he will list his official engagements for Tuesday 25 June.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today. This evening I hope to have an audience of Her Majesty the Queen.

East Timor

Mrs. Mahon: To ask the Prime Minister if, at his recent meeting with Indonesia's Minister for Research, J B Habibie, the question of the illegal occupation of East Timor was discussed; and if he will make a statement.

The Prime Minister: East Timor was not discussed. The Indonesian authorities are aware of our views on East Timor.

Injured Grenadiers

Mr. John Browne: To ask the Prime Minister, pursuant to his oral answer of 4 June, *Official Report*, column 151, when he expects to complete his examination of the case for making an ex gratia payment to the guardsmen injured at the Batus range on 7 July 1989.

The Prime Minister: As I have already indicated the proper grounds for paying compensation is on the basis of legal liability.

Mr. Winnick: To ask the Prime Minister if he will receive a deputation of hon. Members to discuss the case of Guardsmen Sean Povey, Adrian Hicks and John Ray.

The Prime Minister *[holding answer 17 June 1991]:* No. I refer the hon. Gentleman to the reply I gave to the hon. Member for Winchester (Mr. Browne) earlier today.

Oil Seed Rape

Mr. Kirkwood: To ask the Prime Minister if he will establish an inter-departmental review of the public health implications of planting crops of oil seed rape near central populations.

The Prime Minister: My hon. Friend the Minister of State, Scottish Office announced in the House on 8 February 1990 at columns *1125-32* that financial support had been offered for a project based at Aberdeen university examining the possible effects on public health which might be associated with oil seed rape. I see no reason for further action at this stage.

Co-operatives

Mr. Michael: To ask the Prime Minister what arrangements he has made to co-ordinate Department's views on the proposed European statute on co-operatives, mutuals and voluntary organisations.

The Prime Minister: The European statute proposed by the European Commission on co-operatives, mutuals and voluntary organisations is still at draft stage. Given the wide coverage of the statute, a number of Departments have an interest. There are continuing inter departmental contracts at official level to co-ordinate views as necessary.

Council of Europe

Mr. Ward: To ask the Prime Minister if he has made any changes to the composition of the United Kingdom delegation to the 43rd session of the Parliamentary Assembly of the Council of Europe.

The Prime Minister *[pursuant to his reply, 20 June 1991, c. 235]:* The changes I have made will take effect from Friday 28 June.

EDUCATION AND SCIENCE

City Technology Colleges

8. **Mr. Holt:** To ask the Secretary of State for Education and Science what plans he has to increase the total number of city technology colleges; and if he will make a statement.

Mr. Kenneth Clarke: In addition to the seven CTCs already running, a further six will be opening in September this year. I recently announced that CTCs will also be built in Bristol and Derby. These will bring the total number to 15. I am considering the prospects of getting plans for further CTCs under way and I am looking at a number of other interesting ways in which the benefits of CTCs might be spread through the education service.

24. **Mr. Grocott:** To ask the Secretary of State for Education and Science what is his latest estimate of the total cost to public funds of his city technology college policy.

Mr. Kenneth Clarke: To 31 March 1991, the total cost to public funds of the city technology college programme was £103·9 million, including some £12 million in recurrent costs. Current public expenditure plans provide for a total of £250·7 million to be spent on the programme to the end of financial year 1993-94, including both capital and recurrent costs. These figures are net of the private sector contribution, which will represent at least 20 per cent. of the capital cost of the programme.

Truancy

11. **Mr. Ashton:** To ask the Secretary of State for Education and Science what is his estimate of the current daily level of truancy among schoolchildren.

Mr. Fallon: It is clear from evidence collected by Her Majesty's inspectorate of schools and others that truancy constitutes a major problem in some schools. Our proposals on school attendance will stimulate all schools to give a higher priority to attendance and require figures to be published.

Standard Assessment Tasks

15. **Mr. Harris:** To ask the Secretary of State for Education and Science what recent representations he has received on changes to standard assessment tasks.

16. **Mr. Nellist:** To ask the Secretary of State for Education and Science what representations he has received on standard assessment tasks and if he will make a statement.

Mr. Eggar: My right hon. and learned Friend and I continue to receive and welcome the views of a wide range of people involved in the recent testing of seven-year-olds. All such representations feed directly into the wider evaluation now under way, and help to inform the development of the tests to be used in 1992.

School Transport

17. **Mr. Gill:** To ask the Secretary of State for Education and Science what representations he has received regarding amendments to existing legislation affecting school transport.

Mr. Fallon: My right hon. and learned Friend regularly receives representations suggesting various interpretations and amendments to the law on school transport.

Schools Amalgamation, Wandsworth

18. **Mr. Cox:** To ask the Secretary of State for Education and Science if he will seek a report of the views of parents of children attending schools in Wandsworth that Wandsworth council is seeking to amalgamate, before deciding on the council's proposals.

Mr. Eggar: If the council wishes to amalgamate some of its schools, it is required to publish proposals under section 12 of the 1980 Act. Parents of children attending schools affected by such proposals will have the opportunity to make their views known during the two-month objection period following publication. My right hon. and learned Friend will take those objections into account in making his decisions on proposals which come before him.

Sixth-form Colleges

19. **Mr. Latham:** To ask the Secretary of State for Education and Science whether he will make a statement on the response to his proposals for the future of sixth-form colleges.

Mr. Kenneth Clarke: The initial response has been encouraging. Many college principals have indicated that they welcome the opportunity to exercise greater control over their own affairs.

Secondary Schools

20. **Sir Teddy Taylor:** To ask the Secretary of State for Education and Science if he has any plans to change secondary school organisation.

Mr. Fallon: The organisation of secondary schools is dealt with in the Education Acts 1980 and 1988. My right hon. and learned Friend has already announced the Government's plans to restructure provision for the 16 to 19 age range, including sixth-form colleges. These are set out in the White Paper "Education and Training for the 21st Century". We shall keep the need for other changes under review.

Teacher Appraisal

21. **Mr. McCartney:** To ask the Secretary of State for Education and Science what plans he has to ensure teacher appraisal is introduced throughout the school system; and if he will make a statement.

Mr. Fallon: My right hon. and learned Friend intends to introduce regulations later this summer to require local

education authorities and the governing bodies of grant-maintained schools to arrange for the appraisal of all teachers starting in September 1991.

Reading (Teacher Training)

22. **Mr. Favell:** To ask the Secretary of State for Education and Science whether he will establish an inquiry into the way teachers are trained to teach reading; and if he will make a statement.

Mr. Fallon: I refer my hon. Friend to the reply that I gave to my hon. Friend the Member for Colne Valley (Mr. Riddick) on 23 April 1991, *Official Report*, columns *891-92*.

Local Education Authorities

23. **Mr. Eastham:** To ask the Secretary of State for Education and Science what proposals he is considering on the role of local education authorities; and if he will make a statement.

Mr. John Evans: To ask the Secretary of State for Education and Science what proposals he is considering regarding the role of the local education authorities; and if he will make a statement.

Mr. Kenneth Clarke: I have announced proposals for transferring further education colleges and sixth-form colleges out of local authority control. I have also made it clear that I expect grant-maintained status to become over time the natural organisational model for most schools. These changes will have a significant impact on the role of education authorities, transferring responsibility for day-to-day management to individual schools and colleges.

Grant-maintained Schools

25. **Mr. French:** To ask the Secretary of State for Education and Science how many schools have now opted for grant-maintained status.

Mr. Kenneth Clarke: A total of 200 schools have now voted in favour of seeking grant-maintained status. Of these, 155 schools have so far published proposals for grant-maintained status. We have approved 88, rejected 13 and have yet to decide the remaining 54.

26. **Mrs. Ann Winterton:** To ask the Secretary of State for Education and Science if he will make a statement on the aims of the policy relating to grant-maintained schools.

Mr. Kenneth Clarke: Grant-maintained schools policy aims to increase parental choice, to make schools more responsive to local needs, to enable resources to be more effectively used for the benefit of pupils and to foster higher educational standards.

Expenditure Statistics

27. **Mr. John Greenway:** To ask the Secretary of State for Education and Science what was the average expenditure per pupil at primary and secondary level in 1979; and what is the latest available figure.

Mr. Fallon: In 1978-79, net institutional expenditure per pupil was £365 in nursery and primary schools and £530 in secondary schools. At 1988-89 prices this represents some £805 and £1,165 respectively. In 1988-89, the latest year for which information is available, the equivalent figures are £1,100 per nursery and primary pupil and £1,695 per secondary pupil.

Special Educational Needs

Mr. Steinberg: To ask the Secretary of State for Education and Science what plans he has to encourage schools to purchase private services to deal with special educational needs; and if this includes purchase of the hospital psychologist service for educational psychology.

Mr. Fallon: Where schools have delegated budgets under local management of schools they are free to purchase services from anywhere and will be looking to ensure that the services they receive provide value for money and are effective.

Nuclear Physics

Mr. Butler: To ask the Secretary of State for Education and Science if he will make a statement on the nuclear physics section of the laboratories in the 1990s, recently published by the Science and Engineering Research Council.

Mr. Alan Howarth: The recently published report "The Laboratories in the 1990s" was prepared for the SERC in July 1990. The section on nuclear physics describes the plans for support of the subject, as they then stood, by the council's nuclear physics board. These plans have, however, now been overtaken by SERC's major review of its forward commitments.

A-levels

Mr. Harry Greenway: To ask the Secretary of State for Education and Science if he will make a statement on the future of *(a)* A-levels and *(b)* the proposed ordinary and advanced diplomas.

Mr. Eggar: The White Paper "Education and Training for the 21st century", published last month, makes clear the Government's commitment to maintaining A-levels and the standards they represent. Formal consultation will begin shortly on the new system of ordinary and advanced diplomas.

Women Teachers

Mr. Walden: To ask the Secretary of State for Education and Science what the proportion of women in the teaching profession was for the years 1979, 1985 and 1990.

Mr. Fallon: Women teachers as a percentage of qualified teachers in maintained nursery, primary and secondary schools in England for the years requested are shownin the table.

	Per cent.
1979	60
1985	61
1990	65

Inner London

Sir Michael McNair-Wilson: To ask the Secretary of State for Education and Science if he will take powers to enable himself to become involved in the problems of inner London education authorities if such a request is made to him by one third of the elected councillors.

Mr. Eggar: My right hon. and learned Friend already has powers to direct any local education authority to operate reasonably and to carry out its statutory responsibilities; and in addition has the power to approve the management structure of, and staff appointments to, the inner London education authorities.

NORTHERN IRELAND

Waste Incineration

Mr. William Ross: To ask the Secretary of State for Northern Ireland what discussions he has had, when, and with whom regarding the incineration of toxic and hazardous wastes in Northern Ireland.

Mr. Needham: At a meeting of the Anglo-Irish conference on 31 January 1991, I exchanged views on this and other environmental issues with the Minister for the Environment in the Irish Republic, Mr. Flynn. I have also discussed with the management of Du Pont (UK) Ltd., their proposal for a hazardous waste incinerator and have visited the company's site at Maydown, County Londonderry.

Mr. William Ross: To ask the Secretary of State for Northern Ireland whether it is intended that plastic and throwaway paper items can be disposed of in the proposed incinerator at Maydown, County Londonderry.

Mr. Needham: The incinerator proposed by Du Pont (UK) Ltd. would not be intended for the incineration of general municipal waste. It would be a specialist facility designed to dispose of certain industrial wastes produced in the chemical and allied industries by a process known as high temperature incineration.

Mr. William Ross: To ask the Secretary of State for Northern Ireland what plans he has to monitor the stack emissions of the proposed incinerator at Maydown, County Londonderry.

Mr. Needham: The alkali and radiochemical inspectorate of the Department of the Environment for Northern Ireland would be responsible for ensuring that the emissions from the stack of any such incinerator, once started, were monitored for compliance with the standards prescribed by the Department. In addition to its own direct monitoring of emissions, the inspectorate would audit the routine in-house monitoring undertaken by the operator.

Health Service

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland (1) what is the perinatal mortality rate in each of the last 10 years at *(a)* Royal Victoria hospital, Belfast, *(b)* Belfast City hospital, *(c)* Mater hospital, Belfast and *(d)* Ulster hospital;

(2) what was the mortality rate for women in each of the last 10 years in the obstetric units at *(a)* Royal Victoria hospital, Belfast, *(b)* Belfast City hospital, *(c)* Mater hospital, Belfast and *(d)* Ulster hospital.

Mr. Hanley: The information is not held centrally, but it should be noted that the perinatal mortality rate for the whole of Northern Ireland has fallen sharply over the past decade from a level of 15·6 in 1980—some 17 per cent. higher than in Great Britain—to 8·2 in 1989 when the rate for England and Wales was 8·3. Despite the improvements the rate still varies significantly within Northern Ireland between socio-economic classes and geographical areas.

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland how many deliveries were recorded in each year since 1989 in the obstetric unit of the Ulster hospital.

Mr. Hanley: The deliveries, including live and still births, recorded were:

Year	*Deliveries*
1989	1923
1990	1929

Radioactivity

Mr. Flynn: To ask the Secretary of State for Northern Ireland what estimate he has made of the time period it will take before the radioactive products from the Chernobyl accident will be reduced to a level to permit the full use of agricultural land in the province.

Mr. Hanley: There has been no change in the use of agricultural land as a consequence of the Chernobyl accident.

There is a slow fall in the levels of radioactivity in sheep from the restricted areas. Radiocaesium remains available for uptake by plants in the affected upland area due to the absence in the soil of minerals which would render the radiocaesium unavailable to plants.

It is not possible to predict how long restrictions on movement and slaughter of sheep from these areas will remain in place. Monitoring of sheep continues and restrictions will continue to be lifted when the safety of the food chain can be assured.

Extradition

Mr. Trimble: To ask the Secretary of State for Northern Ireland if he will list the persons who have been extradited for terrorist offences since 1980 *(a)* from Northern Ireland to the Republic of Ireland; and *(b)* from the Republic of Ireland to Northern Ireland, giving the year in which the extradition occured and indicating the outcome of the case.

Dr. Mawhinney: The information is as follows:

Extradition from the Republic of Ireland to Northern Ireland

Person	*Year*	*Outcome*
Dominic McGlinchey	1984	Convictions quashed by Northern Ireland Court of Appeal.
James A. G. Shannon	1984	Convictions quashed by Northern Ireland Court of Appeal.
John McFarland Fletcher	1987	Convicted in 1988 for charges relating to possession of firearms.
Gerard M. Harte	1988	Extradited in August 1988 and convicted for a series of offences in December 1988.
Robert P. Russell	1988	Conviction for attempted murder quashed by Court of Appeal. Served sentence for convictions relating to escape from Her Majesty's Prison Maze.
Paul Anthony Kane	1989	Extradited and convicted for offences relating to escape from Her Majesty's Prison Maze.

Note: These dates are the years on which they were physically extradited not the date on which their extradition was ordered.

Extradition from Northern Ireland to the Republic of Ireland

Person	*Year*	*Outcome*
Dominic McGlinchey	1985	Convicted of offences committed in the Republic of Ireland.

SCOTLAND

Local Government Finance

Mrs. Roe: To ask the Secretary of State for Scotland if he will list the financial adjustment fixed by each charging local authority in Scotland for 1991-92 to be paid by each charge payer as a result of the failure, anticipated or actual, of all charge payers to pay charges lawfully demanded; and what were the comparable figures for 1990-91.

Mr. Allan Stewart: The information requested is not held centrally. However, I understand that a number of authorities included an additional sum in their 1991-92 community charge to compensate for shortfall of income caused by non-collection in 1989-90 and 1990-91. These include Lothian (£48) and Strathclyde (£42). I am not aware of any comparable addition to the 1990-91 charges.

Mr. Maxton: To ask the Secretary of State for Scotland, pursuant to his answer of 7 May, *Official Report*, column *415 -16*, what is the Scottish average rate of local income tax required to replace the budget income from the poll tax in 1991-92, including rebates and after receipt of community charge grant.

Mr. Allan Stewart: The rate is 6·0 pence in the pound.

Gross Domestic Product

Mr. Maxton: To ask the Secretary of State for Scotland if he will publish a table of Scotland's share of United Kingdom gross domestic product per head of population excluding the continental shelf for each year since 1961.

Mr. Allan Stewart: The table gives the information requested for each year since 1971, the earliest year for which this information is available on a consistent basis.

Year	*Scottish gross domestic product*[1] *per head (UK*[3] *= 100)*
1971	93·7
1972	93·5
1973	95·3
1974	95·8
1975	96·8
1976	98·3
1977	97·0
1978	94·7
1979	94·6
1980	94·2
1981	96·3
1982	97·1
1983	97·4
1984	96·0
1985	95·5
1986	95·0
1987	94·0
1988	93·9
[2]1989	93·2

Source: Central Statistical Office.
[1] Income-based measure of GDP at factor cost, current prices.
[2] Provisional estimate.
[3] United Kingdom gross domestic product excluding continental shelf.

Crofting

Mr. Macdonald: To ask the Secretary of State for Scotland what is his estimate of the number of refusals under the crofter buildings grant and loan scheme in the years 1988 and 1989 to applicants living in council houses, on the grounds that the applicant is already reasonably accommodated within working distance of the croft.

Mr. Michael Forsyth: No applicants were refused assistance under the crofters building grants and loans scheme in 1988 and 1989 on the grounds stated.

Tree Preservation Orders

Sir David Steel: To ask the Secretary of State for Scotland if he will set a timetable for consultation on and reform of the legislation in Scotland regarding tree preservation orders.

Mr. Lang: I hope to issue in the autumn a consultation paper making proposals for improving the present system of tree preservation in Scotland, for implementation when a legislative opportunity is available.

Severely Disabled People

Mr. Rowe: To ask the Secretary of State for Scotland under what provisions regional councils are empowered to make payments to severely disabled people to make their own personal assistance arrangements.

Mr. Michael Forsyth: Under section 12 of the Social Work (Scotland) Act 1968, local authorities may make payments to severely disabled people only in an emergency. Such payments must reduce the need for social work assistance in other forms.

Cancer Screening

Mrs. Ray Michie: To ask the Secretary of State for Scotland what progress has been made towards shortening the waiting time for cervical smear tests results as proposed in his statement of 3 January; and if he will make a statement.

Mr. Michael Forsyth: Health boards have made significant progress. All but one health board—Grampian—have achieved, or bettered, the 14-day target for reporting results which I set in December 1990. Grampian are reporting results in 17 days, a considerable improvement on the position in 1990. The board is continuing to look at ways of further improving its turnaround time.

I am pleased that all but one board have achieved what was, for many, a stretching target and I applaud the dedication and commitment of staff in boards who have made these improvements. I am glad that many women in Scotland are now having to wait a much shorter period for the results of their tests.

Radioactivity

Mr. Flynn: To ask the Secretary of State for Scotland what estimate he has made of the time it will take before the radioactive products from the accident at Chernobyl will be reduced to a level to permit the return to normal hill farming.

Mr. Michael Forsyth: It is not possible to offer a reliable estimate of the time by which radioactivity levels in all sheep in the Scottish restricted areas will have fallen below the Government's action level.

Only a very small proportion of hill farms have been subject to controls on sheep movements, and the administration of these controls is designed to ensure the minimum disruption to normal farming practices on restricted farms. Research and monitoring of radioactivity levels in sheep on restricted farms continues, with the aim of releasing the remaining restricted farms when this can be done without compromising the safety of the food chain.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Scotland, pursuant to the answer of 6 June, *Official Report*, columns *654-5*, if he will list the items included in the figure of £148,000 spend on energy efficiency in 1990-91.

Mr. Lang *[holding answer 20 June 1991]*: The figure of £148,000 includes the following items:

	£
Draughtproofing (including renewal of windows)	54,000
Relamping	31,000
Survey and design fees	30,000
Lighting control system	11,500
Heating control improvements including boiler overhaul	18,000
Upgrading of electrical equipment	2,000
Power Factor Correction	1,500

Mr. Dobson: To ask the Secretary of State for Scotland (1), pursuant to the answer of 3 June, *Official Report*, column 221, when and why information on energy consumption and expenditure in the form referred to in his answer of 10 May 1990, *Official Report*, column *214*, ceased to be available for 1989-90;

(2) when he will be able to provide 1990-91 figures on *(a)* energy expenditure and *(b)* energy consumption in units to update those given for 1989-90 in the answers of 10 May 1990, *Official Report*, column *214*.

Mr. Lang *[holding answer 20 June 1991]*: I regret that the energy consumption figures for 1989-90 given to the hon. Gentleman on 10 May 1990 were based on information which has subsequently been found to be incomplete and inaccurate. Information in the form requested for the period prior to 1 April 1990 is therefore not available.

The Scottish Office assumed direct responsibility for maintaining these records from 1 April 1990 and I shall be writing shortly to the hon. Gentleman with details for 1990-91.

LORD PRESIDENT OF THE COUNCIL

Broadcasting of Proceedings

Sir Gerard Vaughan: To ask the Lord President of the Council if he will arrange for cabling to be provided so that the broadcasts of parliamentary proceedings will be available throughout the Palace of Westminster and the precincts.

Mr. MacGregor: In its fourth report of last Session on "Computer Services for Members" (HC 614), the Services Committee recommended that steps should be taken towards the installation of a single high-capacity cable network in the Commons part of the Palace of Westminster and the outbuildings capable of carrying terrestrial, cable and satellite television signals as well as a full range of information technology services. I am hoping to be able to arrange a debate on that report in the near future. It will be for the House to decide at an appropriate moment whether the services transmitted over such a cable network should include a feed of proceedings in either or both Houses.

DEFENCE

Parachute Regiment

Mr. Critchley: To ask the Secretary of State for Defence what steps he is taking to ensure that the proposed reduction in the strength of the Parachute Regiment will

not prevent the officers and non-commissioned officers of this regiment from having a balanced and worthwhile career structure.

Mr. Archie Hamilton: Consultation within the Army on the future structure of the regiments and corps is now underway. The need to maintain balanced and worthwhile career structures will be taken fully into account.

Victory Parade

Dr. Thomas: To ask the Secretary of State for Defence if he will publish details of the estimated costs of the Gulf war victory parade on 21 June.

Mr. Archie Hamilton: The welcome home parade and reception which took place last Friday was generously hosted by the Lord Mayor and corporation of the City of London who met the principal costs of the event, including those of the lunch to which all those marching were invited.

Hawk Aircraft

Mr. Menzies Campbell: To ask the Secretary of State for Defence what is his policy towards the memorandum of understanding presently being negotiated between British Aerospace and the Indonesian Government for the supply of upgraded Hawk aircraft.

Mr. Alan Clark: It is not our practice to comment on defence exports to specific countries.

Rapier Missiles

Mr. Menzies Campbell: To ask the Secretary of State for Defence when he expects to place an order for 10 rapier 2000 surface-to-air missiles.

Mr. Alan Clark: I do not recognise the order to which the hon. Member refers.

Aviation Support Ship

Mr. Menzies Campbell: To ask the Secretary of State for Defence when he expects to place an order for an aviation support ship; and if he will make a statement.

Mr. Kenneth Carlisle: We are committed to maintaining an amphibious capability in the longer term, and plan to order an aviation support ship to provide dedicated helicopter support for our forces. The timing of the order has yet to be decided.

Sea Harrier

Mr. Menzies Campbell: To ask the Secretary of State for Defence when he expects to place an order for a multi-functional air-to-air launcher rail for the Sea Harrier FRS 2 aircraft.

Mr. Alan Clark: No decision has yet been taken on the timing of this order.

Main Battle Tanks

Mr. Menzies Campbell: To ask the Secretary of State for Defence whether he is considering as part of "Options for Change" the equipping of territorial units with main battle tanks.

Mr. Archie Hamilton: No.

Helicopters

Mr. Menzies Campbell: To ask the Secretary of State for Defence when he intends to place orders for his British Army to acquire the Longbow Apache helicopter; and how many aircraft will be ordered.

Mr. Alan Clark: The British Army's future requirement for attack helicopters is currently under review and a number of options, including the Apache, are being studied. We do not expect to make a decision on the choice of helicopter, or the size of any order, in the immediate future.

Hercules Aircraft

Mr. Menzies Campbell: To ask the Secretary of State for Defence what is his policy towards the replacement of the Hercules aircraft.

Mr. Alan Clark: We plan to replace the Hercules early in the next decade.

Batus Firing Range

Mr. John Browne: To ask the Secretary of State for Defence if he will place in the Library a list, with dates, of all United Kingdom and other units who were authorised to fire live 76 mm HESH rounds on the Batus live firing range between January 1984 and January 1986.

Mr. Archie Hamilton: Available records do not contain a comprehensive list of units which fired 76 mm HESH rounds at Batus during the period in question.

Mr. John Browne: To ask the Secretary of State for Defence if he will place in the Library the relevant documents showing the number of blind 76 mm HESH rounds fired, logged but unlocated and uncleared lying outside designated impact areas on the Suffield, Batus training area for the period January 1984 to January 1986.

Mr. Archie Hamilton: All 76 mm HESH blinds reported at Batus during the period were destroyed by ammunition technicians. However, the essence of training at Batus is the ability to fire and manoeuvre within the whole of a large, live-firing area and it would not necessarily be obvious that a round had failed to explode.

Mr. John Browne: To ask the Secretary of State for Defence whether the board of inquiry into the Grenadier accident at Batus of 7 July 1989 was *(a)* ordered to investigate and *(b)* took any evidence as to how an unexploded round lay uncleared on the Batus range before 7 July 1989; and if he will make a statement.

Mr. Archie Hamilton: The board of inquiry was asked to investigate all the circumstances surrounding the accident to the three guardsmen. As part of their investigations the board examined the procedures at Batus for reporting and clearing unexploded rounds.

Mr. John Browne: To ask the Secretary of State for Defence whether the convening order for the Army board of inquiry into events of 7 July 1989 on the Batus range required investigation into the question as to why a round remained uncleared outside an impact area on the Batus live firing range.

Mr. Archie Hamilton: The convening order directed the board of inquriy to consider all the circumstances that contributed to the accident on 7 July 1989.

The Gulf

Mr. McFall: To ask the Secretary of State for Defence, pursuant to the answer of 3 June, *Official Report*, column *127*, what is his Department's assessment as to the consequences for water supply, public health and food distribution of the damage to Iraqi conventional power stations by coalition bombing during the Gulf war.

Mr. Archie Hamilton: The Ministry of Defence has conducted no such assessment, although the former United Nations Under-Secretary General Ahtisaari produced a report on the situation in Iraq after the conflict following his visit to that country in March 1991. It is believed that Iraq continues to suffer power shortages and that, as a consequence, some areas have reduced water supply.

Grenadier Guardsmen (Accident)

Mr. Winnick: To ask the Secretary of State for Defence whether Guardsmen Povey, Hicks and Ray were requested to give evidence before the board of inquiry into the circumstances which led to their serious injuries in July 1989.

Mr. Archie Hamilton: The board of inquiry did not take evidence directly from the three Guardsmen. When the board was convened at Batus the soldiers had been returned to the United Kingdom for medical treatment. The board did, however, consider the transcript of an interview with LCpl Ray at Medicine Hat City hospital, Canada.

Mr. Winnick: To ask the Secretary of State for Defence what informal undertakings were given after the serious injuries affecting Guardsmen Povey, Hicks and Ray in July 1989 that compensation would be paid to them.

Mr. Archie Hamilton: We are aware of none. If any such undertakings were given, they were without authorisation.

Mr. Sayeed: To ask the Secretary of State for Defence under what terms of reference the board of inquiry was set up that inquired into the cases of Guardsmen Hicks, Povey and Ray.

Mr. Archie Hamilton: The board of inquiry was asked to investigate all the circumstances and record all the evidence relevant to its inquiries. In particular, the board was asked to establish the cause of the accident; how it occurred; whether the soldiers were on duty; whether any person involved, wilfully or by neglect, contravened any recognised orders, procedures or drills; whether a mechanical fault or failure contributed to the accident; whether there was any lack of supervision or other matters which required rectification, the medical attention available, what action, if any, was necessary to prevent a recurrence; whether the accident was correctly reported in line with the Batus Range standing orders; and any other matter which the President of the board considered relevant. The inquiry was also asked with recording what action had been taken, or would be taken, to prevent a recurrence and to make recommendations to that end.

Mr. Winnick: To ask the Secretary of State for Defence what representations have been received from senior officers in the Grenadier Guards urging that compensation be paid to Guardsmen Povey, Hicks and Ray.

Mr. Archie Hamilton: One such representation has been received.

Fairford Air Tattoo

Ms. Primarolo: To ask the Secretary of State for Defence what official status has been granted to the Fairford international air tattoo as a Gulf salute; and if he will explain the procedure by which such official status is designated.

Mr. Archie Hamilton: None; events organised by non-governmental organisations, such as the international air tattoo, do not have official status.

Training Exercises (Accidents)

Mr. Sayeed: To ask the Secretary of State for Defence if he will list for the last five years the individual ex-gratia payments made to service personel for injuries received while on training exercises.

Mr. Archie Hamilton: The following is a list of ex-gratia payments made to date (24 May 1991) for training incidents which occurred between 8 December 1986 and 15 May 1987.

£9,500
£4,000
£45,000
£3,500
£15,000
£116,000
£675,000
£3,017

All these incidents involved MOD negligence.

Cambodia

Mr. Tim Smith: To ask the Secretary of State for Defence whether Her Majesty's Government has provided training for the forces of the Cambodian resistance; and if he will make a statement.

Mr. Archie Hamilton: From 1983 until 1989 Her Majesty's Government provided training to the armed forces of the Cambodian non-communist resistance, that is the Khmer People's National Liberation armed forces and the Armee Nationale Sihanoukienne. The purpose was to strengthen the position of those forces in relation to the more powerful forces of the Khmer Rouge and in their struggle against the Vietnamese imposed regime in Phnom Penh. There has never been and will never be any British assistance or support, military or otherwise, for the Khmer Rouge. Since 1989 Her Majesty's Government have not been involved in any way in training, equipping or supplying the forces of any of the Cambodian parties. In accordance with normal practice no further details about this training or any information about the nature of this training will be given.

Written Answers to Questions

Wednesday 26 June 1991

EMPLOYMENT

Skill Centre, Cardiff

Mr. Morgan: To ask the Secretary of State for Employment what consultations he has had with *(a)* the chairman of the South Glamorgan TEC, *(b)* Astra Training Services and *(c)* the Cardiff city council as planning authority and ground landlord concerning the future use of the skill centre land and buildings at Western avenue, Galealflor.

Mr. Jackson: My Department has had no consultation with the organisations listed. Negotiation about the sale of the freehold of land and buildings owned by my Department are being conducted on my behalf by King and Company.

Mr. Morgan: To ask the Secretary of State for Employment what proposals he has for extending, redeveloping or disposing of the skill centre land and buildings he owns and leases at Western avenue, Galealflor, Cardiff.

Mr. Jackson: The land and buildings at Western avenue, Cardiff, are in the process of being marketed by King and Company. It will be for the purchaser to decide any future plans for development.

The leasehold interest in the site at Western avenue, Cardiff, was conveyed to Astra Training Services Ltd. on completion of the sale of the training businesses.

Job Clubs

Mr. Battle: To ask the Secretary of State for Employment if he will list by address all the job clubs *(a)* in Leeds metropolitan district and *(b)* in Leeds, West constituency.

Mr. Jackson: Questions on operational matters in the Employment Service executive agency are the responsibility of Mike Fodgen, the agency's chief executive, to whom I have referred this question for reply.

Unemployment

Mr. Leighton: To ask the Secretary of State for Employment by how many unemployment has increased since October 1990.

Mr. Jackson: Between May 1991 and October 1990, the level of unemployment, seasonally adjusted, in the United Kingdom, rose by 539,400.

Foreign Exchange Services

Mr. Nigel Griffiths: To ask the Secretary of State for Employment if his Department has surveyed tourists about the charges levied by businesses providing a foreign exchange currency service.

Mr. Forth: I have made no such surveys, but I am aware of complaints made by overseas visitors to Ministers and to the tourist boards about the insufficiency of information on the exchange rates and commission charges applicable. Commission and other charges and exchange rates offered by foreign exchange currency businesses are best determined by competition in the market. However, the Government believe that for competition to be effective the customer should have adequate information concerning the exchange rates and commission charges that apply.

My right hon. Friend the Secretary of State for Trade and Industry proposes to make regulations shortly under part III of the Consumer Protection Act 1987 which will set out requirements on how bureaux de change display their exchange rates and other charges.

National Union of Mineworkers

Mr. Cryer: To ask the Secretary of State for Employment what is the cost so far of undertaking the legal action by the trade union certification officer against the president and secretary of the National Union of Mineworkers; and if he will make a statement.

Mr. Forth: The prosecution was brought by the independent Certification Officer for Trade Unions and Employers' Associations, to whom detailed questions about such matters should be addressed. I understand from the certification officer, however, that the total legal and professional costs arising from the preparation and conduct of the prosecution case are likely to be in the order of £17,000. The costs arising from the preparation and conduct of the defence are not yet known.

WALES

Research and Development (EC Funding)

Mr. Morgan: To ask the Secretary of State for Wales what is the total amount of receipts for each standard region of the United Kingdom from ESPRIT, RACE, BRITE and other European Community framework funds for research and development.

Sir Wyn Roberts: Unfortunately it is not possible to provide a regional breakdown for allocation of EC funds. However, United Kingdom organisations are very successful in securing funding from the Community's R and D programmes, obtaining approximately 20 per cent. of the funding available under the Community's European R and D framework programme.

Educational Psychologists

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will list for each of the last 10 years, and for each local education authority *(a)* the number of educational psychologists employed; and if he will also represent *(a)* as a ratio per 100 of children of school age resident in the local education authority area.

Sir Wyn Roberts: This information is not held centrally.

Local Government

Mr. Michael: To ask the Secretary of State for Wales if he will give the date and time of publication of his document "The Structure of Local Government in Wales"

and indicate *(a)* the date and time at which he intends the document shall be available at the Vote Office and *(b)* the date and time of its provision by his Department to the Vote Office.

Mr. Nicholas Bennett: The consultation document "The Structure of Local Government in Wales" was sent to all Members representing Welsh constituencies on Monday 17 June. Fifty copies of the document were delivered by hand to the Vote Office for release at 3.30 pm on the same day, and copies were also placed in the Library of the House. At the request of the Vote Office, a further 50 copies of the document were sent on 20 June, and a further 100 copies on 24 June.

Distribution of the document to a wide range of public and private sector bodies began immediately after completion of my right hon. Friend's statement to the House on 17 June.

Acute Beds

Mr. Barry Jones: To ask the Secretary of State for Wales what was the number of acute beds in national health service hospitals in each health authority in each year since 1979.

Mr. Nicholas Bennett *[holding answer 23 May 1991]:* The figures, from 1974, are shown in the following table.

For more than 20 years it has been a policy of both Labour and Conservative Governments to rationalise the provision of beds in the NHS to take account of changes in medical practice. These changes have led to patients having shorter stays in hospital, for instance in maternity confinements. Furthermore, elective surgery is increasing being undertaken on a day case basis.

Bed numbers are no indication of the level of health care; rather, the crucial factor is the number of patients treated. Between 1979-90, the number of in-patients treated has risen by 36 per cent., compared with 6 per cent. between 1974-79, the number of out-patients rose by 28 per cent. compared with a fall of 3 per cent. between 1974-79 and the number of day cases has risen by 246 per cent. since 1979.

I am grateful to the hon. Gentleman for raising this question and I am sure that he will agree that it would be nonsense to base success in the NHS on a bed number rather than on quality of service promised to patients.

Average daily available acute[2] beds

	Health authority								
	Clwyd	*East Dyfed*	*Gwent*	*Gwynedd*	*Mid Glamorgan*	*Pembrokeshire*	*Powys*	*South Glamorgan*	*West Glamorgan*
1974	1,459·9	770·2	1,682·9	675·9	1,965·6	218·8	293·2	2,091·4	1,607·1
1975	1,455·6	763·5	1,663·3	673·8	1,933·5	220·2	293·8	1,986·3	1,562·3
1976	1,437·1	754·3	1,586·1	678·6	1,906·0	218·7	296·6	1,931·5	1,569·2
1977	1,424·3	779·7	1,579·1	688·6	1,939·2	220·0	303·3	1,941·7	1,549·4
1978	1,404·7	765·8	1,567·2	686·3	1,933·3	233·1	304·0	1,879·7	1,498·3
1979	1,420·5	761·8	1,517·9	686·2	1,915·8	245·7	292·2	1,864·9	1,428·3
1980	1,434·4	763·9	1,541·1	687·8	1,886·6	246·5	240·4	1,826·3	1,447·8
1981	1,391·1	740·9	1,548·9	681·7	1,859·4	248·7	226·8	1,818·4	1,455·1
1982	1,400·8	742·2	1,535·4	683·6	1,842·4	254·2	229·2	1,820·3	1,440·4
1983	1,399·3	741·6	1,515·1	670·4	1,846·1	264·1	241·5	1,864·1	1,450·0
1984	1,371·2	708·1	1,478·9	685·6	1,844·1	260·9	237·4	1,851·4	1,398·2
1985	1,342·6	690·1	1,466·2	716·5	1,835·5	261·1	237·7	1,839·3	1,421·3
1986	1,337·2	694·9	1,388·7	718·7	1,813·5	266·6	221·0	1,751·0	1,448·0
1987	1,354·9	692·9	1,388·0	705·1	1,784·4	258·0	220·3	1,753·7	1,399·9
1988	1,307·1	691·1	1,382·6	681·7	1,878·3	266·1	195·5	1,733·1	1,336·7
1989-90[1]	1,189·6	645·4	1,354·8	680·8	1,744·3	261·9	194·4	1,699·5	1,268·5

[1] Data produced on financial year basis only.
[2] Excludes geriatrics, younger disabled, obstetrics, GP maternity, mental illness, mental handicap, adolescent psychiatry, mental illness children, psychogeriatric and elderly mentally infirm.

SOCIAL SECURITY

Cash Benefits

Mrs. Gorman: To ask the Secretary of State for Social Security if he will commission a study into the impact on incentives to work of providing demand-led cash benefits for families, where extra income is received with the addition of each new child.

Mr. Jack: The importance of work incentives was taken into account during the development of the 1988 social security reforms. The introduction of family credit—the income-related benefit for working families with children—and aligned benefits assessed on net rather than gross earnings improved incentives for low-income working families. These benefits take the number of children into consideration so there is no loss of incentive if the family increases in size. Now only a very small proportion of working families would be better off not working, and claiming income support.

Performance Indicators

Mr. Battle: To ask the Secretary of State for Social Security what steps his Department has taken to involve consumer views in the development of performance indicators.

Mr. Jack: This Department has a long-standing commitment to maintaining good relations with our customers and their representative bodies and have sought their views on the service we provide. Sampling of customer opinion has been carried out annually since 1984 in local offices. Results are analysed and, since the 1989-90 exercise, have been fed into the target setting process. An external survey was commissioned in 1990 to provide a nationally representative picutre which in effect validates the national results of our own customer opinion sampling.

The launch of the benefits and contributions agencies this year, in addition to our two existing agencies, has given us a springboard to improve further working

relationships with these groups. Managers will have more freedom to respond to the needs of their area and there will be many local initiatives. Nationally, external surveys will in future be undertaken annually and, in addition to specific quality of service targets, the Benefits Agency now has a customer satisfaction target. Their success in attaining this target will be measured by the results of these surveys. The contributions unit, now the Contributions Agency, commissioned a broad-based survey of contributions customers in February 1991 to establish their requirements and priorities; this will report in July 1991. A regular series of contributions conferences was also established in July 1990. Both of these will be used in the development of targets and performance indicators.

Further details of Benefits Agency and Contributions Agency programmes for this year can be found in their published annual business plans which are available in the Library.

Household Incomes

Mrs. Roe: To ask the Secretary of State for Social Security if he will seek to reduce the period between publication of the family expenditure survey and publication of an analysis of household incomes by quintile and decile groups.

Mr. Jack: Once we have received the family expenditure data from the Central Statistical Office, we need to check and analyse data and discuss resulting queries with CSO. The time taken to produce an analysis of equivalised household incomes depends on the extent of the queries and the speed with which they can be resolved. We are actively considering what action can be taken to speed up and improve these processes.

Residential Care Homes

Mrs. Roe: To ask the Secretary of State for Social Security what progress is now being made to introduce regional variations in the amount of income support payable to meet the fees of private and voluntary homes outside the Greater London area.

Miss Widdecombe: There are no current plans to introduce regional variations beyond the present addition for the Greater London area. Information from the Price Waterhouse survey and other sources does not show a sufficiently secure basis for further geographical variation.

Mrs. Roe: To ask the Secretary of State for Social Security what information his Department collects on the destination of elderly people who leave residential or nursing homes.

Miss Widdecombe: No such information is collected.

Mrs. Roe: To ask the Secretary of State for Social Security what evidence he has on whether elderly people have been obliged to leave the residential or nursing homes in which they were living because they were unable to meet the fees.

Miss Widdecombe: We are not aware of any instance in which residents relying on income support have been evicted because they could not afford the fees.

Mrs. Roe: To ask the Secretary of State for Social Security how many representations he has received on the subject of income support levels to meet the costs of residential and nursing homes in the past six months.

Miss Widdecombe: Several representations have been received recently, both from individuals and representative bodies.

TRANSPORT

Rail Tickets

Ms. Walley: To ask the Secretary of State for Transport if he will require British Rail to ensure that all return tickets issued from eastern Europe to destinations in the United Kingdom inform customers of the procedure to be adopted for booking return tickets.

Mr. McLoughlin: No.

Ms. Walley: To ask the Secretary of State for Transport if he will ensure that the restriction to London Victoria of facilities to book return rail tickets to Soviet destinations is publicised at all points of entry.

Mr. McLoughlin: No. This is a matter for British Rail.

Road Crashes

Mr. Peter Bottomley: To ask the Secretary of State for Transport if he will list for each quarter starting in the first quarter of 1987 the annual ratio to the distance travelled of the number of fatalities and serious injuries in road crashes.

Mr. Chope: The information requested is given in the table. It is given in the form of a rate of fatal and serious casualties per billion vehicle kilometres. Data for 1990 are provisional.

Twelve month period ending	*Rates per billion vehicle kilometres*	
	Fatal	*Serious*
1987		
Q1	15·7	199·4
Q2	15·4	193·8
Q3	15·2	190·2
Q4	14·4	180·5
1988		
Q1	14·1	180·7
Q2	13·8	175·4
Q3	13·2	169·5
Q4	13·3	166·7
1989		
Q1	13·4	162·8
Q2	13·1	160·4
Q3	13·2	156·8
Q4	13·2	154·9
1990[1]		
Q1	13·1	153·3
Q2	13·2	152·0
Q3	12·9	150·7
Q4	12·5	148·0

[1] Provisional.

British Rail

Ms. Walley: To ask the Secretary of State for Transport if he will amend British Rail's quality of service objectives to require it to provide facilities to permit reservations to Russian destinations to be made at major British Rail outlets.

Mr. McLoughlin: No.

Casualty Reduction Campaign

Mr. Peter Bottomley: To ask the Secretary of State for Transport if he will place in the Library a copy of the casualty reduction campaign brief.

Mr. Chope: A copy of the campaign brief has been placed in the Library.

Casualty Reductions

Mr. Peter Bottomley: To ask the Secretary of State for Transport what research projects on casualty reduction are being undertaken; and when are reports expected to be published.

Mr. Chope: Research is being carried out on a wide range of issues in road and vehicle safety. Main research areas on road user safety include driver behaviour, road safety education, pedestrian accident causation, engineering measures for accident prevention, enforcement, and rehabilitation. The vehicle safety research programme includes side impact protection for car occupants, motor cycle safety, pedestrian protection measures in vehicle design, HGV accident investigation, vehicle lighting and signalling systems.

Research reports giving the results of research are published regularly.

Transport Council

Mr. David Shaw: To ask the Secretary of State for Transport what was the outcome of the meeting of the European Community Transport Council on 20-21 June.

Mr. Rifkind: I attended the first day of the meeting of the European Council of Transport Ministers which was held in Luxembourg on 20 and 21 June. My hon. Friend the Minister for Roads and Traffic was present on the second day.

I am extremely pleased with the progress made at the Council, especially the agreements reached both on the development of Community railways and the need for safer design of vehicles.

The railways agreement is an important step towards liberalisation, allowing access by individual rail companies to the railway systems of other member states for the purpose of international combined transport operations. It will encourage greater use of rail freight services thus acting to alleviate congestion on roads. The Commission reported that its work on the combined transport network was progressing well and a report should be produced by the end of the year. A regulation was agreed, providing for the replacement of public service obligations, in the public transport sector, by public service contracts. The amended regulation will bring greater transparency to dealings between governments and transport undertakings, particularly railways.

Other inland transport matters discussed included transit and international road passenger transport. Ministers agreed that the Commission's mandate to conduct transit negotiations with Austria and Switzerland should be extended indefinitely, with a view to obtaining further concessions. The Council approved in principle a draft transit agreement with Yugoslavia.

I reiterated the United Kingdom's strongly held view that concrete progress is needed on international road passenger transport; the matter will be further considered in the Committee of Permanent Representatives and I hope to be able to report progress as a result of the next Council.

A number of air transport issues were covered by the Council. There was a debate on which airlines should be included in the list of Community air cargo carriers, which forms an annex of the EC air cargo regulation. The Commission informed member states of its intention to have informal discussions with third countries on air cargo. On the question of state subsidies to the airline industry, a Commission report was promised in the near future, while the proposal on technical requirements in aviation was referred back to the Committee of Permanent Representatives for further consideration and finalisation.

Moving on to the marine sector, agreement was reached on a revised presidency compromise on inland waterway cabotage, with a decision on derogations for the new German Länder. There was a disappointing lack of progress on maritime cabotage liberalisation despite the clear treaty obligation for liberalisation to be agreed, and implemented, as part of the completion of the single market. My hon. Friend the Minister for Roads and Traffic announced that the United Kingdom was withdrawing from the Loran C negotiations, partly because of the uncertainty of concluding an agreement within the time scale the United Kingdom had set for a proper transition, and partly because a more competitive offer has been received from the Racal electronics group to update its existing Decca system.

The Council adopted a directive on roadworthiness tests for cars which will help to ensure that vehicles throughout Europe are maintained to safe standards. A resolution on road safety, asking the Commission to draw up a report outlining a Community road safety strategy, which should include measures on vehicle standards and equipment, was also adopted. Agreement in principle was reached on the driving licences directive which will provide for mutual recognition of driving licences throughout the Community and harmonisation of driving test standards in member states. The directive will enter into force in 1996.

Some progress was made on the seat belts directive and the Committee of Permanent Representatives will consider it further with a view to a decision later this year.

Noise

Sir John Stanley: To ask the Secretary of State for Transport if he will list the further noise alleviation measures to which his hon. Friend, the Minister of State referred on 19 June, *Official Report*, column *348*; and whether or not they included compensation.

Mr. Freeman: My reference was to measures mentioned in Kent county council's paper "International Rail Services Noise Protection" which suggests action that could be taken where railway noise increases and exceeds specific levels at certain times of day or night. The suggested action includes the provision of noise barriers or sound insulation for people's homes. It is these physical measures which British Rail will be discussing with the council.

ATTORNEY-GENERAL

Justices of the Peace

Mr. Redmond: To ask the Attorney-General if he will list by year for the last five years the number of justices of the peace in Doncaster by ward; and what steps have been taken over the last five years to increase the proportion of young justices of the peace, women justices of the peace, justices of the peace from ethnic minorities and justices of the peace from under-represented wards.

The Attorney-General: The present number of active justices of the peace in Doncaster by totalling the numbers for the wards in each parliamentary constituency is as follows:

	Number
Doncaster, Central	71
Don Valley	74
Doncaster, North	43

The figures for the last five years could be obtained only at disproportionate cost and would not be likely to show any appreciable difference. Over the last five years the Lord Chancellor's Advisory Committee for Doncaster has continued, as required by the Lord Chancellor, to seek out men and women from all backgrounds and walks of life so that the bench broadly reflects the local community and is balanced in terms of age, sex, occupation and residence within the area.

The methods adopted by the committee towards achieving this aim have been by way of notices and articles in the local press, letters to all parish councils, major employers, political organisations, trade unions and magistrates on the active and supplemental list.

OVERSEAS DEVELOPMENT

Sardar Sarovar Dam

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of the Minister for Overseas Development on 12 June, *Official Report*, column *570*, whether the independent team appointed to review the Narmada dam will include in its review consideration of proposals to *(a)* lower the height of the dam by 67 ft in order to reduce submersion and displacement by half and *(b)* resettlement and rehabilitation of 50,000 people displaced by irrigation channels in Gujarat, in addition to resettlement of oustees in Madyha Pradesh.

Mrs. Chalker: The World bank has informed us that the independent review team's terms of reference will not cover consideration of proposals to lower the height of the Sardar Sarovar dam. The team will consider all resettlement proposals. Bank staff estimate that the number of people affected by irrigation channels will be around 5,000 to 10,000.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether detailed plans have now been drawn up on how to provide drinking water for 10 million people from the Sardar Sarovar dam, funded by the World bank.

Mrs. Chalker: Detailed plans have been drawn up for the provision of drinking water for people in the existing townships nearest to the dam; detailed plans are being developed for people in areas further afield.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the proposed compensatory afforestation for the Narmada dam, funded by the World bank, *(a)* will ensure a continued source of non-timber forest products, as well as that the total number of trees is maintained, *(b)* will be located close to the areas where forest will be submerged and *(c)* will be located so as to minimise the effect of the loss of existing forest on the micro-climate in the area.

Mrs. Chalker: Several species of trees will be planted, including those which will provide non-forest products. The total number of trees will be maintained. Afforestation will be close to the areas where forest will be submerged. Trees will be located so as to minimise the effect on the micro-climate of the area.

EDUCATION AND SCIENCE

Nursery Schools

Ms. Walley: To ask the Secretary of State for Education and Science if he will increase the minimum teaching area in nursery schools to take account of the need to meet in full curricula, equipment and staffing needs.

Mr. Fallon: Minimum teaching areas in schools, including nursery schools, will be considered as part of the current review of the Education (School Premises) Regulations 1981. The results of the review are likely to be available towards the end of next year.

Adult Education

Mr. Rogers: To ask the Secretary of State for Education and Science (1) what has been the total capital and revenue expenditure on non-vocational and vocational adult education in each of the past five years by local education authority;

(2) what has been the adult education expenditure in England and Wales for the past five years by (1) local education authority, (2) vocational or non-vocational groupings and (3) age and gender.

Mr. Eggar: This information is not collected centrally.

Mr. Rogers: To ask the Secretary of State for Education and Science how many adult education services and facilities are free standing or absorbed into colleges of further education by local education authority.

Mr. Eggar: The following local education authorities in England made nil returns at November 1990 in respect of separate adult education centres outside FE colleges:

Enfield	Bolton	Sheffield
Harrow	Manchester	Bradford
Haringey	Salford	Hertfordshire
Newham	Tameside	Isle of Wight
Knowsley	Trafford	Shropshire
St. Helens	Doncaster	Wiltshire
Wirral	Rotherham	

Data on the organisation of provision for adults in Wales are a matter for my right hon. Friend, the Secretary of State for Wales.

School Premises

Ms. Walley: To ask the Secretary of State for Education and Science if he will give details of the responses made to the consultation exercise on the review of the 1981 School Premises Regulations.

Mr. Fallon: It is not the Department's practice to publish details of responses to such consultations. The views expressed will of course be given careful consideration and taken into account in the review.

Further Education Colleges

Mr. Fatchett: To ask the Secretary of State for Education and Science if he will list the representations made since 1 April from local authorities seeking approval of expenditure on further education colleges and sixth-form colleges, the capital value of each scheme, and the institutions concerned; and whether, in any case, ministerial approval has been granted.

Mr. Eggar: The details are given in the table. In several cases, formal ministerial approval has not been needed for the action which the authority has been proposing to take. In other cases, while it has been possible to indicate our likely agreement, formal agreement has to await the details of the proposed contracts. I am unable to specify the values of the contracts concerned; to do so would be in breach of commercial information supplied in confidence.

Institution	*LEA*	*Date of ministerial consent (if required)*
Swindon College	Wiltshire	14 June 1991
Dudley College	Dudley	24 June 1991
Brooklyn College of Technology	Birmingham	Not required
Bourneville College	Birmingham	Not required
Shipley College	Bradford	Not required
North Devon College	Devon	Not required
Barton Peveril College	Hampshire	Not required
Elm Park Tertiary College	Harrow	Not required
Stamford College	Lincolnshire	Not required
Tameside College of Technology	Tameside	Not required
The Peoples' College	Nottinghamshire	Awaiting contract details
West Hertfordshire College	Hertfordshire	Awaiting contract details
Bromley College of Technology	Bromley	Awaiting contract details
Orpington College	Bromley	Awaiting contract details
Sir John Deanes Sixth Form College	Cheshire	Awaiting contract details
Taunton's Sixth Form College	Hampshire	Awaiting contract details
Huddersfield College	Kirklees	Awaiting contract details
Waltham Forest College	Waltham Forest	Awaiting contract details
Chippenham Technical College	Wiltshire	Awaiting contract details

Bacon's CTC

Mr. Fatchett: To ask the Secretary of State for Education and Science what requirements have been put on the trustees of Bacon's city technology college about the money he has made available to them to build the city technology college should they decide not to proceed with the city technology college.

Mr. Eggar: Paragraph 24(A)iv of the CTC funding agreement requires the CTC on termination of the agreement to repay to the Secretary of State sums determined by reference to:

"(a) the value at that time of the College's site and premises and other assets held for the purposes of the College; and (b) the extent to which expenditure incurred in providing those assets was met by payments by the Secretary of State under this Agreement."

Mr. Fatchett: To ask the Secretary of State for Education and Science (1) if he will investigate the failure of the sponsors of Bacon's city technology college to offer all staff of Bacon's school security of appointment at the city technical college, as previously agreed between the school and the city technical college; and if he will make a statement;

(2) whether he will make it his policy to contribute to the redundancy payments of staff of Bacon's school, when it closes on 31 August, who have not been offered equivalent employment at the new Bacon's city technology college or achieved employment elsewhere.

Mr. Eggar: My right hon. and learned Friend has been kept informed by the trustees of the Bacon's city technology college of progress towards the opening of the school, including issues of staffing. He is considering generally the question of liability of any redundancy payment.

Mr. Fatchett: To ask the Secretary of State for Education and Science, pursuant to his answer to the hon. Member for Blackburn (Mr. Straw), *Official Report*, 9 May, columns *561-64*, when the valuation of £1·5 million was made for the proceeds of the present site of Bacon's school; when the site will be put on the market; and what is the present estimate of the proceeds.

Mr. Eggar: The Bacon's school site was valued in 1989 at £1·5 million, following the advice of agents. The site will be marketed this autumn, with this figure as a guide price.

Mr. Fatchett: To ask the Secretary of State for Education and Science when the new building for Bacon's city technology college will be available for occupation.

Mr. Eggar: The Bacon's CTC autumn term starts on 23 September, by which time most of the new building will be complete and available for occupation.

Mr. Fatchett: To ask the Secretary of State for Education and Science what is the cost of the chapel that has been built in the new Bacon's city technology college; and who has agreed to pay for it.

Mr. Eggar: The cost of the chapel, which is assessed at £140,000 will be met entirely by the Southwark diocesan board of education.

Mr. Fatchett: To ask the Secretary of State for Education and Science what role his appointee on the trustee of Bacon's city technology college has played in the appointment of staff at the new college.

Mr. Eggar: The Secretary of State's nominee on the Bacon's CTC trust has been directly involved only in the appointment of the principal of the college.

HEALTH

Maternity Units

Ms. Richardson: To ask the Secretary of State for Health how many district health authorities have community maternity units; and how many places in these units each district health authority provides.

Mrs. Virginia Bottomley: Information relating to beds in wards designated for general practitioner—maternity use, is given in the table. Consultant obstetric wards also have beds available for use by general practitioners.

Average number of beds available daily in general practitioner maternity units by district health authority 1989-90

District health authority	*Available beds*
North Tees	15
South Tees	13
East Cumbria	8
West Cumbria	10
Northumberland	21
Gateshead	6
Hull	2
East Yorkshire	11
Grimsby	20
Scunthorpe	16
Scarborough	12
Harrogate	6
Airedale	5
Calderdale	6
North Derbyshire	22
Leicestershire	38
North Lincolnshire	0
South Lincolnshire	8
Central Nottinghamshire	8
Peterborough	12
East Suffolk	18
Norwich	1
North Bedfordshire	1
Basildon and Thurrock	7
Mid Essex	24
North East Essex	31
Newham	2
Enfield	15
Redbridge	4
Tunbridge Wells	8
Bexley	8
East Dorset	6
Portsmouth and South East Hampshire	54
South West Hampshire and Southampton	36
Winchester	10
Bath	77
Aylesbury Vale	8
Wycombe	9
Northampton	5
Oxfordshire	32
Cornwall and Isles of Scilly	17
Exeter	29
North Devon	11
Plymouth	20
Somerset	8
Kidderminster and district	24
Worcester and district	11
Shropshire	72
North Staffordshire	30
South East Staffordshire	6
North Warwickshire	10
South Warwickshire	1
Coventry	19
Dudley	31
Sandwell	2
Walsall	11
Wolverhampton	21
Crewe	5
Blackburn, Hyndburn and Ribble	44
Chorley and South Ribble	25
Bolton	4
Bury	1
Salford	4
Trafford	6
England	1,008

Source: KHO3.

Hospital Readmissions

Mr. Redmond: To ask the Secretary of State for Health, pursuant to his answer of 23 May, *Official Report*, column *593*, to the hon. Member for Don Valley, if he will make it his practice to keep central records of national health service patients who have been discharged from hospital, and within three months required subsequent hospitalisation for the same or a different but related complaint.

Mr. Dorrell: There are no plans to do so. Patients may be re-admitted for a variety of reasons. Work carried out on using re-admission data to develop an outcome measure has encountered considerable difficulties in defining the necessary data and interpreting them.

HOME DEPARTMENT

Police (Compensation)

Mrs. Mahon: To ask the Secretary of State for the Home Department what information he has on how much compensation, in out of court settlements, has been paid by each police authority for each of the last five years that figures are available.

Mr. Peter Lloyd: Out-of-court settlements are made under section 48(2)(b) of the Police Act 1964 at the discretion of the police authority concerned; the information requested is not held centrally.

Assistant Commissioner Alun Wyn-Jones

Mr. Sheerman: To ask the Secretary of State for the Home Department what restitution or compensation has been made to Assistant Commissioner Alun Wyn-Jones following the decision that insufficient evidence for prosecution existed.

Mr. Peter Lloyd: None.

Mr. Sheerman: To ask the Secretary of State for the Home Department what were the precise terms of the inquiry into the certain matters concerning Assistant Commissioner Alun Wyn-Jones.

Mr. Peter Lloyd: The precise terms of reference of the inquiry which the acting Commissioner, with the agreement of my right hon. Friend, asked Mr. Nobes to conduct into Mr. Wyn-Jones's conduct were a matter for the acting Commissioner and not for my right hon. Friend.

Prison Discharge Grant

Mr. Sheerman: To ask the Secretary of State for the Home Department what representations he has received calling for the prison discharge grant to be increased to the equivalent of two weeks' payment.

Mrs. Rumbold: We have received representations to this effect from the Association of Chief Officers of Probation.

Refugees

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department if he will make it his policy to provide capital and revenue support for more short-stay hostels for newly arrived refugees in the United Kingdom.

Mr. Peter Lloyd: The Government currently have many aspects of asylum-seeking under review, but have no present proposals on the matters raised in this question.

Satellite Television

Mr. Butler: To ask the Secretary of State for the Home Department if he will make a statement regarding the proposed dedicated satellite television sex channel.

Mr. Peter Lloyd: If the proposed channel were to be uplinked from the United Kingdom, it would be subject to the licensing regime of the Independent Television Commission. This requires licensees to ensure, inter alia, that nothing is included in their programmes which offends against good taste or decency or is likely to be offensive to public feeling. If the service were to be uplinked from another European country, it would need to comply with international instruments which prohibit the broadcasting of pornographic programmes.

Vagrancy

Ms. Gordon: To ask the Secretary of State for the Home Department, further to his answer to the hon. Member for Mansfield (Mr. Meale) on 27 February, *Official Report*, columns *502-4*, if he will give the same information for prosecutions for vagrancy offences for *(a)* men and *(b)* women; and how many were convicted in each case.

Mr. John Patten: The information requested is given in the tables.

Table A1 Number of males prosecuted and convicted for the offence of begging by petty sessional divisions 1987-89

Petty sessional division	*1987*		*1988*		*1989*	
	Prosecuted	*Convicted*	*Prosecuted*	*Convicted*	*Prosecuted*	*Convicted*
England and Wales						
Bristol	—	—	3	3	12	11
North Bedfordshire	—	—	1	1	1	1
Luton	—	—	—	—	1	—
Forest	—	—	1	—	—	—
West Berkshire	—	—	1	1	—	—
Aylesbury	—	—	—	—	1	1
Cambridge	5	5	6	5	8	8
Teesside	—	—	1	—	—	—
Penwith	2	1	—	—	—	—
South East Cornwall	—	—	—	—	4	4
Truro and South Powder	—	—	—	—	1	1
Carlisle	—	—	2	2	3	3
Penrith and Alston	—	—	1	1	—	—
Diss	1	1	—	—	—	—
Exeter	2	2	6	6	—	—
Plymouth	—	—	—	—	7	6
Teinbridge	—	—	—	—	1	1
Torbay	1	1	1	1	1	1
Bournemouth	—	—	—	—	3	2
Brighton	2	2	4	4	13	12
Hastings	1	—	1	1	—	—

Petty sessional division	1987		1988		1989	
	Prosecuted	Convicted	Prosecuted	Convicted	Prosecuted	Convicted
Hove	2	2	—	—	1	1
Manchester	—	—	1	1	2	1
Alton	—	—	—	—	2	2
Droxford	—	—	—	—	1	1
Lymington	1	—	—	—	—	—
Odiham	—	—	1	—	—	—
Southampton	1	1	1	—	2	—
Hereford (Borough)	1	1	—	—	—	—
Cheshunt	—	—	—	—	4	4
Dacorum	—	—	1	1	—	—
Watford	2	2	—	—	1	1
Canterbury and St. Augustin	—	—	—	—	1	1
Blackpool	—	—	—	—	2	1
Lancaster	—	—	—	—	1	1
Preston	2	2	—	—	—	—
Rossendale	—	—	—	—	4	1
Liverpool	—	—	7	6	5	4
St. Helens	—	—	—	—	1	1
Daventry	—	—	1	—	—	—
Northampton	—	—	1	1	—	—
Wellingborough	—	—	1	1	—	—
York	5	5	3	3	—	—
Guildhall Justice Room	—	—	—	—	3	3
Bow Street	192	187	162	158	599	580
Clerkenwell	8	8	21	20	152	143
Greenwich	—	—	1	1	1	1
Marlborough Street	44	40	72	66	70	63
Marylebone	48	45	82	68	49	44
Old Street	—	—	2	2	5	5
South Western	7	7	2	2	4	4
Thames	—	—	—	—	1	1
Tower Bridge	2	1	3	2	5	5
West London (Southcombe Street)	7	7	9	8	9	9
Wells Street	3	1	2	1	—	—
Camberwell Green	2	2	—	—	1	1
Horseferry Road	49	47	55	52	209	204
Highbury Corner	7	6	38	34	31	29
Oxford	12	11	12	9	38	35
Lambeth	—	—	—	—	1	1
North Oxfordshire and Chipping Norton	1	—	—	—	—	—
Yeovil	—	—	—	—	3	3
Stratford	—	—	—	—	2	2
Barnet	—	—	1	—	—	—
Brentford	—	—	—	—	1	1
Bexley	—	—	—	—	1	1
Ealing	1	1	2	2	10	9
Hampstead	—	—	1	1	—	—
Hendon	1	1	1	1	1	1
Haringey	—	—	—	—	1	1
Tottenham	—	—	—	—	5	2
Harrow	—	—	1	—	—	—
Willesden	3	2	8	6	10	7
Wimbledon	1	1	—	—	1	1
Uxbridge	—	—	—	—	2	2
Richmond upon Thames	1	1	1	1	1	—
New Spelthorne (Feltham)	2	2	—	—	—	—
Doncaster	1	1	—	—	—	—
Kingston upon Thames	—	—	—	—	4	1
Waltham Forest	—	—	—	—	1	1
Redbridge	2	2	—	—	—	—
Lowestoft	—	—	1	—	—	—
Guildford	—	—	1	1	1	1
Staines and Sunbury	—	—	—	—	1	1
Birmingham	—	—	—	—	1	—
Coventry	—	—	—	—	1	1
Leeds	3	3	1	—	—	—
Wakefield	1	1	—	—	—	—
Chippenham	—	—	1	1	—	—
Salisbury	—	—	—	—	2	2
Swindon	—	—	—	—	1	1
Cynon Valley	1	—	—	—	—	—
Cardiff	3	3	5	3	1	—
Neath	—	—	—	—	1	1

Petty sessional division	1987		1988		1989	
	Prosecuted	Convicted	Prosecuted	Convicted	Prosecuted	Convicted
England and Wales	430	405	530	477	1,313	1,237

Table A2

Number of females prosecuted and convicted for the offence of begging by petty sessional divisions 1987-89
England and Wales

Petty sessional division	1987		1988		1989	
	Prosecuted	Convicted	Prosecuted	Convicted	Prosecuted	Convicted
Cambridge	—	—	—	—	2	1
South East Cornwall	—	—	—	—	2	2
Falmouth-Penryn	—	—	1	1	2	2
Plymouth	—	—	—	—	2	2
Brighton	—	—	—	—	4	3
Hove	—	—	—	—	1	1
Manchester	—	—	1	—	—	—
Odiham	—	—	1	—	—	—
Grimsby and Cleethorpes	—	—	—	—	1	1
Liverpool	—	—	2	2	1	1
Guildhall Justice Room	—	—	—	—	2	2
Bow Street	12	12	14	13	19	18
Clerkenwell	1	1	3	1	8	7
Greenwich	1	1	—	—	—	—
Marlborough Street	1	1	4	4	7	6
Marylebone	6	6	5	5	6	6
West London (Southcombe Street	—	—	1	1	1	1
Camberwell Green	—	—	—	—	2	1
Horseferry Road	6	6	4	3	27	26
Highbury Corner	2	2	3	3	1	1
Oxford	—	—	—	—	1	1
Islington	—	—	1	—	—	—
City of Westminster	2	1	—	—	—	—
West Ham	1	1	—	—	—	—
Croydon	3	3	—	—	—	—
Ealing	1	1	—	—	—	—
Tottenham	—	—	2	1	—	—
Dorking	—	—	1	1	—	—
England and Wales	36	35	43	35	89	82

Table B1. Number of males prosecuted and convicted for the offence of sleeping out by petty sessional divisions 1987-1989
England and Wales

Petty sessional division	1987		1988		1989	
	Prosecuted	Convicted	Prosecuted	Convicted	Prosecuted	Convicted
Luton	—	—	—	—	1	—
West Berkshire	2	2	1	1	1	1
Thurrock	—	—	—	—	1	1
Manchester	—	—	—	—	1	1
Oldham	—	—	—	—	2	—
Portsmouth	—	—	—	—	2	—
Grimsby and Cleethorpes	—	—	—	—	2	2
Blackpool	—	—	—	—	1	1
Preston	1	1	—	—	—	—
Wyre	1	1	—	—	—	—
Liverpool	—	—	1	—	—	—
Selby	—	—	9	1	—	—
York	1	1	—	—	—	—
Bow Street	3	3	1	1	2	2
Marylebone	2	2	3	3	1	—
South Western	2	2	—	—	4	4
Thames	—	—	1	1	—	—
West London (Southcombe Street)	—	—	1	1	1	—
Horseferry Road	—	—	1	1	—	—
Highbury Corner	—	—	1	1	—	—
Ealing	—	—	1	—	—	—
Hendon	—	—	1	1	—	—
Haringey	—	—	1	—	—	—
Uxbridge	—	—	1	1	2	2
Barking	1	1	—	—	—	—

Petty sessional division	1987 Prosecuted	1987 Convicted	1988 Prosecuted	1988 Convicted	1989 Prosecuted	1989 Convicted
Leeds	—	—	1	—	—	—
Cardiff	—	—	1	1	—	—
England and Wales	13	13	17	13	21	14

Table B2. Number of females prosecuted and convicted for the offence of sleeping out by petty sessional divisions 1987-1989
England and Wales

Petty sessional division	1987 Prosecuted	1987 Convicted	1988 Prosecuted	1988 Convicted	1989 Prosecuted	1989 Convicted
Liverpool	—	—	—	—	1	—
Bow Street	1	1	—	—	—	—
Marlborough Street	—	—	—	—	1	1
Marylebone	—	—	—	—	1	1
England and Wales	1	1	0	0	3	2

Prisoners (Drugs)

Mr. Butler: To ask the Secretary of State for the Home Department if he will publish a table showing the average number of doses of drugs administered per inmate in each of Her Majesty's penal establishments in the latest available year.

Mrs. Rumbold: This information is not available.

Overseas Visitors

Mr. Bernie Grant: To ask the Secretary of State for the Home Department how many overseas visitors were initially refused leave to enter and were removed from the United Kingdom *(a)* between January and April 1988 inclusive, *(b)* between January and April 1991 inclusive, *(c)* between January 1987 and December 1988 inclusive and *(d)* between January 1989 and December 1990 inclusive; and what were their nationalities.

Mr. Peter Lloyd: The total numbers of passengers by nationality who were refused leave to enter and removed from the United Kingdom in 1987, 1988 and 1989 are published in Table 1 of the annual Home Office Command Papers "Control of Immigration: Statistics, United Kingdom"—Cm 415, 726 and 1124 for each year from 1987 to 1989 respectively—copies of which are held in the Library. Corresponding information for January to April 1988, year 1990, and January to April 1991 is given in the table. It is not possible from the information available centrally to ascertain how many of those refused leave to enter and removed from the United Kingdom sought entry as visitors.

Passengers refused leave to enter and removed from the United Kingdom

Number of persons

Nationality	January to April 1988	Year 1990	January to April 1991
EUROPE	1,392	2,681	767
Austria	23	90	15
Belgium	8	6	2
Bulgaria	7	58	26
Cyprus	59	154	44
Czechoslovakia	6	106	85
Denmark	1	6	—
Finland	16	38	15
France	47	34	8
Germany (D.R.)	1	154	2
Germany (F.R.)	25	11	
Greece	3	1	—
Hungary	5	107	77
Italy	20	3	2
Luxembourg	—	—	—
Malta	5	21	10
Netherlands	25	25	2
Norway	22	88	18
Poland	32	93	35
Portugal	177	49	14
Romania	2	23	18
Spain	189	10	1
Sweden	39	164	57
Switzerland	39	80	22
Turkey	514	389	110
USSR	10	168	34
Yugoslavia	117	903	170
AMERICAS	862	4,420	1,132
Argentina	23	86	43
Barbados	3	36	12
Brazil	108	932	222
Canada	25	114	32
Chile	32	64	15
Colombia	137	750	151
Cuba	—	7	5
Guyana	9	57	14
Jamaica	113	580	136
Mexico	29	150	34
Peru	17	132	42
Trinidad and Tobago	13	131	33
United States of America	345	1,319	369
Uruguay	2	18	4
Venezuela	6	44	20
AFRICA	1,416	5,155	1,282
Algeria	396	978	57
Egypt	9	40	13
Ethiopia	3	52	21
Ghana	120	479	164
Kenya	42	202	56
Libya	9	41	9
Mauritius	52	219	62
Morocco	238	634	41
Nigeria	227	848	350
Sierra Leone	38	321	103
Somalia	4	49	21
South Africa	100	530	154
Sudan	15	16	6
Tanzania	22	102	35
Tunisia	65	188	18
Uganda	34	193	84
Zambia	18	100	28
Zimbabwe	24	163	60
ASIA	1,198	3,902	1,192
Bangladesh	153	339	143
China	12	63	35

Nationality	January to April 1988	Year 1990	January to April 1991
Hong Kong BDTC	119	261	51
India	209	488	149
Indonesia	5	44	—
Iran	93	363	44
Iraq	18	56	22
Israel	51	243	53
Japan	73	222	66
Jordan	10	27	14
Kuwait	1	1	—
Lebanon	26	80	92
Malaysia	148	858	282
Pakistan	105	435	125
Philippines	40	148	39
Saudi Arabia	13	14	1
Singapore	38	63	13
Sri Lanka	48	94	43
Syria	11	55	8
Thailand	25	48	12
AUSTRALASIA	51	351	137
Australia	33	219	96
New Zealand	18	132	41
OTHERS	468	2,671	861
British Overseas citizens	19	40	9
Other countries not elsewhere specified	252	1,248	389
Stateless	197	1,383	463
ALL NATIONALITIES	5,387	19,180	5,371

[1] Refusals recorded as GDR refusals prior to the unification of Germany on 3 October 1990.

Jamaican Citizens

Mr. Bernie Grant: To ask the Secretary of State for the Home Department how many Jamaican citizens were initially refused leave to enter the United Kingdom as not being genuine visitors *(a)* between January and April 1988 inclusive, *(b)* between January and April 1991 inclusive, *(c)* between January 1987 and December 1988 inclusive and *(d)* between January 1989 and December 1990 inclusive.

Mr. Peter Lloyd: The information available is given in the table.

Jamaican citizens refused leave to enter and removed from the United Kingdom

	Reason for refusal	
	Not a genuine visitor[1]	Other reasons[2]
January to April 1988	91	22
January to April 1991	114	22
January 1987 to December 1988	536	157
January 1989 to December 1990	1,184	199

[1] Persons refused under paragraph 22 of the immigration rules.
[2] Some may have sought entry as visitors but been refused for reasons other than not being a genuine visitor.

Electoral Procedures

Sir John Wheeler: To ask the Secretary of State for the Home Department what information he holds as to which European Community countries use mechanical or electronic means to count votes at national elections.

Mrs. Rumbold: Our information, which may be incomplete, is that electronic ballot paper counting machines are used at Länder, federal, European Parliament and—probably—some local elections in Germany. We shall try to obtain further details, and I will write to my hon. Friend when we have done so.

Shops Reform

Mr. Cartwright: To ask the Secretary of State for the Home Department if he will list those organisations which his Department is consulting about the reform of the Shops Act 1950; and when he expects these consultations to be concluded.

Mrs. Rumbold: To assist in the possible development of acceptable proposals for the reform of the law on Sunday trading, I have held or plan to hold separate discussions with representatives of the following organisations:

The Shopping Hours Reform Council; Sort Out Sunday; OPEN (Outlets Providing for Everyday Needs); the Keep Sunday Special Campaign; the Free Church Federal Council; the General Synod of the Church of England's Board for Social Responsibility; the Churches Main Committee; the Council of Churches for Britain and Ireland; the Lord's Day Observation Society; Churches Together in England; the Board of British Jews; the National Consumer Council; the Retail Consortium; the Union of Shop, Distributive and Allied Workers; the GMB; the Association of District Councils; the Institute of Safety and Public Protection; the National Federation of Meat Traders; and the British Tourist Authority and the English Tourist Board.

I have also met representatives of the Horticultural Trades Association in relation to a proposed private Member's Bill on Sunday trading sponsored on their behalf.

I hope to be able to conclude this programme of separate discussions in the early autumn. I am keeping open the possibility of joint discussions thereafter.

Maguire Case

Sir John Wheeler: To ask the Secrertary of State for the Home Department if he will make a statement on the Maguire case.

Mr. Kenneth Baker: On 12 July 1990, my predecessor referred to the Court of Appeal, under section 17(1)(a) of the Criminal Appeal Act 1968, the cases of Mr. and Mrs. Maguire, their sons, Vincent and Patrick, Mr. William Smyth and Mr. Patrick O'Neill. At the same time, he also sought the views of the Court of Appeal as to whether it was possible to refer to the court, under section 17(1)(a), the case of Mr. Patrick "Guiseppe' Conlon, who died in 1980. The court subsequently decided it could consider such a reference under section 17(1)(a), and the case was regarded as having been referred accordingly. My predecessor referred these cases in the light of the interim report of Sir John May who, on 19 October 1989, had been appointed by the Government to inquire into the circumstances leading to and deriving from the trial of the Maguire family and their co-defendants, as well as that of the Guildford Four.

The Court of Appeal has now quashed the convictions of all seven defendants for the unlawful possession of explosives. Under the provisions of section 133 of the Criminal Justice Act 1988, any person whose conviction has been quashed on the basis of a new or newly discovered fact following a reference by the Home Secretary of the case to the Court of Appeal is entitled to apply for compensation. The amount will be decided on the basis of advice from an independent assessor. I will, of

course, give careful consideration to any application that is made to me by the Maguire family and their co-defendants. In the case of Mr. Patrick "Guiseppe" Conlon, I will be prepared to consider an application from his family or other personal representative.

It is a matter of concern that there should have been such a serious miscarriage of justice in this case, which has resulted in the wrongful imprisonment of those involved. The Royal Commission on Criminal Justice, which I announced on 14 March, was established in part to ensure that, so far as possible, the likelihood of such events happening again would be minimised. The royal commission will be able to take this case into account during its deliberations. At the same time, I understand that Sir John May will continue to look into various aspects of the Maguires' case, and the Government will consider very carefully any further report by Sir John May.

Pet Shops

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department what guidance he has issued to local authorities in establishing whether pet shop premises are suitable as respects *(a)* size, location, lighting, ventilation and cleanliness and *(b)* food and drink.

Mrs. Rumbold *[holding answer 24 June 1991]:* None; under section 4(1) of the Pet Animals Act 1951, local authorities are able to authorise qualified veterinary surgeons to inspect licensed premises, if professional guidance is needed in a particular case, or more generally.

Mrs. Ann Winterton: To ask the Secretary of State for the Home Department whether he will indicate the type and extent of veterinary training given to environmental health officers for the purposes of carrying out their functions under the Pet Animals Act 1951.

Mrs. Rumbold *[holding answer 24 June 1991]:* The training of environmental health officers in connection with any duties they may have under the Pet Animals Act 1951 is a matter for local authorities. As local authorities may appoint a veterinary surgeon to inspect licensed premises in their area or may seek veterinary advice subsequent to the inspection of premises by an official, there should be no difficulty in obtaining professional veterinary advice when necessary.

Flooding

Mrs. Ray Michie: To ask the Secretary of State for the Home Department what statutory requirements are in operation to provide advance public warning of flooding rivers, estuaries and inland waters; if he will list those places which have a standard advance public flood warning system in operation; what form these systems take; what funding is provided for this purpose; and if he will make a statement.

Mr. Curry: I have been asked to reply.

I refer the hon. Member to the reply given to her on 26 June 1991.

SCOTLAND

Salmon

Mr. MacLennan: To ask the Secretary of State for Scotland what representations he has received about the dumping of Norwegian salmon on the British market.

Mr. Michael Forsyth: We have received representations from a number of hon. Members, and from salmon farming interests in Scotland, about the effect of Norwegian imports on the European Community market for farmed salmon, particularly the market in France.

The Government understand the industry's concerns and we are working closely with it to secure the future of the salmon farming industry in the United Kingdom.

Full-time Education

Mr. Sillars: To ask the Secretary of State for Scotland what proportion of Scottish children between the ages of 16 and 18 years remain in full-time education.

Mr. Michael Forsyth: The proportion of Scottish children between the ages of 16 and 18 years remaining in full-time education was 32·3 per cent. in 1989.

Footpaths and Bridleways

Mr. Redmond: To ask the Secretary of State for Scotland, pursuant to his answer to the hon. Member for Don Valley of 4 June, *Official Report*, column *201*, if he will make it his practice to keep central records of the number of public footpaths and public bridleways that have been created or closed to the general public.

Lord James Douglas-Hamilton: No. Each roads and planning authority, under the terms of its appropriate legislation, is responsible for the creation or closure of public footpaths and public bridleways in its area. There is no demonstrable benefit in my right hon. Friend compiling information of this type where he is not the authority responsible.

Scientific Units

Mr. Wilson: To ask the Secretary of State for Scotland if he will ensure that a proportion of the Nature Conservancy Council for Scotland and Scottish Natural Heritage scientific units are located in the highlands; and if he will make a statement.

Lord James Douglas-Hamilton: The location of scientific units for the Nature Conservancy Council for Scotland and subsequently Scottish Natural Heritage is a matter for the bodies themselves.

Polyscythaemia

Mr. Wilson: To ask the Secretary of State for Scotland how many cases of polyscythaemia were diagnosed in Scotland in each of the past ten years.

Mr. Michael Forsyth: The number of in-patient cases treated for primary polyscythaemia in the period 1981-90 was as follows:

Year	[1]*Cases*
1981	224
1982	195
1983	193

Year	[1]Cases
1984	230
1985	210
1986	169
1987	197
1988	203
1989	186
1990	194

[1] Estimated.

Special Schools

Mr. Watson: To ask the Secretary of State for Scotland what steps he intends to take to enable the Greater Glasgow health board to increase the provision of speech therapists and occupational therapists at special schools within Glasgow.

Mr. Michael Forsyth: On 11 June I instigated a number of measures designed to meet the shortage of speech therapists and of therapy services for children with special educational needs.

These measures include a review of future demand, encouragement to qualified staff who are no longer in employment to return to work and a study to assess the feasibility of introducing in-service training courses for teachers to assist with the delivery of speech therapy treatment. Such courses would be supported by specific grant resources of 75 per cent. of the cost.

Greater Glasgow health board has already taken steps to increase its provision of speech and occupational therapists.

FOREIGN AND COMMONWEALTH AFFAIRS

Hong Kong

15. **Mr. Jack Thompson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions Her Majesty's Government have had with the government of the People's Republic of China about the future of Hong Kong.

Mr. Hurd: During my visit to Peking in April, I discussed Hong Kong with senior Chinese leaders. A further round of official talks on Hong Kong's new airport took place in Peking on 18-22 May. The 19th plenary meeting of the Sino-British joint liaison group took place in Hong Kong on 11-13 June. There are also frequent contacts on diplomatic channels.

20. **Mr. Michael J. Martin:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has any plans to visit Hong Kong in the near future.

Mr. Hurd: I have no immediate plans to visit Hong Kong again.

Syria

16. **Mr. Bell:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on current British-Syrian relations.

Mr. Douglas Hogg: Relations have been consolidated since the resumption of diplomatic ties last November. In that time I have visited Damascus twice—most recently this month—and the Syrian Foreign Minister has visited London. These contacts were useful. The Syrians were members of the coalition against Iraq. They have a major role in the peace process, in Gulf security and in Lebanon. They are also seeking to help over British hostages in Lebanon.

Poland

17. **Mr. Harry Greenway:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to visit Poland; and if he will make a statement.

Mr. Douglas Hogg: My right hon. Friend the Foreign Secretary has no immediate plans to visit Poland. During the state visit of President Walesa in April, my right hon. Friend had discussions with the Polish Foreign Minister. I myself visited Poland in March this year.

The Gulf

18. **Mr. Dalyell:** To ask the Secretary of State for Foreign and Commonwealth Affairs when Kuwait and Southern Iraq were last discussed at the United Nations Security Council.

Mr. Hurd: Since the Iraqi invasion of Kuwait, the Security Council has kept the situation between the two countries under constant review. It was last discussed during informal consultations of members of the Security Council on 11 June.

Cyprus

19. **Mr. John D. Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to meet the leader of the Turkish Cypriots, Mr. Rauf Denktash.

Mr. Garel-Jones: My right hon. Friend the Secretary of State has no plans to meet Mr. Denktash.

Middle East

21. **Mr. Canavan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had about solving the outstanding problems in the middle east; and if he will make a statement.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs is in regular touch with all the parties concerned on the outstanding middle east problems including the Arab-Israel dispute, Gulf security, regional disarmament and the situation in Iraq.

23. **Mr. Butler:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the prospects for release of the British hostages in the middle east.

Mr. Douglas Hogg: My visit to Lebanon and Syria was a further opportunity to work for the hostages' release. The Governments of both countries said they shared our determination to achieve their freedom. We are also in close touch with the Iranian Government, who have said that they will continue to use their influence to achieve the hostages' release. As I said after the visit, there are no conclusive signs of an immediate release, but the trends are encouraging.

35. **Mr. Hoyle:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the middle east peace process.

Mr. Douglas Hogg: The United States Secretary of State continues with our full support in his attempts to secure the agreement of all parties to the convening of a peace conference. There remain unresolved differences, mainly of a procedural nature. We have played our part in urging the parties to resolve these problems in order to allow the peace process to begin. We regard Israel's policy on settlements as a serious obstacle to this process.

36. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's contribution to finding a diplomatic and peaceful solution to the Palestinian-Israeli conflict acceptable to the international community.

Mr. Douglas Hogg: We have given our full support to the United States Secretary of State's initiative to restart the peace process. This offers the best hope of progress. We have urged the parties to the dispute to show the necessary flexibility. We are in close touch with the United States of America and our EC partners on the way forward. We remain concerned about the situation in the occupied territories in particular the continued establishment and expansion of settlements.

Japan (Prisoners of War)

22. **Mr. Amos:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will raise with the Japanese Prime Minister, at next month's G7 meeting in London, the question of compensation for second world war Japanese prisoners of war.

Mr. Lennox-Boyd: As I made clear in my reply to the Adjournment debate moved by my right hon. Friend the Member for Castle Point (Sir B. Braine) on 6 June, it is our view that the question of compensation was settled in the 1951 peace treaty.

Sierra Leone

24. **Mr. Andrew Welsh:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Sierra Leone about the security of its borders with Liberia; and if he will make a statement.

Mrs. Chalker: We have had regular contacts with the Sierra Leone Government on this subject.

Following these discussions we have provided a package of non-lethal defence equipment to the Sierra Leone army.

South Africa

25. **Mr. Arbuthnot:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the progress of reform in South Africa.

Mrs. Chalker: We warmly welcome the historic steps taken this month by the South African Parliament to repeal the Population Registration Act, the Group Areas Act and the Land Acts, and thus to abolish the statutory pillars of apartheid.

NATO

27. **Mr. Sumberg:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement about the continuing role of NATO as the base of its members' security.

30. **Mr. Hague:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the role of NATO in remaining as the basis of collective western security.

Mr. Douglas Hogg: NATO remains the essential basis of collective western defence, and for the North American military presence in Europe. Other institutions including the EC, the WEU and the CSCE have a role to play in European security. But NATO is the essential forum for consultation among the allies, and for agreement on policies bearing on the security and defence commitments of its members under the Washington treaty.

Israel

28. **Mr. Norman Hogg:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Anglo-Israel relations.

Mr. Douglas Hogg: Our relations with Israel are good, though differences remain on the peace process and on Israeli policies in the occupied territories, in particular the continued establishment and expansion of settlements. I had useful discussions with the Israeli Government in May when I visited Israel.

34. **Mr. Roy Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Israeli Government concerning a peaceful long-term settlement in the middle east.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs is in regular contact with the Israeli Foreign Minister. During my recent visit to Israel and the occupied territories, I had detailed discussions with leading Israelis and Palestinians on the peace process and urged them to show the flexibility necessary for Mr. Baker's initiative to succeed.

37. **Mr. Andrew MacKay:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any further plans to visit Israel.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has no plans at present to visit Israel. I visited Israel on 6-9 May.

Ethiopia

29. **Mr. Riddick:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Ethiopia.

Mrs. Chalker: The Ethiopian People's Revolutionary Democratic Front took over Addis Ababa on 28 May and formed an interim administration. As agreed at the London talks chaired by the United States, a conference is due to be held by 1 July to establish a broadly based transitional government which it is hoped will prepare for free elections.

Soviet Union

31. **Mr. Dunn:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has any plans to hold a meeting with the Foreign Secretary of the Soviet Union.

Mr. Douglas Hogg: My right hon. Friend had a bilateral meeting with Mr. Bessmertnykh, the Soviet Foreign Minister, at the Council of CSCE Foreign Ministers in Berlin on 20 June. He has no plans for a further meeting, although Mr. Bessmertnykh has been invited to visit the United Kingdom later this year.

Lebanon

32. **Mr. Hayward:** To ask the Secretary of State for Foreign and Commonwealth Affairs when a Minister from his Department last visited Lebanon; and if he will make a statement.

Mr. Douglas Hogg: My visit to Lebanon from 9-12 June was the first by a British Minister since 1985. I had useful discussions with the President, the Prime Minister, the Foreign Minister and other leaders. These addressed the situation in Lebanon and in the region. I was impressed by the determination of the Lebanese Government to restore its authority over the whole country. I was also able to stress the great importance we attach to the release of the hostages held in Lebanon.

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Anglo-Lebanese relations.

Mr. Douglas Hogg: My visit to Lebanon from 9 to 12 June was the first by a British Minister since 1985. I had useful discussions with the President, Prime Minister, Foreign Minister and other leaders. These addressed the situation in Lebanon and in the region. I was impressed by the determination of the Lebanese Government to extend their authority over the whole country. I was also able to stress the great importance we attach to the release of the hostages.

European Political and Monetary Union

33. **Mr. Dykes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest developments in the EPU-EMU inter-governmental negotiations.

Mr. Garel-Jones: The IGCs on EMU and political union have made good progress, but a number of problems remain to be resolved during the next months of negotiations before the shape of the final packages will become clear. I expect the European Council on 28-29 June to take stock of the negotiations so far.

Antarctica

38. **Mr. Paice:** To ask the Secretary of State for Foreign and Commonwealth Affairs whether international agreement has been reached on the future of Antarctica.

Mr. Garel-Jones: The third session of the special consultative meeting of Antarctic treaty parties took place in Madrid from 17-23 June.

The parties reached agreement on much of the final text of an environmental protocol to the Antarctic treaty, including annexes on marine pollution, waste disposal, environmental impact assessment and conservation of wildlife.

However, the United States has requested more time to consider the amendment procedure for the mining ban, and so a further meeting will be held before October, at which we hope that the protocol will be adopted.

European Council

39. **Mr. Lofthouse:** To ask the Secretary of State for Foreign and Commonwealth Affairs what Her Majesty's Government intend to propose to the European Council of 28-29 June.

Mr. Garel-Jones: We look forward to discussion of the inter-governmental conferences, progress on the single market programme, and major international issues.

European Foreign Policy

Mr. Knox: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next proposes to have discussions with his European Community partners concerning the development of common European foreign policies.

Mr. Garel-Jones: The European Council will consider the question of a common foreign and security policy in the course of its discussion on both inter-governmental conferences at its meeting in Luxembourg on 28-29 June.

Council of Europe (Social Development Fund)

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the policy of Her Majesty's Government towards membership of the social development fund of the Council of Europe.

Mr. Garel-Jones: We take the view that our aid programme is best directed towards the poorest countries in Africa and Asia and elsewhere outside Europe, which have more pressing needs. If we were to subscribe to the fund we should have to divert our aid resources. This would result in a reduction in our contribution to bilateral and multilateral aid programmes, which neither we nor the other countries concerned in these programmes would favour.

Kashmir

Ms. Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs, further to his reply of 12 June, *Official Report*, column *559*, if he will take steps to ensure that human rights violations in Kashmir since 27 February are fully investigated and the subject of a further urgent joint European Community statement to the United Nations Human Rights Commission.

Mr. Lennox-Boyd: The Government of India are well aware of our concern that human rights must be respected. We have emphasised the importance of allowing independent investigations by human rights organisations and of being seen to bring wrongdoers to justice. We are confident that the Twelve will continue to monitor developments in Kashmir closely, and to reflect their

concerns in further statements at the annual meetings of the UN Commission on Human Rights, and of the UN General Assembly.

Iraq

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations he has had concerning the possible violation of the 1977 United Nations convention on the prohibition of military or any other hostile use of environmental modification techniques —ENMOD—by the destruction of chemical and nuclear facilities in Iraq during the Gulf conflict; and if he will make a statement.

Mr. Lennox-Boyd: We have had no such consultations. Throughout the conflict, the coalition forces were at pains to comply with the rules of international law, including the 1977 ENMOD convention which the United Kingdom has ratified and Iraq has not. This convention prohibits techniques devised to change—through the deliberate manipulation of natural processes—the dynamics, composition, or structure of the earth. There is no question that allied forces ever envisaged the use of such techniques. Moreover, allied attacks on chemical and nuclear facilities in Iraq were carefully planned to minimise the risk to the surrounding area.

Sir Michael Neubert: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is currently taking independently, and in collaboration with other nations, to prevent the persecution by the Hussein regime of the Shi-ite minority in Iraq.

Mr. Douglas Hogg: We continue to give our full support to the deployment of UN relief workers and guards to the UN humanitarian centre in Basra. We have told the Iraquis that repression of the Shia population would have serious consequences. It would be a clear violation of Security Council resolution 688 and a matter for the Security Council's immediate consideration.

NORTHERN IRELAND

Electricity Industry

Mr. McGrady: To ask the Secretary of State for Northern Ireland what discussions he has had with the Federation of Unions Supplying Electricity about the future of the electricity industry in Northern Ireland.

Mr. Needham: My right hon. Friend the Secretary of State met representatives from the Federation of Unions Supplying Electricity on 16 May to discuss their views on the planned privatisation of Northern Ireland Electricity.

Waste Incineration

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is his estimate of the total cost of building the proposed incinerator at Maydown, County Londonderry; and what public funds will be made available for the project.

Mr. Needham: I understand that Du Pont estimates the total cost of building its proposed incinerator at Maydown as £38 million. The company has approached the Industrial Development Board for possible support for the project from public funds, but no final decision has yet been reached.

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) if he will list the safeguards which will have to be taken by the operator to prevent emissions from the proposed incinerator for hazardous wastes at Maydown, County Londonderry;

(2) if he will list the measures he intends to take to control the risk of emissions from the proposed incinerator at Maydown, County Londonderry.

Mr. Needham: The proposed incinerator would constitute a registrable process under the Alkali and Radiochemical Works Regulation Act 1906 as amended by the Alkali and Radiochemical Works Order (Northern Ireland) 1991. Before operations commenced, a formal statement of best practical means would be issued in respect of this process by the alkali and radiochemical inspectorate of the Department of the Environment for Northern Ireland. This statement would specify standards of emission and operational and process controls with respect to air pollution abatement. The inspectorate would insist that the operator used the best available technology to treat emissions before discharge to the atmosphere, to ensure there were no adverse health or amenity implications.

Acute Specialty Units

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland (1) how many patients were treated in each year since 1989 in each of the acute specialty units at *(a)* Royal Victoria hospital, Belfast, *(b)* Belfast City hospital, *(c)* Mater hospital, Belfast and *(d)* Ulster hospital;

(2) how many patients were treated in 1990 in each of the acute specialty units at *(a)* Royal Victoria hospital, Belfast, *(b)* Belfast City hospital, *(c)* Mater hospital, Belfast and *(d)* Ulster hospital.

Mr. Hanley: The table shows the number of discharges, including deaths, from acute specialties in each of the four hospitals in 1989 and 1990. Information is not available on the number of individual patients treated.

Specialty	*RVH*		*BCH*		*Mater*		*Ulster*	
	1989	*1990*	*1989*	*1990*	*1989*	*1990*	*1989*	*1990*
General Surgery	4,293	4,517	3,686	4,022	2,202	2,346	2,837	2,840
Urology	377	389	2,071	2,431	—	—	—	—
Trauma and Orthopaedics	1,072	1,124	1,335	1,303	204	205	1,357	1,568
Ear, Nose and Throat	2,668	2,988	2,617	2,357	—	—	765	716
Ophthalmology	3,451	3,736	—	—	—	—	—	—
Paediatric Dentistry	—	—	—	—	—	—	51	63
Oral Surgery	840	825	216	231	—	—	—	—
Paediatric Surgery	—	—	372	58	—	—	920	941
Neurosurgery	1,300	1,357	—	—	—	—	—	—
Plastic Surgery	365	375	—	—	—	—	2,230	2,261

Specialty	RVH		BCH		Mater		Ulster	
	1989	1990	1989	1990	1989	1990	1989	1990
Cardiac Surgery	601	640	—	—	—	—	—	—
Thoracic Surgery	757	761	61	85	—	—	—	—
Accident and Emergency	2,050	1,765	2,084	1,870	—	—	—	—
Sick Babies	—	—	323	377	30	39	368	394
Anaesthetics	109	262	282	308	63	30	55	55
General Medicine	4,320	4,181	4,359	4,174	3,205	2,624	2,149	2,326
Haematology (Clinical)	—	—	677	573	—	—	—	—
Endocrinology	813	775	—	—	—	—	—	—
Cardiology	2,360	2,309	1,979	1,935	—	—	1,005	1,016
Dermatology	197	190	322	338	—	—	6	13
Paediatrics	—	—	1,573	304	—	—	2,002	2,134
Genito-Urinary Medicine	10	16	—	—	—	—	—	—
Thoracic Medicine	—	—	499	618	—	—	—	—
Neurology	1,128	1,036	7,130	8,598	—	—	—	—
Medical Oncology	—	—	311	300	—	—	—	—
Rheumatology	76	76	—	—	—	—	—	—
Nephrology	—	—	—	—	—	—	—	
Rehabilitation	6	13	—	—	—	—	—	—
Obs Gyn (Gynaecology)	1,604	1,811	2,435	2,290	795	817	1,305	1,348
Haematology	547	533	—	—	—	—	—	—
Others	267	225	—	—	—	—	—	—
Total	29,211	29,904	32,332	32,172	6,499	6,061	15,050	15,655

Mr. A. Cecil Walker: To ask the Secretary of State for Northern Ireland how many consultants are employed in each of the acute specialty units at *(a)* Royal Victoria hospital, Belfast, *(b)* Belfast City hospital, *(c)* Mater hospital, Belfast and *(d)* Ulster hospital.

Mr. Hanley: The number of consultants are:

	Royal Victoria	Belfast City	Mater	Ulster
General medicine	12	11	3	4
General surgery	9	7	3	5
Accident and emergency	2	2	1	1
Obstetrics and gynaecology	4	10	2	3
Orthopaedics	7	4	1	4
Paediatrics	—	4	1	2
Anaesthetics	28	20	4	9

Note: Not all consultants are employed full time; some are employed part time and some split their time between hospitals.

NATIONAL FINANCE

Building Societies

Mr. Campbell-Savours: To ask the Chancellor of the Exchequer what is the Government's policy for the future on double taxation of building societies.

Mr. Maude: There is no double taxation of building societies.

Mr. Campbell-Savours: To ask the Chancellor of the Exchequer what progress has been made in making provisions for the repayment to building societies of tax paid under the transitional provisions of the Income Tax (Building Societies) Regulations 1986.

Mr. Maude: It would not be appropriate to comment on the tax affairs of individual building societies.

Mr. Campbell-Savours: To ask the Chancellor of the Exchequer what representations he has received from the Building Societies Association and the building societies on the repayments to building societies of tax paid under the transitional provisions of the Income Tax (Building Societies) Regulations 1986.

Mr. Maude: Various representations have been received from the Building Societies Association and from some individual building societies.

Duty-Free Allowances

Dr. Marek: To ask the Chancellor of the Exchequer what is his estimate of revenue forgone to the Treasury because of the sale of duty-free *(a)* alcoholic drinks, *(b)* tobacco products, *(c)* perfumery and *(d)* other taxable or dutiable products to travellers leaving the United Kingdom to (i) other European Community countries and (ii) elsewhere.

Mrs. Gillian Shephard *[holding answer 25 June 1991]:* Reliable estimates cannot be provided because there is insufficient information on the amount of duty-free goods purchased by travellers leaving the United Kingdom.

TRADE AND INDUSTRY

Export Credits Guarantees

Mr. McAllion: To ask the Secretary of State for Trade and Industry if he will list the companies in the Dundee travel-to-work area in receipt of export credits guarantee assistance.

Mr. Sainsbury: The names of companies that receive export credits guarantee assistance are confidential for commercial reasons. I am, however, able to say that 31 companies in the area are customers of Export Credits Guarantee Department insurance services.

Inward Investment

Mr. Ian Taylor: To ask the Secretary of State for Trade and Industry if he will make a statement on the United Kingdom's performance in attracting internationally mobile inward investment projects in 1990-91.

Mr. Leigh: My Department's Invest in Britain Bureau —IBB—announced in its annual report published today that 1990-91 saw a record for manufacturing and service sector for investment—and jobs—coming to the United Kingdom.

Between 1 April 1990 and 31 March 1991, 350 direct investment projects by foreign-owned companies into the United Kingdom were recorded by the IBB. Based on information provided by the companies at the time of the announcement, it is estimated that these projects will create or safeguard about 62,000 jobs.

Every one of these companies is expressing their belief in the underlying strength of the United Kingdom economy, and the climate of enterprise and initiative we have created here. Every one of them is endorsing the skills, productivity and trainability of our workforce. Every one of them is expressing a confidence in this country's future.

The figures are testament to some very hard and very effective work by the IBB itself, by Foreign and Commonwealth Office staff overseas, and by the territorial, regional and local authorities.

We all appreciate the jobs that foreign-owned companies have brought to the United Kingdom. But these companies bring more than just jobs. They bring strength to the economy. They also bring technology transfer. Five new Japanese R and D establishment set up in the United Kingdom last year. This brings the total number to 13. It is this kind of quality, long-term investment, associated with manufacturing, that is needed to see British science and industry in good stead into the next millenium.

I have asked the IBB to increase its efforts to attract R and D type investment, particularly covering the full range of integrated research, design and manufacturing.

They also bring huge gains in management skills transfer. That means being as good as the international competition in areas like total quality management, simultaneous engineering and "Just In time". It also means building long-term relationships with suppliers.

The IBB annual report is all about the long-term profitability and competitiveness of United Kingdom Incorporated. More overseas companies choose to invest here than anywhere in Europe. They do that for the very best reason—the United Kingdom is the place to do business.

I am arranging for a copy of the report to be placed in the House of Commons Library.

These totals exclude most retail and sales operations which are not the target for United Kingdom promotion.

Companies Act 1989

Mr. David Evans: To ask the Secretary of State for Trade and Industry what plans he has to commence provisions of the Companies Act 1989.

Mr. Redwood: On Monday 24 June I signed an order which brings into operation certain provisions of the Act. The provisions in question are the powers to make regulations under section 35—section 35 concerns the establishment of a register of auditors—and the powers to make regulations under section 36—section 36 concerns information about audit firms which must be made available to the public. The regulations themselves will follow shortly.

I have placed a copy of the order in the Library.

Foreign Currency Exchange

Mr. Nigel Griffiths: To ask the Secretary of State for Trade and Industry (1) if he will seek powers to prevent users of foreign exchange currency businesses from being charged excessive commission on their transaction;

(2) if he will seek powers to prevent a double charge being levied on users of foreign exchange currency businesses through commission as well as marking up the value of the currency.

Mr. Leigh: Commission and other charges and exchange rates offered by foreign exchange currency businesses are best determined by competition in the market. However, the Government believe that for competition to be effective the customer should have adequate information concerning the exchange rates and commission charges that apply. I therefore propose to make regulations shortly under part III of the Consumer Protection Act 1987 which will set out requirements on how bureaux de change display their exchange rates and other charges.

ENVIRONMENT

Buxton Memorial (Restoration)

Mr. Peter Bottomley: To ask the Secretary of State for the Environment if he will make a statement on the current state of the Buxton memorial in Victoria gardens, Palace of Westminster; and if he will consider action to restore it.

Mr. Yeo: The Buxton memorial has suffered from both vandalism and the effects of time. The statues near the base of the roof, the drinking bowls in the centre of the memorial and the centre stone structure are in particular need of repair.

The Department carries out a thorough cleaning and washing down of the memorial every quarter. It is working up a scheme for the necessary restoration of the memorial and funds have been allocated for the work to go ahead next year.

Trade in Wildlife

Mr. Morley: To ask the Secretary of State for the Environment, pursuant to the reply given to the hon. Member for Epping Forest (Mr. Norris), *Official Report*, 9 May, column *550*, if he will indicate when he intends to announce his decision arising from the forthcoming report on the trade in wild-taken plants and animals; and whether he will make the reports by the Royal Botanical Gardens and the Joint Nature Conservation Committee available to the public.

Mr. Baldry: We have asked our scientific advisers to submit their report by the end of July. We shall make an announcement as soon as possible thereafter. The report will be made available to the public.

Refugees

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Environment if he has any plans to provide additional resources to the housing corporations for housing associations catering for refugees.

Mr. Yeo: The Government have increased grant-in-aid to the Housing Corporation from £1·6 billion in 1991-92 to over £2 billion in 1993-94. This will increasingly be supplemented by private investment in housing association schemes.

Due to the massive resources that we plan to invest in the Housing Corporation over the next three years, the housing association movement can look forward to an expanding programme. Additional resources are not planned specifically for housing refugees.

Blackdown Hills

Mr. David Nicholson: To ask the Secretary of State for the Environment if he is in a position to announce his decision on the Blackdown hills area of outstanding natural beauty designation order submitted to him by the Countryside Commission.

Mr. Baldry: My right hon. Friend the Secretary of State has today confirmed the order that will designate the Blackdown hills as an area of outstanding natural beauty. The designation covers an area of 370 sq km on the borders of Somerset and Devon. The Blackdown hills are important for their natural beauty and unspoilt rural character which the designation will help to secure.

Water Charges

Mr. Madden: To ask the Secretary of State for the Environment what representations he has received on the implications for charging for water of the introduction of the council tax.

Mr. Baldry *[holding answer 25 June 1991]:* Among the numerous representations we receive about future methods of charging for water, some advocate basing domestic water charges on the valuation bands which will be used for the proposed new council tax. Each company is free to decide its future system of charging provided it does not give undue preference to, or unduly discriminate against, any class or group of customers. The Director General of Water Services is considering responses to his consultation paper on alternative future methods of charging and will, I understand, be issuing guidelines later this year based on the results of the consultation.

Housing Estates, Bradford

Mr. Cryer: To ask the Secretary of State for the Environment if he will list the sources and amounts of grant aid for the current financial year allocated to Buttershaw, Bierley and Woodside housing estates in Bradford, South; and if he will make a statement.

Mr. Yeo *[holding answer 24 June 1991]:* As part of its draft urban programme for 1991-92 Bradford metropolitan district council sought approval for two projects on these estates; £10,459 for a skills audit of Buttershaw estate and £22,154 for environmental works on Bierley estate. Both were approved. In addition, Bradford received a total housing investment programme allocation for 1991-92 of £13·37 million.

DEFENCE

Tornado

Mr. Mans: To ask the Secretary of State for Defence whether he will make a statement on improvements to the Tornado F3 radar.

Mr. Alan Clark: Certain features of the second stage of the Foxhunter radar programme, together with other improvements, have already been introduced into those Tornado F3s deployed to the Gulf. We have now decided to add these improvements to the second stage of the radar programme, so that they can be extended to all Tornado F3 squadrons.

Mr. Mans: To ask the Secretary of State for Defence whether he will make a statement on the Tornado F3 aircraft.

Mr. Alan Clark: We have decided not to proceed with the weapon system upgrade of the Tornado F3. We are confident that even without it the aircraft will continue to give effective service well into the next century. We anticipate that from the end of the present decade the European fighter aircraft will begin to complement the Tornado F3, thus providing a powerful reinforcement to the air defence capability of the Royal Air Force.

Officers

Mr. William Powell: To ask the Secretary of State for Defence what has been the net reduction, actual and percentage, in serving officers in each rank *(a)* in the

Royal Navy of captain and above, *(b)* in the Army of colonel and above and *(c)* in the Royal Air Force of wing commander and above since 1 July 1990.

Mr. Archie Hamilton: The total number of officers, by rank, serving at 1 July 1990 and at 31 March 1991, together with the change in number and percentage change between the two dates, is set out in the table. These figures include augmented appointments to NATO.

	1 July 1990	*31 March 1991*	*Change Number*	*Change Per cent.*
ROYAL NAVY				
Admiral	5	6	1	20·0
Vice Admiral	12	14	2	16·7
Rear Admiral	35	36	1	2·9
Commodore	33	37	4	12·1
Captain	363	349	−14	−3·9
ROYAL MARINES				
Lt. General	1	1	0	0·0
Major General	4	3	−1	−25·0
Brigadier	3	4	1	33·3
Colonel/Lt. Colonel	30	27	−3	−10·0
ARMY				
General	9	9	0	0·0
Lt. General	9	11	2	22·2
Major General	64	62	−2	−3·1
Brigadier	229	240	11	4·8
Colonel	656	653	−3	−0·5
ROYAL AIR FORCE				
Marshall of the RAF	1	1	0	0·0
Air Chief Marshall	5	5	0	0·0
Air Marshall	9	10	1	11·1
Air Vice Marshall	39	45	6	15·4
Air Commodore	122	122	0	0·0
Group Captain	429	438	9	2·1
Wing Commander	1,406	1,407	1	0·1

Submarines

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence (1) what is the estimated cost of removal of a decommissioned nuclear submarine reactor compartment from the submarine;

(2) what is the annual estimated cost of storage afloat of each of the submarines HMS Conqueror, HMS Churchill and HMS Warspite;

(3) what has been the annual cost of storage afloat of the submarine HMS Dreadnought for each of the years it has been stored at Rosyth;

(4) what is the estimated cost of preparing each of the submarines HMS Conqueror, HMS Churchill and HMS Warspite for storing afloat.

Mr. Alan Clark: This information is commercially confidential.

Mr. Andrew F. Bennett: To ask the Secretary of State for Defence what was the total cost of preparing HMS Dreadnought for storage afloat.

Mr. Alan Clark: This work was carried out a number of years ago. The information requested, insofar as it may be available, could be assembled only at disproportionate cost.

Unexploded Ammunition

Mr. Sayeed: To ask the Secretary of State for Defence if he will list by place and date the occasions on which buried unexploded ammunition has been found outside the impact or target areas of live firing ranges in the last five years.

Mr. Archie Hamilton: Information is not held in the form requested.

Magnetic Treatment Facility

Mr. Fishburn: To ask the Secretary of State for Defence if he will make a statement on the magnetic treatment facility.

Mr. Kenneth Carlisle: We have decided not to proceed with the contract with Dowty Defence and Air Systems Ltd. for the design and construction of a magnetic treatment facility at Faslane. Recent design studies suggest that a more cost-effective and less environmentally obtrusive means of meeting the requirement should be available. The decision to cancel the contract in no way reflects on the standard of performance of the company or its subcontractors. It will not affect the programme for the deployment of the Trident submarine.

RAF Wildenrath and Gutersloh

Mr. O'Neill: To ask the Secretary of State for Defence whether any United Kingdom dependants employed at RAF Wildenrath and RAF Gutersloh have been employed for more than two years.

Mr. Kenneth Carlisle: A total of 460 dependants are employed at RAF Wildenrath and RAF Gutersloh, of whom 82 have served more than two years.

Mr. O'Neill: To ask the Secretary of State for Defence what plans he has to issue notices of dismissal to United Kingdom dependants employed at RAF Wildenrath and RAF Gutersloh.

Mr. Kenneth Carlisle: Notices of dismissal will be issued to dependant employees at least two months prior to the dates on which their posts are no longer required. Wherever possible the dates of dismissal will be linked to the posting dates of spouses-parents. The first notices of dismissal are expected to be issued to some of the employees at RAF Wildenrath in January 1992.

Spare Parts

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his answer of 18 June, *Official Report*, column *143*, whether the level of spare parts required is determined by his Department or by NATO.

Mr. Alan Clark: Spares holdings are determined by MOD, although NATO guidance may be taken into account.

Rapid Reaction Force

Mr. O'Neill: To ask the Secretary of State for Defence whether he has yet made a decision on the size of the British contribution to the rapid reaction force.

Mr. Archie Hamilton: Work to determine precise national contributions to NATO's future rapid reaction forces is continuing.

Residential Property

Sir John Stanley: To ask the Secretary of State for Defence if he will list the qualifying criteria for payment of injurious affection compensation referred to in his reply to the right hon. Member for Tonbridge and Malling on 3 June, *Official Report*, column *132*.

Mr. Archie Hamilton: The criteria are as follows:

1. Departmental approval to the introduction of a noise compensation scheme at the airfield.
2. Exposure of the individual dwelling to noise levels of at least 83dBLAeq 12 hours.

Sir John Stanley: To ask the Secretary of State for Defence if he will list the qualifying criteria for the acquisition of dwellings referred to in his reply to the right hon. Member for Tonbridge and Malling on 3 June, *Official Report*, column *132*.

Mr. Archie Hamilton: The criteria are as follows:

1. Departmental approval to the introduction of a noise compensation scheme at the airfield.
2. New public works, for example, runway extension or strengthening, which, when brought into use, have physical effects; in these cases, noise.
3. The district valuer is satisfied that such effects have adversely affected property values.
4. The claimant's interest in the dwelling satisfies the qualifying conditions prescribed in the Land Compensation Act 1973, which the Ministry of Defence follows administratively.
5. The claim is submitted within the prescribed period.

AGRICULTURE, FISHERIES AND FOOD

Imported Birds

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what is the number of imported birds which died during the period of quarantine and which were subsequently analysed by the veterinary investigations service for each year since 1987.

Mr. Maclean: The number of captive birds dying in quarantine or in transit and subsequently submitted to veterinary investigation centres for examination were as follows:

	Number
1987	4,268
1988	3,791
[1]1989-90	9,073
[1]1990-91	8,146

[1] April-March years.
Source: Veterinary Investigation Service.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food whether he will indicate the most common causes of death to imported wild birds *(a)* during transit and *(b)* during the 35-day quarantine period.

Mr. Maclean: The most common cause of death in imported captive birds is considered to be stress associated with malnutrition, dehydration, adverse environmental conditions and enteropathies. The other main specific causes of death recorded for the years 1987 to 1989 were salmonellosis, psittacosis, mycotic pneumonia and colisepticaemia.

Carcasses of imported birds are examined at veterinary investigation centres for evidence of infectious diseases which could spread to the national poultry flock, and the records do not differentiate between birds dying in transit or in quarantine.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food whether he has sought the advice of the Civil Aviation Authority concerning the transit of wild-caught birds; and if he will make a statement.

Mr. Maclean: The Department has held discussions with representatives of the CAA concerning the preparation of guidance to airline operators on the transport of animals, including wild-caught birds. I have also written personally to the airlines emphasising my concern about this trade and stressing the need to observe the International Air Transport Association's rules on the carriage of animals.

I am concerned that all who are involved in any way with this trade should do everything possible to reduce the problems which have been shown to occur, particularly in relation to the mortality of certain species.

Mr. Summerson: To ask the Minister of Agriculture, Fisheries and Food what consideration has been given to increase the existing 35-day period of quarantine for imported birds; and if he will make a statement.

Mr. Maclean: The 35-day period of post-import quarantine for imported birds provides the necessary level of protection against the introduction of Newcastle disease, avian influenza and other exotic avian diseases, and there is no scientific justification for extending this period.

Flood Warnings

Mrs. Ray Michie: To ask the Minister of Agriculture, Fisheries and Food (1) what assistance is given by the Government for the provision of early flood warnings around the River Thames; what is the cost of providing warnings; what form such warnings take; and if he will make a statement;

(2) what statutory requirements are in operation to provide advance public warning of flooding around the United Kingdom coast; if he will list those places which have a standard advance public flood warning system in operation; what form these systems take; what funding is provided for this purpose; and if he will make a statement.

Mr. Curry: Under section 32 of the Land Drainage Act 1976 (as amended by paragraphs 1 and 14 of schedule 15 to the Water Act 1989), the National Rivers Authority (NRA) is empowered to provide and operate flood warning systems in England and Wales.

Under section 92 of the 1976 Act (as amended by schedule 17 to the Local Government Act 1985 and by paragraph 1 of schedule 15 to the Water Act 1989) my right hon. Friend, the Minister of Agriculture, Fisheries and Food is empowered to make grants to the NRA towards the cost of flood warning systems. In the 1990-91 financial year these grant payments totalled about £55,000.

The authority has made arrangements for flood forecasting and warning covering both river and coastal areas. Weather forecasts, weather radar, rainfall and tidal levels are monitored in order to detect possible flooding incidents. Information about possible surge tides from the storm tide warning service based at the meteorological office, Bracknell is also used in assessing the risk of coastal flooding.

This Department is responsible for funding the storm tide warning service, and in the 1990-91 financial year about £400,000 was spent on this service, which produces primary warnings based on estimates of surge tides at a series of specific reference ports. Detailed warnings for vulnerable points along the coast are given by the NRA drawing on expert knowledge of local conditions to interpret the information from the storm tide warning service.

The NRA issues flood warning notices to the police who are responsible for deciding when the public should be warned, and local contingency plans for flooding will, if necessary, be initiated. These plans which are worked out by the NRA in conjunction with the police, local authority emergency planning officers, port authorities and others, cover the form that warnings will take (eg sirens, announcements on local radio, etc.).

The River Thames area is covered by the arrangements outlined above. Surge forecasts are particularly useful in assessing when the Thames barrier should be closed to prevent possible flooding of London from the sea but the cost is not recorded separately by the Department.

Nor do we have any information on the overall costs of providing public flood warnings.

Separate arrangements apply in Scotland and Northern Ireland.

Bananas

Mr. John P. Smith: To ask the Minister of Agriculture, Fisheries and Food what steps he intends to take to ensure that preferential arrangements remain after 1992 to maintain the current United Kingdom-Caribbean trade in bananas.

Mr. Curry: I refer the hon. Gentleman to the reply that I gave to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) on 19 June 1991, at columns *194-95*.

Dioxins in Milk

Mr. Hind: To ask the Minister of Agriculture, Fisheries and Food what studies are being carried out on the levels of dioxins in milk.

Mr. Gummer: Over the last year my Department has been carrying out a general surveillance programme for dioxins in food in a range of urban and rural areas. The results, which relate to milk collected at farms, wholesale and retail stages, will be presented to the study group on the chemical aspects of food surveillance later this year and scrutinised by independent expert committees. They will then be published in the usual way together with the committees' recommendations.

Sophisticated techniques which have been developed recently in the Department's food science laboratory at Norwich have for the last year made it possible to detect dioxins at minute levels. As milk tends to show up airborne contaminants, it is a particularly useful and sensitive product to test in a programme designed to protect the public. Dioxins are of course widespread in the environment, and as could be expected, traces of them have been found in all the samples tested. Last year an international meeting under the auspices of the World Heath Organisation European region recommended a tolerable daily intake for dioxins of 0·01 nanogrammes per kilogram body weight per day. From this, scientific and medical experts in this Department and the Department of Health have calculated a maximum tolerable concentration of 0·7 nanogrames per kilogram of milk, if the tolerable daily intake is not to be exceeded. Their advice is that action should be taken to prevent the direct consumption of milk if it contains a higher concentration of dioxins.

Samples have been taken at three stages, at the retail outlets, at the dairies, and on the farm. At the retail stage, no sample contained more than the normal background levels of dioxin and there is no risk to consumers. At the dairy stage the same applies: this provides further reassurance. Similarly most of the samples taken on farms do not reveal anything unusual.

However, on two farms in the Bolsover area of Derbyshire the levels were greater than the threshold set by this Department and the Department of Health. An extended survey has however indicated lower levels on all the other dairy farms in the vicinity. I am making the results available in the Library of the House. As to these two farms, milk sold is bulked with other milk in the milk tanker and at the dairy. Tests on milk from the dairy have shown normal background levels. Nevertheless it is best that milk from these farms not be mixed with other milk.

My officials have today visited the farmers concerned and we have told them and the milk marketing board about these results. The milk marketing board has concluded that the milk does not meet the conditions in its standard terms of sale for producers and it will not accept the milk into the food supply. I welcome this prompt action, which shows that the board is determined to uphold the highest quality standards.

At the same time, we cannot ignore the farmers whose livelihood has been milk production. There is no reason to think that they are in any way at fault and I have every sympathy with their predicament. My staff will give advice on the business and husbandry options that are open to them.

This Department will continue to carry out surveillance in the area and will undertake further detailed studies to learn more about the mechanism for the transmission of dioxins. I am determined that through our surveillance of the food supply we should ensure that fullest possible protection of the public.

Sea Fisheries Committees

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food whether he has any plans to change his proposals for the possible extension of SFC jurisdiction; and if he will make a statement.

Mr. Curry: Yes. Following detailed consultations with all interested parties and after consideration of the views expressed, the Secretary of State for Wales and I have decided that, in order to enable sea fisheries committees to regulate those stocks, notably shellfish, which are predominantly fished within 0 to 6 mile belt, we are in principle ready to see the jurisdiction of SFCs extended to include waters out to six miles from United Kingdom baselines. It is now for SFCs and the constituent Councils to decide whether to seek extension of their jurisdiction.

If an SFC's jurisdiction is extended, its existing byelaws will continue to apply only within the 0 to 3 mile belt. Any new byelaws intended to apply in the 3-6 mile belt will be considered on their merits in the usual way.

HOUSE OF COMMONS COMMISSION

Ibbs Report

Sir Gerard Vaughan: To ask the hon. Member for Berwick upon Tweed, as representing the House of Commons Commission, what progress is being made with implementing the Ibbs report; and if he will make a statement.

Mr. Beith: Following the generally favourable response of hon. Members in the "take note" debate in the House on 17 January, *Official Report*, columns 1046-84, the Commission has been making progress towards implementing the main recommendations in accordance, so far as possible, with the timetable proposed in Sir Robin Ibbs's report "House of Commons Services"—HC 38. Competitions for the new posts of Director of Finance and Administration, and Director of Works, have been organised with the assistance of appropriate management consultants. The new Director of Finance and Administration, Mr. James Rodda, currently director of finance and administration at the London Futures and Options Exchange, will assume the headship of the renamed Finance and Administration Department on Monday 1 July. The appointment of a new Director of Works within the Departmnent of the Serjeant at Arms will be announced shortly.

Negotiations are in train for the transfer to the Commission of responsibility for the cost of printing, stationery and office supplies, currently accounted for by HMSO—class XVIII, vote 17; and for the Commons component of the parliamentary works budget, currently accounted for by the Department of the Environment—class VIII, vote 7. An announcement of the likely date of transfer of formal vote responsibility for these and other activities will be made in due course.

Discussions are also in train to draw up appropriate draft standing orders for the new Select Committees which the Ibbs report proposes should replace the Select Committee on House of Commons (Services), and new terms of reference for the Board of Management. I understand that the authorities of the House of Lords are adapting their own procedures and administrative arrangements to keep in line with the implementation of the Ibbs report programme in this House. Other consequences of the recommendations in the Ibbs report are being implemented by the Commission as speedily as possible, although full account is being taken at every stage of the views and interests of other bodies and individuals concerned.

Written Answers to Questions

Thursday 27 June 1991

ENVIRONMENT

Performance Indicators

Mr. Battle: To ask the Secretary of State for the Environment what performance indicators are published for his Department; and what steps his Department has taken to involve consumer views in the development of performance indicators.

Mr. Heseltine: I refer the hon. Gentleman to my Department's annual report 1991—Cm. 1508—which provides an explanation of my Department's expenditure plans, including measures of past and expected outputs and performance. Further details are also available from MINIS documents in the Library of the House; the latest MINIS returns—MINIS 12—will be published shortly.

Last year 27,900 people and organisations were interviewed or consulted at a cost of £2·3 million in pursuit of the Department finding out more about the effects of its policies and programmes. Each year my Department publishes the results of its findings and distributes the reports widely. The Department also encourages its sponsored bodies and local authorities to take account of the views of consumers and other interested parties in developing performance indicators for the services which are delivered through them, rather than by the Department directly. For example, we have recently commissioned the development of a manual for local authorities and housing associations on conducting tenant surveys.

Chromium Compounds

Mr. Steinberg: To ask the Secretary of State for the Environment what information he has on the dangers to public health of airborne emissions of chromium compounds; and what measures are taken to monitor industrial sites which are known to emit such substances.

Mr. Trippier: Information on dangers to public health of airborne emissions of chromium compounds is a matter primarily for my right hon. Friend the Secretary of State for Health.

New processes for the production of chromium, its alloys and compounds require an authorisation from Her Majesty's inspectorate of pollution, under part I of the Environmental Protection Act. The authorisation will include monitoring requirements of the operator to demonstrate compliance with the release limits commensurate with the use of the "best available techniques not entailing excessive cost".

However, existing chromium works subject to the Health and Safety at Work etc. Act are required to demonstrate the use of the "best practical means" and this may include the specific requirement to monitor emissions of chromium and its compounds. These works will come under the requirements of part I of the Environmental Protection Act from 1 May 1994.

Clyde Submarine Base

Mr. McFall: To ask the Secretary of State for the Environment (1) how many supervising officers' instructions at the Trident construction project at the Clyde submarine base have been issued at nil value; and what percentage of instructions on average come into this category;

(2) what budgetary value is attributed to supervising officers' instructions to contractors and sub-contractors relating to work at the Clyde submarine base.

Mr. Yeo: Our contractual arrangements at the Clyde submarine base development are commercially confidenial.

Planning Appeals

Sir Dudley Smith: To ask the Secretary of State for the Environment, further to the statement of 2 May, *Official Report*, columns 273-74 by the Minister for Housing and Planning, if he will give the success rate of planning appeals in England divided into small sites of two acres or less not involving conservation areas or listed buildings, larger sites of the same type, proposals in conservation areas, proposals involving listed buildings not in conservation areas and appeals against enforcement notices.

Sir George Young: The information relating to appeals against enforcement notices is as follows:

	Number	*Per cent.*
Appeals decided	2,808	—
Notice upheld	1,893	67
Notice varied	81	3
Notice quashed	854	30

The other information requested is not available in the form required.

Concert Hall, Manchester

Sir Thomas Arnold: To ask the Secretary of State for the Environment what public funding has been put towards the financing of the proposed international concert hall, Manchester.

Mr. Portillo: The public funding put towards the financing of the proposed international concert hall, Manchester, has amounted to £311,500 to date for a number of feasibility studies.

Toxic Waste

Mr. Hardy: To ask the Secretary of State for the Environment if he will require all contracts which involve the importation of waste into the United Kingdom to include a clause which will require the waste to be returned to the exporter if it is found to be different in nature, content or toxicity from that described in the contract.

Mr. Trippier: One provision of the Basle convention on the control of transboundary movements of hazardous waste and their disposal is that, where the fault lies with him, the exporter or generator must take back his waste where it does not conform in a material way with the documents including the contract. The European

Community has considerable competence in respect of transboundary movements of hazardous waste and the United Kingdom is pressing the EC to adopt a regulation to implement the convention. The regulation will necessarily include provision for the return of waste in the circumstances described.

Local Government Finance

Mr. Blunkett: To ask the Secretary of State for the Environment what is the amount of money saved in community charge reduction scheme payments due to the £140 reduction in headline bills; what is the likely cost of the reduction scheme in 1991-92; and if he will make a statement.

Mr. Portillo: The cost of the reduction scheme announced in January was £1·7 billion. Following the Budget changes, my best estimate of the cost of the reduction scheme is £1·25 billion.

Mr. Blunkett: To ask the Secretary of State for the Environment if he has any plans to publish regulations relating to the Local Government Finance and Valuation Bill on either *(a)* capping or *(b)* valuation before the end of July; and if he will make a statement.

Mr. Portillo: We intend to publish as soon as practicable regulations to enable us to make an early start on the exercise of allocating domestic properties into bands.

Mr. Blunkett: To ask the Secretary of State for the Environment how much was paid in 1990-91 in poll tax transitional relief.

Mr. Portillo: Local authorities have not yet submitted final claims for grant in respect of transitional relief awarded, but to date they have claimed £260 million.

Mr. Blunkett: To ask the Secretary of State for the Environment what is his estimate of the administrative costs of administering *(a)* poll tax transitional relief in 1990-91 and *(b)* the community charge reduction scheme in 1991-92.

Mr. Portillo: A total of £19 million was paid to local authorities last year to reimburse them for the cost of operating the transitional relief scheme. This year local authorities will receive a further £15 million to cover the costs of preparing for and administering the reduction scheme.

Pollution Insurance

Mr. Flynn: To ask the Secretary of State for the Environment what response he has made to the recent study by the Organisation for Economic Co-operation and Development's environment directorate on pollution insurance and compensation funds for accidental pollution in regard to its relevance for United Kingdom legislation.

Mr. Trippier: I have made no response to the publication of the report. It will of course be studied by officials and any material relevant to United Kingdom legislation will be noted.

National Association for Environmental Education

Mr. Flynn: To ask the Secretary of State for the Environment how many meetings he has had with representatives of the National Association for Environmental Education since 1987; and when he next expects to meet representatives of the association.

Mr. Trippier: There have been no recent meetings between Ministers and the National Association for Environmental Education although officials maintain regular contact. I am planning to attend the association's annual conference in April next year.

EC Construction Products Directive

Mr. Hayward: To ask the Secretary of State for the Environment when he intends to implement the provisions of the EC construction products directive in the United Kingdom.

Sir George Young: My right hon. Friend intends to implement the EC construction products directive — 89/106/EEC—by means of regulations made under section 2(2) of the European Communities Act 1972. These regulations are to be laid in Parliament around the middle of July and it is proposed that they come into force around the turn of the year.

Implementation of the directive in the United Kingdom will take place somewhat later than the target timetable set out in the directive—27 June 1991. However, our implementation timetable is entirely consistent with the European Commission's projected date for the publication of interpretative documents. These documents are essential to the commercial application of the directive and to effective enforcement action.

Montreal Protocol

Mr. Sayeed: To ask the Secretary of State for the Environment what progress was made by the parties to the Montreal protocol at their third meeting; and if he will make a statement.

Mr. Trippier: The third meeting of the parties to the Montreal protocol on substances that deplete the ozone layer took place in Nairobi from 19 to 21 June. Good progress was made in setting stronger mandates for the protocol's technological and economic assessment panels to consider the implications for a 1997 phase-out of substances that deplete the ozone layer, and to review the control measures agreed at the London meeting in 1990.

The United Kingdom will play a leading role in the work of the working groups set up under the Montreal protocol to examine and recommend further changes to the protocol when it is reviewed next year at the fourth meeting of the parties.

More than 70 countries are now parties to the protocol. The meeting welcomed the announcement from China that it would accede to the protocol. The parties also agreed to increase the size of the interim multilateral fund established one year ago at the London meeting to $200 million, and approved over $9 million of projects to be undertaken in 1991 by the World bank, United Nations Environment Programme and the United Nations Development Programme to support developing countries to phase out their use of ozone-depleting substances.

TRANSPORT

Rail Privatisation

Mrs. Gorman: To ask the Secretary of State for Transport (1) if he will put into private ownership the Fenchurch Street to Southend line; if he will allow competing operators to run trains for passengers on the line; and if he will allow season ticket holders to buy shares in the lines;

(2) if he will make it his policy to privatise designated British Rail lines on an experimental basis; and if he will make a statement.

Mr. Freeman: Our policy is to privatise British Rail. We are considering how that can best be done. We propose to provide for a right of access to British Rail's track for new operators, although this will require legislation.

Bus Drivers

Mr. Cartwright: To ask the Secretary of State for Transport if he will institute an inquiry into the hours worked by drivers employed by private bus companies in the Greater London area.

Mr. Freeman: No. The hours worked by bus drivers in the Greater London area, as elsewhere, are governed by rules contained in part VI of the Transport Act 1968 and EC directive 3820/85.

HOME DEPARTMENT

Police Numbers

Mr. Butler: To ask the Secretary of State for the Home Department if he will construct a table showing, for each police authority, what the total accumulated bid was for increases in establishment between 1979 and the latest available date; what total increases in establishment have been awarded in each case; and what percentage the total increases represent as a proportion of the total accumulated bids.

Mr. Peter Lloyd: The table for police authorities in England and Wales shows what has been approved since 1979.

	Accumulated bids	*Increases*	*Percentage increases*
Avon and Somerset	465	231	49·7
Bedfordshire	303	169	55·8
Cambridgeshire	232	135	58·2
Cheshire	235	94	40·0
Cleveland	89	91	102·2
Cumbria	654	95	14·5
Derbyshire	387	111	28·7
Devon and Cornwall	386	205	53·1
Dorset	299	122	40·8
Durham	54	37	68·5
Dyfed Powys	9	9	100·0
Essex	891	365	41·0
Gloucestershire	105	67	63·8
Greater Manchester	1,684	306	18·2
Gwent	115	34	29·6
Hampshire	441	246	55·8
Hertfordshire	296	147	49·7
Humberside	232	86	37·1
Kent	454	226	49·8
Lancashire	341	105	30·8
Leicestershire	327	120	36·7
Lincolnshire	43	23	53·5
Merseyside	464	255	55·0
Norfolk	300	155	51·7
Northamptonshire	315	210	66·7
Northumbria	835	253	30·3
North Wales	161	72	44·7
North Yorkshire	210	86	41·0
Nottinghamshire	401	199	49·6
South Wales	316	99	31·3
South Yorkshire	773	264	34·2
Staffordshire	389	144	37·0
Suffolk	171	127	74·3
Surrey	469	71	15·1
Sussex	361	179	49·6
Thames Valley	1,840	728	39·6
Warwickshire	421	139	33·0
West Mercia	382	189	49·5
West Midlands	1,452	432	29·8
West Yorkshire	969	189	19·5
Wiltshire	213	91	42·7
City of London[1]	12	(−224)	—
Metropolitan[2]	—	2,126	—

[1] The establishment of the City of London Police was reduced in 1983-84 and therefore a percentage of posts approved from posts applied for cannot be shown.

[2] The Home Secretary is himself police authority for the Metropolitan Police. The table shows therefore only the extra posts awarded.

Chief Superintendent Colin McMurray

Mr. Sheerman: To ask the Secretary of State for the Home Department what were the original terms of the disciplinary inquiry into the alleged activities of Chief Superintendent Colin McMurray.

Mr. Peter Lloyd: This is a matter for the Commissioner of Police of the Metropolis.

Police (Accusations)

Mr. Sheerman: To ask the Secretary of State for the Home Department what channels exist for senior police officers to vindicate themselves following false accusations being brought against them.

Mr. Peter Lloyd: Where a senior officer has been the subject of a false allegation by a member of the public, it is open to him, as it is to anyone else, to bring a civil action against that person.

Braille Voting Cards

Mr. Cryer: To ask the Secretary of State for the Home Department if he will introduce legislation to provide Braille voting cards at polling stations; and if he will make a statement.

Mrs. Rumbold: No. The Representation of the People Acts and subordinate legislation already allow the presiding officer or a companion to assist blind people to vote. Alternatively, they may choose to vote by post or by proxy.

Police Officers (Call-out)

Mr. Paice: To ask the Secretary of State for the Home Department (1) what information is available to him on the numbers of police officers available for call-out for each police force; what is the figure for each force during *(a)* daytime and *(b)* night time; and what proportion of the total force strength this represents;

(2) what information is available to his Department on the call-out response times by individual police forces; if he will give the average figure for *(a)* daytime and *(b)* night time, together with the 10 highest and 10 lowest figures; and what are the comparable figures for call-out to business and retail premises (i) in the high street and (ii) in out-of-town shopping centres.

Mr. Peter Lloyd: This information is not held centrally.

TV Licensing Enforcement

Mr. Paice: To ask the Secretary of State for the Home Department what sanctions are available to him to ensure that details of television purchases provided to the BBC for licensing enforcement are not used for commercial purposes; and if he will make a statement.

Mr. Peter Lloyd: Under section 180 of the Broadcasting Act 1990, responsibility for the issue and renewal of television licences passed to the BBC on 1 April 1991. The right to use the records existing before 1 April for television licensing purposes was transferred to the corporation by deed of gift laid before the House on 8 March. Its use of those records for any other purposes would need my prior approval. However, subject to the provisions of the Data Protection Act 1984, it is for the BBC to decide what use to make of the records created since it became the statutory licensing authority.

Swear Belts

Mr. Dalyell: To ask the Secretary of State for the Home Department if he will introduce legislation to ban the sale of swear belts to minors.

Mr. John Patten: Legislation on the supply, display, importation or use of obscene or indecent material may apply to tape devices which replay foul language. The law should operate on the language used rather than the instruments for reproducing it. As well as the criminal law, we need the exercise of responsibility by parents and families in influencing minors.

Mr. Samuel Antonelli

Mr. Cartwright: To ask the Secretary of State for the Home Department what representations he has received about the activities of Samuel Thomas Antonelli, a United States citizen convicted on four counts of harassment at Warrington magistrates court on 5 March; and what steps he intends to take in the matter.

Mr. John Patten *[holding answer 25 June 1991]:* None, although I understand that my right hon. Friend the Secretary of State for the Environment has received a number of representations about Mr. Antonelli and his company. Mr. Antonelli has appealed to the Crown court against his conviction, and I can make no comment about those proceedings.

Mr. Mohinder Paul Singh Bedi

Mr. Madden: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis about the current position concerning police inquiries into the affairs of Mr. Mohinder Paul Singh Bedi.

Mr. Peter Lloyd *[holding answer 25 June 1991]:* I understand that the investigation by the Metropolitan police into the affairs of Mohinder Paul Singh Bedi is continuing. Charges of conspiracy to defraud have now been brought against Mr. Bedi.

WALES

Right to Buy

Mr. Gwilym Jones: To ask the Secretary of State for Wales what was the source of the information he gave in his answer to the hon. Member for Ynys Môn (Mr. Jones) of 7 June, *Official Report*, column *369*, regarding outstanding right-to-buy applications.

Mr. Nicholas Bennett: The information came from a Welsh Office statistical return (WHO7) which is completed by each local authority on a quarterly basis. The return asks, among other things, for the number of

"accepted Right-to-Buy applications being dealt with but not yet completed at end of quarter".

The data from this part of the return formed the basis of my recent answer.

The return, together with other housing statistical returns, was reviewed in consultation with local authority representatives last year.

Youth Training

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many youth training scheme places have been made available in Wales in the area of agricultural and rural skills training during each of the last 10 years.

Sir Wyn Roberts: There were 730 YT places in agricultural skills filled at 30 March 1991. Information relating to earlier years could be obtained only at disproportionate cost.

Mr. Barry Jones: To ask the Secretary of State for Wales how many youth opportunities programme, youth training scheme and youth training places were available in Wales in each year since 1978; and what is the estimate for 1991.

Sir Wyn Roberts: This information is not available.

EC Funding

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what efforts are currently being made by his Department to ensure the maximum possible level of funding from the European Community structures directives to objective 5b status areas of Dyfed, Gwynedd and Powys.

Sir Wyn Roberts: The integrated development operations programme—IDO—for Dyfed, Gwynedd and Powys, under objective 5b of the EC's structural funds, was formally approved by the Commission on 14 May this year. The European regional development fund—ERDF—element of the IDO was already operating as a national programme of community interest, and some £67·4 million in ERDF grants has been allocated to projects in the three counties, out of a programme allocation of £79·3 million for 1987-91. Approval to the IDO means that European social fund projects can also be supported, and the allocation of £1·8 million for 1990 has already been committed to projects. A further IDO programme for

1992-93, to take up funds already committed to Dyfed, Gwynedd and Powys, will shortly be submitted to the Commission.

Planning Procedures

Sir Dudley Smith: To ask the Secretary of State for Wales if he will give the success rate of planning appeals in Wales, overall and divided into: small sites of two acres or less not involving conservation areas or listed buildings, larger sites of the same type, proposals in conservation areas, proposals involving listed buildings not in conservation areas and appeals against enforcement notices.

Mr. Nicholas Bennett: In Wales 33·8 per cent. of planning appeals were allowed in the financial year 1990-91. In the same period 31 per cent. of appeals against enforcement notices were allowed. Information is not kept in such a way as to provide the other figures requested.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales when he expects to publish the results of his review on planning guidance in Wales.

Mr. Nicholas Bennett: The Assembly of Welsh Counties —AWC—has accepted my right hon. Friend's invitation to assess, in collaboration with other bodies, the existing strategic planning framework which provides the policy context for the preparation of structure plans and local plans in Wales. We expect to receive advice from the AWC early in 1992. We will then consider the need to revise or update the policy framework.

Sheep (Attacks by Dogs)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many cases of attacks on sheep by dogs have been recorded in each police authority area in Wales in each of the last five years; and how many sheep have been (i) killed or (ii) injured in each instance.

Sir Wyn Roberts: The information requested is not held centrally.

Agricultural Tenancies

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many agricultural tenancies have been granted to people under the age of 30 years in Wales in each year since 1978; and what has been the ratio of applications to available lettings in each instance.

Sir Wyn Roberts: This information is not available.

Uniform Business Rate

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of the effect of the uniform business rate on businesses in Wales; and if he will make a statement.

Sir Wyn Roberts: Unified business rates remove uncertainty in financial planning for businesses by limiting year-on-year increases to no more than the retail prices index, equalise rates on similar properties in different locations, and avoid unreasonable levels of rates imposed by some local authorities under the old system.

PRIME MINISTER

Cabinet Advisers

Mr. Peter Bottomley: To ask the Prime Minister how many members of the Cabinet have a special adviser.

The Prime Minister: Seventeen.

Medicinal Products

Dr. Hampson: To ask the Prime Minister what arrangements are made to provide the Department of Trade and Industry with briefing from the Department of Health on the issue of supplementary protection certificates for medicinal products.

The Prime Minister: There is close co-operation and regular contact between the two Departments, to ensure that health care, industrial and intellectual property issues are reflected in the Government's approach to the Commission's proposal.

Farmed Salmon

Sir Russell Johnston: To ask the Prime Minister which Ministry is responsible for negotiating with the European Commission concerning the dumping of farmed salmon.

The Prime Minister: The Ministry of Agriculture, Fisheries and Food and the Scottish Office Agriculture and Fisheries Department are together representing the current concerns of the United Kingdom's fish farming industry with Norwegian imports to the European Commission. In the event of a formal anti-dumping complaint being made by the industry, the Department of Trade and Industry working in close co-operation with other relevant Departments would represent the United Kingdom interest in Brussels in view of its overall responsibility for anti-dumping matters.

Strategic Arms Reduction

Mr. Andrew Smith: To ask the Prime Minister what is his policy on the inclusion of the United Kingdom nuclear deterrent in strategic arms reduction talks with the Soviet Union.

The Prime Minister: The current strategic arms reduction talks are bilateral between the United States and the Soviet Union; British nuclear forces will not therefore be included in the agreement. If United States and Soviet strategic arsenals were further reduced substantially, and if there had been no significant improvements in defensive capabilities, we would consider how best we might contribute to the arms control process in the light of the changed circumstances. But the introduction of Trident in the mid-1990s will provide the minimum capability necessary to maintain an effective independent deterrent into the next century and the reductions in prospect would not reduce our strategic needs.

Indonesian Research Minister

Mr. Flynn: To ask the Prime Minister if he will make a statement on the outcome of his meeting with the Indonesian Research Minister on 19 June.

The Prime Minister: I met Dr. Habibie, the Indonesian Minister for Research and Technology, on 19 June. We

discussed a number of issues including commercial co-operation, particularly in the aerospace sector, and the arrangements for Indonesians to study in Britain.

European Council

Mr. Flynn: To ask the Prime Minister what proposals he expects to put to the meeting of the European Council in Luxembourg.

The Prime Minister: I shall make clear the United Kingdom objective of creating an open, liberal and efficient Community. We want to improve foreign policy co-ordination, but the basis of our security in Europe must continue to be the Atlantic alliance. In order to allow European co-operation to prosper, we need a flexible treaty structure distinguishing between Community and intergovernmental activity. We also want the European Council to give fresh impetus to the single market programme. We shall discuss a range of international issues, including the crisis in Yugoslavia.

President Mitterrand

Mr. Flynn: To ask the Prime Minister what matters were discussed during his meeting with President Mitterrand on 24 June.

The Prime Minister: The talks at the annual Anglo-French summit in Dunkirk on 24 June concentrated on the two intergovernmental conferences and the forthcoming Luxembourg European Council; European security and defence questions; and the situation in Iraq. The talks were fruitful and timely. President Mitterrand and I agreed to meet again on 29 July in Calais on the fourth anniversary of the ratification of the channel tunnel treaty.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for 27 June.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today. This evening I shall depart for Luxembourg for the European Council meeting tomorrow.

NORTHERN IRELAND

Maintained Schools

Mr. Trimble: To ask the Secretary of State for Northern Ireland whether he will list the total number of persons employed as *(a)* teachers, *(b)* skilled ancillary staff and *(c)* unskilled or semi-skilled staff in (i) controlled schools, (ii) schools under the Council for Catholic Maintained Schools and (iii) other maintained schools, indicating in respect of each figure the number of persons whose perceived religious affiliation is Protestant and Roman Catholic.

Dr. Mawhinney: I shall write to the hon. Gentleman as soon as possible and place a copy of my letter in the Library.

Housing, Dungannon and Fermanagh

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many private sector new-build planning permissions have been *(a)* approved and *(b)* refused in each year since 1986 in rural areas within (i) Dungannon and (ii) Fermanagh district council area.

Mr. Needham: The information requested is as follows:

	Approved		*Refused*	
	Dungannon	*Fermanagh*	*Dungannon*	*Fermanagh*
1985-86	137	235	22	11
1986-87	177	235	29	32
1987-88	165	230	30	37
1988-89	167	224	28	28
1989-90	145	215	25	33
1990-91	131	219	41	38

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what is the *(a)* percentage and *(b)* number of unfit houses in private ownership in the rural areas of (i) Dungannon and (ii) Fermanagh district council areas according to Northern Ireland Housing Executive statistics.

Mr. Needham: The chief executive of the Northern Ireland Housing Executive has advised me that the information requested is not available separately for the Dungannon and Fermanagh district council areas. However the executive's 1987 house condition survey indicated that, taking these two areas together, some 27 per cent.—4,340—privately owned dwellings were unfit.

Farming

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many people earn their living entirely from farming in the constituency of Fermanagh and South Tyrone; and if he will indicate the trend since 1972 and projected likely trends till the year 2000.

Mr. Hanley: The information requested is not available. Information from the June 1990 farm census indicates that 10,300 persons in the constituency worked on farms, either as farmers, family or hired labour. Of this number 5,000 indicated that they worked full time in agriculture. Comparable data are not available for earlier years.

Human Rights Report

Mr. Beaumont-Dark: To ask the Secretary of State for Northern Ireland if he has received the 16th report of the Standing Advisory Commission on Human Rights; and if he will make a statement.

Mr. Brooke: The report, for the period 1 April 1990 to 31 March 1991, has been published today and copies have been laid before Parliament.

The report covers a wide range of matters that the commission has considered during the period under review. These include emergency legislation, education, fair employment, the law relating to children, peremptory challenge in the selection of jurors, silence as corroboration and prisoners' rights.

I value the advice the commission gives me and appreciate the work it does in considering a wide range of human rights matters. The commission has undertaken another extensive programme of work and I am grateful for the continued commitment shown by its members.

Copies of my response to the commission's 16th report and of the report itself have been placed in the Library.

Life Sentences

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many persons sentenced to life imprisonment for the murder of *(a)* policemen, *(b)* prison officers, *(c)* regular Army soldiers and *(d)* the Ulster Defence Regiment have been released on licence in each of the last 10 years, indicating, in each case, the number of years actually served in prison.

Dr. Mawhinney *[holding answer 26 June 1991]:* The information is as follows:

Prisoners released on licence from indeterminate sentences imposed for murder of members of the Security Forces and the Northern Ireland Prison Service

		Number released by years served										*Total*
Year	*Victim*	*7*	*9*	*10*	*11*	*12*	*13*	*14*	*15*	*16*	*17*	*released*
1981-84		—	—	—	—	—	—	—	—	—	—	Nil
1985	Army	2	—	—	—	—	—	—	—	—	—	2
	Ruc	—	1	—	—	—	—	—	—	—	—	1
1986	Army	—	1	—	—	—	—	—	—	—	—	1
	RUC	—	1	—	—	—	1	—	—	—	—	2
1987	Army	—	—	1	—	2	—	—	—	—	—	3
	RUC	—	—	—	1	—	2	1	—	—	—	4
	UDR	—	—	—	—	—	—	1	—	—	—	1
1988	Army	—	—	1	—	—	—	—	—	—	—	1
	RUC	—	—	—	—	1	1	5	—	—	—	7
1989	Army	—	—	—	—	1	—	1	—	1	—	3
	RUC	—	—	—	1	—	—	—	3	—	1	5
	UDR	—	—	—	—	—	—	2	1	—	—	3
1990	Army	—	—	—	—	—	1	—	2	1	—	4
	RUC	—	—	1	—	1	1	—	—	4	—	7
	UDR	—	—	—	—	2	2	—	1	—	—	5
1991 (to 26 June)	NIPS[1]	1	—	—	—	—	—	—	—	—	—	1
	RUC	—	—	—	1	—	—	—	—	—	—	1
	TOTAL	3	3	3	3	7	8	10	7	6	1	51

[1] Northern Ireland Prison Service.

Note: These figures include prisoners sentenced to detention during the pleasure of the Secretary of State.

AGRICULTURE, FISHERIES AND FOOD

Agriculture Council

Mr. Thompson: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the meeting of the Agriculture Council on 21 and 22 May; and if he will make a statement.

Mr. Curry *[pursuant to the reply, 3 June 1991, c. 38]:* I represented the United Kingdom at this meeting.

Agreement was reached in principle on instruments concerning health rules for the marketing of molluscs and of fishery products, veterinary checks on animals entering the Community from third countries, health conditions for trade in poultrymeat and safety standards for the use of pesticides on plants. In addition significant progress was made on a draft regulation on health rules for the marketing of fresh meat. All these constitute useful and significant steps towards the establishment of the single market.

The Council had a first discussion of two proposals on food quality. I made it clear that the United Kingdom had serious doubts as to the usefulness of these proposals; and that major changes would be needed if they were to secure our support.

I made it clear that the United Kingdom expected satisfactory arrangements to be introduced to protect Community (notably Scottish) producers of soft fruit from exceptionally low-priced imports from eastern Europe when the present special controls expire on 31 July.

ENERGY

Fissile Material

Mr. Andrew Smith: To ask the Secretary of State for Energy if he will make a statement on the responsibilities of the International Atomic Energy Authority with respect to monitoring the use made in civil nuclear programmes of fissile materials produced originally for military purposes.

Mr. Heathcoat-Amory: All civil nuclear material in the United Kingdom, whatever its origin, is subject to Euratom safeguards and to the terms of the IAEA-UK-Euratom safeguards agreement—INFCIRC-263.

Mr. Andrew Smith: To ask the Secretary of State for Energy whether fissile material produced for military purposes in the United Kingdom is suitable for civil purposes.

Mr. Heathcoat-Amory: Yes, in principle.

Plutonium Exports

Mr. Flynn: To ask the Secretary of State for Energy how much plutonium has been exported to the Czech and Slovak Federal Republic in each of the past two years.

Mr. Heathcoat-Amory: There have been no exports of plutonium in quantities of a few grammes or more to the Czech and Slovak Federal Republic from the United Kingdom during the past two years.

OVERSEAS DEVELOPMENT

Chittagong Hill Tracts

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid has been granted to refugees from the Chittagong hill tracts who have sought sanctuary in Tripura, India; and if he will make a statement.

Mrs. Chalker: No request for United Kingdom bilateral assistance has been received from either of the Governments concerned. The United Nations High Commissioner for Refugees has been unable to gain access and is also therefore unable to assist.

Project Costs

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish a table showing the average agreed ceiling for local cost aid, and the percentage of bilateral aid actually given for local costs, as a percentage of project aid and a percentage of total bilateral aid, in Africa and Asia, in each year since 1979.

Mrs. Chalker *[holding answer 19 June 1991]:* Since 1990 there have no longer been any limits on the extent to which our financial aid to least-developed countries can be used to meet local costs. For other countries, local cost ceilings are established on a country or project basis; data on the level of these ceilings are not available in an aggregated form. The percentage figures for actual local cost aid are as follows:

	Africa		*Asia*	
	Local costs as percentage of project aid (excluding ATP)	*Local costs as percentage of total bilateral aid*	*Local costs as percentage of project aid (excluding ATP)*	*Local costs as percentage of total bilateral aid*
1981	28	7	20	14
1982	27	8	37	20
1983	26	7	41	26
1984	27	7	42	20
1985	18	4	46	21
1986	24	8	22	11
1987	19	2	21	9
1988	9	1	33	9
1989	11	1	25	8
1990[1]	13	2	25	6

[1] Provisional.

Note: Local costs figures are not available by region before 1981.

SOCIAL SECURITY

Residential Homes

Mr. Andrew Bowden: To ask the Secretary of State for Social Security if he will give a further breakdown of the figures given in the answer of 7 June, *Official Report*, column *350*, to differentiate between claimants in residential and in nursing homes.

Miss Widdecombe: The latest estimate of the number of people in receipt of income support in residential care and nursing homes is for August 1990, when the figure was 128,000 and 71,000 respectively. Information on how many of these were over pension age is not available, but, as of May 1989, about 73 per cent. of income support recipients in residential care and 88 per cent. in nursing homes were over pension age.

Citizens Advice Bureaux

Mr. David Nicholson: To ask the Secretary of State for Social Security what representations he has received regarding the practice of his Department's offices and agencies of referring clients to local citizens advice bureaux; what evidence he has of any increase in this practice; and if he will make a statement on the responsibility of his Department's offices and agencies to assist clients with their inquiries.

Miss Widdecombe: Neither the Department nor its agencies routinely refer customers to citizens advice bureaux: the provision of information and help on social security matters is, properly, a function of the Department and its agencies. However, customers may be told about the bureaux and other voluntary organisations where, for example, the problem lies outside the Department's area or where benefit is refused and help with an appeal is sought.

Retirement Pensions

Mr. Battle: To ask the Secretary of State for Social Security what would be the cost in 1991-92 of increasing the basic retirement pension by £5 per week for a single pensioner and £8 a week for a married couple, assuming similar increases in linked benefits and in income-related benefits for pensioners, giving figures *(a)* gross and *(b)* net of tax revenues and savings in other benefits.

Miss Widdecombe: The gross cost would be £3·1 billion. Net of income tax, the figure would be £2·9 billion. If those in receipt of a linked benefit but not the pensioner premium did not receive a similar increase in their income-related benefit, the net cost would fall to £2·8 billion.

Mr. Meacher: To ask the Secretary of State for Social Security what is the cost, net of savings in tax, of uprating the retirement pension, income support pension premium and housing benefit pensioner premium by £5 per week for single pensioners and £8 per week for pensioner couples in 1991-92; and if he will set out for linked benefits the cost in 1991-92 that would arise from these changes.

Miss Widdecombe: The gross cost of increasing these and the linked contributory benefits by £5 for a single pensioner and £8 for a pensioner couple is £3·1 billion. The cost, net of tax, would be £2·9 billion; this includes £0·5 billion to increase the linked benefits.

Mr. Meacher: To ask the Secretary of State for Social Security which benefits have a statutory requirement to link *(a)* the level of benefit to the retirement pension level and *(b)* the level of increase at uprating to the same level of increase for retirement pension.

Miss Widdecombe: The following benefits are paid at rates which are linked by statute to that of the retirement pension: widow's pension, widowed mother's allowance and invalidity benefit. Unemployment benefit and sickness benefit are also linked for certain categories of recipient over pensionable age. The Secretary of State has a statutory duty to review the value of the category A retirement pension on an annual basis and increase it if appropriate; if the pension rate is increased the level of the above benefits will be raised also.

Household Incomes

Mr. Madden: To ask the Secretary of State for Social Security if he will update to 1988 the tables on real rises in household incomes since 1979, provided in his reply of 26 July 1990 to the hon. Member for Edinburgh, South (Mr. Griffiths) *Official Report*, columns *501-2*.

Mr. Jack: The information requested is not available.

Local Government Finance

Mr. Blunkett: To ask the Secretary of State for Social Security what is his best estimate of the amount of the reduction in community charge benefit payments in 1991-92 due to the £140 reduction in headline bills.

Miss Widdecombe: The reduction is about £850 million.

Mr. Blunkett: To ask the Secretary of State for Social Security what is his estimate of the cost to his Department in 1991-92 of abolishing the poll tax 20 per cent. contribution rule.

Miss Widdecombe: The latest estimate is that the total cost in 1991-92 of awarding 100 per cent. maximum community charge benefit would be £440 million at current benefit levels. Such a change would affect all people receiving community charge benefit including those people on income support and equivalent incomes. This estimate assumes that no reductions are made in the income-related benefit levels which were adjusted in April 1989, to include help towards the 20 per cent. contribution to the community charge, at an estimated cost of £500 million.

Mr. Blunkett: To ask the Secretary of State for Social Security how much will be saved by his Department in community charge benefit subsidy in *(a)* 1990-91 and *(b)* 1991-92 for each local authority which is a housing benefit authority as a result of poll tax capping.

Miss Widdecombe: The information requested is not available.

Family Credit

Mr. Flynn: To ask the Secretary of State for Social Security if he will list the total percentage of applicants for family credit who were turned down in each of the most recent 24 months for which figures are available.

Mr. Jack: The administration of family credit is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member and copies will be placed in the Library and the Public Information Office.

Severe Disability Premium

Dr. Godman: To ask the Secretary of State for Social Security if he will list the organisations consulted by the Social Security Advisory Committee about his Department's proposed changes to the severe disability premium regulations; and if he will make a statement.

Mr. Scott: I understand that the Social Security Advisory Committee wrote to six organisations concerned with disabled people or their carers, seeking their views on the proposed amendment to regulations. The organisations were as follows:

The Disability Alliance
The Disablement Income Group
RADAR
Carers' National Association
The Spastics Society
British Council of Organisations of Disabled People

Young People (Benefits)

Mr. Blunkett: To ask the Secretary of State for Social Security how many young people under the age of 25 years are in receipt of *(a)* community charge benefit and *(b)* housing benefit.

Miss Widdecombe: The most recent survey information indicates that in May 1989, a total of 460,000 householders aged less than 25 years in Great Britain were in receipt of housing benefit. This estimate excludes those under 25 years old in Scotland who were in receipt of community charge rebate, but who were not receiving help with rent; this information is not available.

EMPLOYMENT

Employment Expenditure, London

Mr. Tony Banks: To ask the Secretary of State for Employment if he will provide a table showing expenditure in 1989-90, broken down by regions, with Greater London shown as a separate region, for job clubs, the Employment Service, and jobcentres.

Mr. Jackson: Questions on operational matters in the Employment Service executive agency are the responsibility of Mike Fogden, the agency's chief executive, to whom I have referred this question for reply.

Mr. Tony Banks: To ask the Secretary of State for Employment if he will provide a table setting out the number of YOP, YTS and YT places available in Greater London in every year from 1975, including figures for 1991, or estimates for 1991 if figures are not available.

Mr. Jackson: The information requested is given in the table. Information prior to 1984 is not available. Agreed place information from April 1990 is not available.

Youth training—number of agreed places in London Region

	Number
31 March 1984	36,100
31 March 1985	28,900
31 March 1986	17,000
31 March 1987	37,200

	Number
31 March 1988	36,300
31 March 1989	30,400
31 March 1990	32,700

Source: SPECTRUM
On 1 April 1986 YTS changed from a one-year programme to a two-year programme.
All figures are rounded to the nearest 100.

Dangerous Substances (Accidents)

Mr. Flynn: To ask the Secretary of State for Employment if he will make it his policy to examine the conclusions of the report published by the joint research centre of the European Commission on lessons learnt from emergencies after accidents in the United Kingdom involving dangerous substances—DOC. EUR. 13322EN.

Mr. Forth: The report has been studied, on my behalf, by the Health and Safety Executive. As regards matters that are my responsibility, the lessons learnt from this and other studies are being taken into account in the current fundamental review of EC directive 82/501/EEC, the "Seveso" directive, which deals with major accident hazards.

Toxic Substances Bulletin

Mr. Flynn: To ask the Secretary of State for Employment what is the current distribution of the toxic substances bulletin published by the Health and Safety Executive; and what assessment he has made of the benefits to health and safety at work of the bulletin.

Mr. Forth: The latest available figures—April 1991—show that there are 2,280 subscribers who receive a total of 2,608 copies of the Health and Safety Executive's toxic substances bulletin. There is also an internal distribution within Government Departments.

It is a statutory duty of the Health and Safety Commission to make appropriate arrangements for providing relevant information to those concerned with health and safety at work. The bulletin has proved to be a useful tool in providing information about current developments on toxic substances, both in the United Kingdom and the European Community, in an easily accessible format. I have arranged for copies of the most recent edition to be placed in the Library of this House.

TRADE AND INDUSTRY

Share Ownership

Ms. Mowlam: To ask the Secretary of State for Trade and Industry, pursuant to his answer to the hon. Member for Colne Valley (Mr. Riddick) of 4 June, at column *170*, on cash limits, if he will outline the reasons why the funds provided for assistance for the share ownership movement have been allocated under the consumer and investor protection programme.

Mr. Lilley: The proposed assistance is aimed at increasing the provision of information to investors, allowing informed choices to be made and therefore contributing towards the objectives of my Department's work on consumer and investor protection.

Cash Limits

Ms. Mowlam: To ask the Secretary of State for Trade and Industry, pursuant to his answer to the hon. Member for Colne Valley (Mrs. Clwyd) of 4 June at column *170*, on cash limits, if he will set out the increase or decrease in his Department's budget, by expenditure area and in total, in 1991-92 in real terms relative to the expenditure level of the Department after the equivalent supplementary estimate announcement of 1990-91.

Mr. Lilley: The information requested is set out in the table.

Department of Trade and Industry expenditure budget after Revised and Summer Supplementary Estimates 1990-91 and 1991-92

£ million all figures are net

	1990-91 provision	*1991-92 provision cash terms*	*1991-92 provision real terms*	*Increase/ decrease in real (1990) terms*
VOTE 1				
Central government's own expenditure:				
Regional and general industrial support				
Regional development grants, Regional selective assistance and Selective assistance	215·4	156·6	146·4	−69·0
Support for aerospace, shipbuilding and steel manufacture				
Aerospace support and Assistance to the shipbuilding and steel industries[1] (net of aerospace repayments)	155·9	91·9	85·9	−70·1
Central government grants to local authorities:				
Regional development grants	0·1	0·0	0·0	0·0
Regional selective assistance	0·0	0·0	0·0	0·0
Total Vote 1	371·4	248·5	232·2	−139·1
VOTE 2				
Central government's own expenditure:				
Regional and general support				
Business development and Inner cities initiatives (including Regional enterprise grants)	85·9	80·5	75·2	−10·7

	1990-91 provision	1991-92 provision cash terms	1991-92 provision real terms	Increase/ decrease in real (1990) terms
Support for industry				
Industrial research (including Civil aircraft, Education and training, and Telecommunications), Space technology programmes and Miscellaneous support services	287·1	265·3	248·0	−39·2
International trade	50·2	51·7	48·4	−1·8
Statutory and regulatory work (including Measurement and technology support, Protection of innovation, Regulation of Trade and consumer protection and Research establishments)	74·3	116·2	108·6	34·3
Central and miscellaneous services	289·3	265·4	248·0	−41·2
Public corporations:				
English Industrial Estates Corporation[2] (net of realised assets)	0·0	−16·8	−15·7	−15·7
Central government grants to local authorities:				
Inner cities initiative	0·5	0·5	0·5	0·0
Other expenditure not included in the planning total:				
Refund of pension adjustment	0·1	0·1	0·1	0·0
Total Vote 2	787·4	763·0	713·1	−74·3
VOTE 3				
Public corporations:				
Nationalised industries external finance—British Shipbuilders	8·0	19·0	17·7	9·7
Total DTI	1,166·8	1,030·5	963·1	−203·7

1. The lower level of net provision in 1991-92 for airbus development reflects a considerably reduced requirement for launch aid for the A330/340 Airbus in accordance with the launch aid contract and an increased level of expected levy receipts on the A320 Airbus.

2. Planned gross expenditure by EIEC for 1991-92 is £126·3 million. This will be funded by asset sales. Surplus receipts—£16·8 million—will be surrendered to the DTI.

Notes to Tables: All figures are for estimates provision net of receipts, rounded to the nearest £0·1 million. The items do not sum to the totals in all cases because of rounding. The table compares the position after the publication on 12 June 1990 of the revised estimate for class IV vote 2 with that after the publication of the summer supplementary estimates for class IV votes 2 and 3 on 13 June 1991. The cash figures for 1991-92 have been converted to 1990-91 prices using the GDP deflator of 7 per cent., as set out in table 2.1 of the "Financial Statement and Budget Report 1991-92"—House of Commons No. 300.

Ms. Mowlam: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 4 June at column *170*, to the hon. Member for Colne Valley (Mr. Riddick) on cash limits, if he will provide details of the mechanism by which certain items are to be fully met by receipts from the European Community.

Mr. Lilley: Subject to parliamentary approval of the necessary supplementary estimate, the European Community receipts in question will be appropriated in aid of class IV vote 2. For the purposes of the public expenditure planning total, such receipts are classified as programme 2.7—net payments to European Community institutions—for which my right hon. Friend the Chancellor of the Exchequer is responsible. The consequent net reduction in that programme exactly offsets the increase in my Department's cash limit.

Ms. Mowlam: To ask the Secretary of State for Trade and Industry if he will set out in tabular form the areas of expenditure covered by the supplementary estimate changes to his Department's cash limit and running cost limits for 1991-92 announced on 4 June at column *170* in ascending cash value order.

Mr. Lilley: The information requested is set out, although not in ascending cash value order, in the summary to the summer supplementary estimate for class IV vote 2 which were presented to the House on 13 June.

Ms. Mowlam: To ask the Secretary of State for Trade and Industry to which sections and sub-headings of the estimate for class IV, vote 2, each of the charges and activities described in his announcement of 4 June at column *170* on cash limit changes will be attributed.

Mr. Lilley: The information requested is set out in the summer supplementary estimate for class IV vote 2 which was presented to the House on 13 June.

Consumer Safety

Ms. Mowlam: To ask the Secretary of State for Trade and Industry, pursuant to his answer to the hon. Member for Colne Valley (Mr. Riddick) of 4 June, at column *170* on cash limits, if he will list the activities for which funds have been allocated to the Department's promotion of consumer safety.

Mr. Lilley: Subject to parliamentary approval of the necessary supplementary estimate, the sum of £71,000 for my Department's promotion of consumer safety will be allocated towards the moving, construction, publicising

and operation of the child safety "Hazard Dome" during 1991 at the Lightwater Valley theme park in North Yorkshire as part of the home safety awareness scheme.

Arms Industries

Mr. Martyn Jones: To ask the Secretary of State for Trade and Industry what figures he has for the amount of money being spent in the United Kingdom on research into conversion of arms industries to non-arms production.

Mr. Leigh: Information of this sort is not collected centrally.

South Africa

Mr. Redmond: To ask the Secretary of State for Trade and Industry if he will list the trade restrictions that are still in force in respect of South Africa.

Mr. Sainsbury: I refer to the answer I gave to my hon. Friend the Member for Stamford and Spalding (Mr. Davies) on 7 May *Official Report*, column *409*.

Overseas Exhibitions

Mr. Flynn: To ask the Secretary of State for Trade and Industry what grants were made from public funds towards travel and costs of exhibition stands at Dubai '91 and the international defence equipment and aviation exhibition in Ankara, November 1991.

Mr. Sainsbury: To date no financial subsidy has been provided by the Department of Trade and Industry to exhibitors at Dubai '91 and the international defence equipment and aviation exhibition, Ankara. The subsidy for companies which qualify for support will be at the standard rate of 50 per cent. of the eligible costs of space and stand construction and up to two travel grants at the appropriate country rates for Dubai and Turkey.

Director General of Fair Trading

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry when he intends to publish the report by the Director General of Fair Trading for the year 1990.

Mr. Leigh: The 17th annual report by the Director General of Fair Trading has been published today. It covers the period from 1 January 1990 to 31 December 1990. Copies of the report have been laid before Parliament.

Post Office Counter Services

Mr. Amos: To ask the Secretary of State for Trade and Industry what progress Post Office Counters has made in implementing the recommendations of the 1988 Monopolies and Mergers Commission report on Post Office counter services at Crown offices.

Mr. Leigh: The Monopolies and Mergers Commission reported on Post Office counter services at Crown offices on 23 June 1988, Cm 398. Post Office Counters' initial response to this report was made available to the House on 21 December 1988, *Official Report*, columns *265-66*. My Department agreed with Post Office Counters a detailed timetable for implementation of the accepted recommendations, and a reporting regime involving interim reports on progress, a main report in mid-1989, *Official Report*, 27 July 1989, column *812* and a final report in June 1991. I am today placing copies of the final report by Post Office Counters in the Library of the House.

Post Office Counters was able to accept, in whole or in part, 79 of the MMC's 80 recommendations. Action has now been completed on 76 recommendations. Of these, Post Office Counters has concluded, on the basis of detailed work, that two linked recommendations—Nos. 59 and 60—are impractical in the form suggested by the MMC. These recommendations propose that clients should each decide, on the basis of different options presented by Post Office Counters, the size and shape of network that they are willing to pay for. Post Office Counters has accepted the principle lying behind these recommendations, that clients' requirements should inform the provision of services and products, and will continue to look at ways of bringing this principle into their discussions with clients.

Post Office Counters continues to take action on the three remaining recommendations. These are:

recommendation 6a, dealing with the charging of occupancy costs for property on an open market rental basis; this depends on hardware and software becoming fully operational, forecast for April 1992;

recommendation 18, concerning the assumption by Counters from Royal Mail of responsibility for all stamp vending machines; some of these have required modification to provide consistent customer service, and the handover should be completed by the end of 1991;

recommendation 67f, proposing that the costs of the data transmission network be shared among its users; this will be further pursued when the related network automation plans are authorised—(earliest completion date July 1992).

My officials will continue to monitor progress on the implementation of these three outstanding recommendations.

The original report by the Monopolies and Mergers Commission was based on a wide-ranging and thorough review of counter services in Crown offices; I commend Post Office Counters for the conscientious and constructive manner in which it has addressed the MMC recommendations.

Textile Machinery

Mr. Nicholas Winterton: To ask the Secretary of State for Trade and Industry (1) what consultations he has had with British textile machinery manufacturers about proposed new European regulations on magnetic compatibility;

(2) what steps he is taking to ensure that British textile machinery manufacturers do not suffer unnecessarily under the terms of proposed new European regulations on magnetic compatibility;

(3) if he has any plans to visit Sir James Farmer Norton and Co. to discuss the possible impact of proposed new regulations on magnetic compatibility;

(4) if he will list those testing facilities which currently exist in the north-west of England which could be used for testing compliance of heavy machinery with proposed new regulations on magnetic compatibility.

Mr. Leigh *[holding answer 25 June 1991]:* My officials met officers and members of the British Textile Machinery Association on 12 June to discuss the electro-magnetic

compatibility directive. I am not aware of any reason why British textile machinery manufacturers should be disadvantaged by the directive.

My right hon. Friend has no plans to visit Sir James Farmer Norton and Co.

Manufacturers following the "standards" route to compliance with the directive may use any test facilities, including their own. I regret that the Department does not have a list of such facilities in the north-west of England.

"Competent bodies" have not yet been appointed to issue technical reports or certificates for manufacturers following the "technical file" route to compliance with the directive.

FOREIGN AND COMMONWEALTH AFFAIRS

Basle Convention

Mr. Hardy: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries which have signed the Basle convention and the dates on which these signatures were presented.

Mr. Lennox-Boyd: The following countries have signed the Basle convention:

	Date
1989	
Afghanistan	22 March 1989
Argentina	28 June 1989
Bahrain	22 March 1989
Belgium	22 March 1989
Bolivia	22 March 1989
Canada	22 March 1989
Colombia	22 March 1989
Cyprus	22 March 1989
Denmark	22 March 1989
Ecuador	22 March 1989
European Economic Community	22 March 1989
Finland	22 March 1989
France	22 March 1989
Germany, Federal Republic of	23 October 1989
Greece	22 March 1989
Guatemala	22 March 1989
Haiti	22 March 1989
Hungary	22 March 1989
Israel	22 March 1989
Italy	22 March 1989
Jordan	22 March 1989
Kuwait	22 March 1989
Lebanon	22 March 1989
Leichtenstein	22 March 1989
Luxembourg	22 March 1989
Mexico	22 March 1989
Netherlands	22 March 1989
New Zealand	18 December 1989
Norway	22 March 1989
Panama	22 March 1989
Philippines	22 March 1989
Portugal	26 June 1989
Saudi Arabia	22 March 1989
Spain	22 March 1989
Sweden	22 March 1989
Switzerland	22 March 1989
Syria	11 October 1989
Turkey	22 March 1989
United Arab Emirates	22 March 1989
United Kingdom	6 October 1989
Uruguay	22 March 1989
Venezuela	22 March 1989
1990-91	
Austria	19 March 1990
Chile	31 January 1990
China	22 March 1990
El Salvador	22 March 1990
France	7 January 1991
German Democratic Republic	19 March 1990
Hungary	21 May 1990
India	15 March 1990
Ireland	19 January 1990
Nigeria	15 March 1990
Poland	22 March 1990
Romania	27 February 1990
Thailand	22 March 1990
United States of America	22 March 1990

Strategic Arms Reduction

Mr. Andrew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his counterpart in the United States of America on strategic arms reduction talks.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs discusses arms control issues regularly with Mr. Baker and we keep in very close contact with the United States Administration on the subject at other levels. The START talks themselves are a matter for the United States and Soviet Union.

Mr. Andrew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what monitoring his Department undertakes of the United States and Soviet proposals for reducing the number of nuclear warheads; and what sources of expertise are available to him on the quantity of fissile material that might be made redundant if a strategic arms reduction treaty is concluded.

Mr. Douglas Hogg: We have strongly supported United States and Soviet negotiations for reduction of their nuclear arsenals. Fissile material made redundant under strategic arms reduction treaty is a matter for the two parties.

Journalists' Deaths (Iraq)

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations he has had with the Red Cross and the Red Crescent concerning the investigation of the disappearance of the British television journalist, Roseanna Della Casa, and the deaths of Nick Della Casa and Charles Maxwell in the Turkish-Iraqi border region; and if he will make a statement.

Mr. Lennox-Boyd: The British mission to the United Nations in Geneva first raised the matter of the disappearance of Rosanna della Casa, Nicholas della Casa and Charles Maxwell with the International Committee of the Red Cross on 17 April 1991. ICRC delegates in Iraq have since then had many written and oral contacts with the Iraqi authorities. They continue actively to pursue the disappearance of Rosanna della Casa.

We maintain regular contact with the ICRC in Geneva. We have had no direct contacts with the Red Crescent.

Iraq

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to report to the House details of the report of the visit made

by the International Atomic Energy Agency's special inspection team in Iraq between 14 and 22 May, pursuant to United Nations Security Council resolution 687.

Mr. Douglas Hogg: It would be wrong for us to publish details of IAEA documents communicated in confidence to IAEA member states. It is for the IAEA, with the UN special commission, to make such details public.

Thailand (Sanctuary)

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the Thai Government on the proposed forced repatriation of Burmese people who have sought sanctuary in Thailand.

Mr. Lennox-Boyd: My noble Friend the Minister of State, Foreign and Commonwealth office raised the subject of Burmese immigrants in Thailand with the Thai Foreign Minister on 6 June. The Thai authorities are aware of our concern that no Burmese should be forcibly returned to face persecution in Burma.

Chittagong Hill Tracts

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has received a copy of the report produced by the Chittagong Hill Tracts Commission; and if he will make a statement.

Mr. Lennox-Boyd: Yes. The report is a useful contribution to public knowledge and debate about the problems of the Chittagong hill tracts.

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the Government of Bangladesh regarding reports of human rights violations of ethnic minorities in the Chittagong hill tracts; and if he will make a statement.

Mr. Lennox-Boyd: We have regularly made our concerns about the situation in the Chittagong Hill tracts known to the Government of Bangladesh. We welcome their recent decision to implement the 1989 devolution plans in full, to allow the three hill tract councils greater autonomy.

Office for Emergency Operations in Africa

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, at the meeting of United Nations heads of agencies, donors and non-governmental organisations on 27 June, in New York, Her Majesty's Government will support the proposal to re-establish the Office for Emergency Operations in Africa.

Mr. Lennox-Boyd: We are considering the best organisational response to the serious situation in Africa. As I told the hon. Member for Cynon Valley (Mrs. Clwyd) on 17 June, the Office for Emergency Operations in Africa provided excellent inter-agency co-operation from 1984 to 1986. Since its experiences are reflected in current United Nations working practices, re-establishing it now does not automatically guarantee improved co-ordination. My right hon. Friend the Secretary of State and the German Foreign Minister launched a joint initiative on 9 June to improve and support the way the United Nations responds to humanitarian disasters and emergencies including those in Africa.

Anti-ballistic Missile Treaty

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration Her Majesty's Government have given to signing the anti-ballistic missile treaty.

Mr. Douglas Hogg: The AMB treaty is a bilateral agreement between the United States and Soviet Union; the question of United Kingdom signature does not therefore arise.

Energy Efficiency

Mr. Dobson: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 3 June, *Official Report*, column *49*, if he will give such information as is available without disproportionate cost, in the form of his answers of 30 April 1990, *Official Report*, column *405*, and 10 May 1990, *Official Report*, column *205*.

Mr. Lennox-Boyd *[pursuant to his reply, 19 June 1991, c. 206.]:* The figures for ODA energy consumption and expenditure in the financial year 1990-91 were as follows:

Consumption	*Figures*
(i) Electricity (kwh)	6,268,388
(ii) Gas (therms)	486,942
(iii) Fuel Oil (litres)	66,221
Expenditure	£
(i) Electricity	393,101
(ii) Gas	185,149
(iii) Fuel Oil	11,316

EDUCATION AND SCIENCE

Voluntary-aided Schools

Mr. David Nicholson: To ask the Secretary of State for Education and Science what were the amounts of *(a)* planned and *(b)* actual expenditure on capital projects for voluntary-aided schools in each of the last five years; and what is the planned expenditure for 1991-92.

Mr. Fallon: Figures for planned and actual expenditure on capital building work at voluntary aided and special agreement schools between 1986 and 1992 are as follows:

	(a) Planned £ million	*(b) Actual £ million*
1986-87	27·8	31·8
1987-88	39·1	37·2
1988-89	55·3	50·3
1989-90	65·3	67·6
1990-91	87·2	75·3
1991-92	98·8	—

Note:

These figures include governors' contributions but exclude any work conducted off-programme and any which would be the responsibility of the Local Education Authority.

School Meals

Mr. David Nicholson: To ask the Secretary of State for Education and Science what information he has of the number of local education authorities which have now discontinued the provision of school meals on an authority-wide basis; and if he will list the authorities.

Mr. Fallon: All local education authorities in England are obliged to provide a free school meal for any pupil whose family is on income support. In January 1990, the latest date for which information is available, some paid meals were also provided in all authorities.

School Premises

Mr. David Nicholson: To ask the Secretary of State for Education and Science what information he has of the proportion of secondary school places in each local education authority that are in temporary accommodation; and whether he will list all such authorities with more than 20 per cent. in temporary accommodation, giving the estimated proportion of such places in each case.

Mr. Fallon: This information is not available centrally.

Brent (Schoolchildren)

Mr. John Marshall: To ask the Secretary of State for Education and Science if he will state how many children who are resident in the London borough of Brent are educated in the London borough of Barnet.

Mr. Fallon: As at January 1990, a total of 1,634 school pupils belonging to the area of the London borough of Brent were being educated in the London borough of Barnet.

Education, London

Mr. Tony Banks: To ask the Secretary of State for Education and Science if he will provide a table setting out the number of pupils in Greater London reaching the school leaving age in every year from 1975, including figures for 1991 or estimates for 1991 if figures are not available.

Mr. Fallon: The table shows the number of pupils in maintained secondary schools in Greater London in their final year of compulsory education. The figure for 1990-91 has been estimated on the basis of the number of pupils in their penultimate year of compulsory education in 1989-90.

Pupils in their final year of compulsory education in maintained secondary schools in Greater London, academic years 1974-75 to 1990-91.

	(Thousands)
1974-75	87·9
1975-76	88·9
1976-77	91·2
1977-78	92·7
1978-79	93·2
1979-80	94·1
1980-81	92·6
1981-82	90·5
1982-83	87·5
1983-84	83·9
1984-85	80·0
1985-86	75·5
1986-87	75·4
1987-88	69·4
1988-89	64·9
1989-90	62·4
1990-91	[1]60·0

[1] Estimated.

Mr. Tony Banks : To ask the Secretary of State for Education and Science (1) if he has any plans to provide further funds for London's education service;

(2) if he has received a copy of the Association of London Authorities' report "Taking Stock, The Resources Needed to Fund London's Education Service."

Mr. Eggar: Yes. My right hon. and learned Friend has seen the document. The Government have provided a financial framework in which London councils can provide a high-quality education service if they manage their affairs well. Standard spending assessments for London for all services are on average 21 per cent. higher in 1991-92 than in 1990-91, while education standard spending assessments have risen 18 per cent. on average. Inner London also receives help through special education grants, which total £70 million in 1991-92 alone. The average SSA allowance for pupils of compulsory school age is around 50 per cent. higher in inner London than in Barnsley or Sheffield.

Mr. Tony Banks: To ask the Secretary of State for Education and Science if he will provide a table for Greater London, showing the number of places available at, and the number of 16-year-old students entering separately, sixth forms, sixth-form colleges, tertiary colleges, and further education colleges in every year from 1975, including figures for 1991 or estimates for 1991 if figures are not available.

Mr. Eggar: The number of places available at, and the number of 16-year-old students entering, sixth-form colleges is not available centrally. The number of full or part-time students aged 16 years in sixth forms, sixth-form colleges and further education colleges are as follows:

	Sixth forms (thousands)	*Sixth form colleges (thousands)*	*Further education (thousands)*	*Percentage of population aged 16*[1]
1974-75	26·8	1·2	—	—
1975-76	29·6	1·3	—	—
1976-77	30·8	1·4	—	—
1977-78	30·0	0·9	—	—
1978-79	30·4	1·0	—	—
1979-80	30·2	1·2	21·4	—
1980-81	31·0	1·3	—	—
1981-82	33·7	1·4	20·7	60
1982-83	32·6	1·5	21·0	60
1983-84	30·1	1·4	22·1	61
1984-85	28·2	1·5	22·2	62
1985-86	26·5	1·8	20·4	61
1986-87	24·6	1·8	21·7	64
1987-88	24·5	0·9	21·6	64
1988-89	22·5	2·4	20·8	65
1989-90	22·2	2·3	21·5	70

[1] *Source:* DES Statistical Bulletins 6/87 and 14/91.

Notes:

(1) Age is at 31 August at the start of the academic year.
(2) Adult Education Centres have been excluded.
(3) Information on which to make reasonable estimates for 1990-91 is not yet available.
(4) GLC data for further education colleges are not readily available for 1974-75 to 1978-79 and 1980-81.
(5) GLC data for tertiary colleges are not readily available.

Teacher Training, London

Mr. Tony Banks: To ask the Secretary of State for Education and Science what action he plans to take in respect of London in response to the conclusions of Her Majesty's inspector's report on training teachers for inner city schools.

Mr. Fallon: We have asked the higher education funding councils to give specific consideration, in the

allocation of initial teacher training places, to courses which are particularly focused on the needs of inner city schools and which give the students concerned experience of teaching in such areas.

We have made available grants to the Urban Learning Foundation, whose work in inner London was commended in Her Majesty's inspector's report, and the St. Peter's Saltley project, which provides teaching experience in inner city Birmingham for trainee teachers.

We have commissioned research by Professor Desmond Nuttall of the London School of Economics to establish whether increasing the number of trainees at institutions in London would in itself increase the number of those taking up first appointments there.

Finally, in the light of Her Majesty's inspector's findings, the Teaching as a Career Unit's spring advertising campaign "Train to Teach in London" was specifically targeted towards people resident in London, more than 11,000 of whom responded.

Blind Students

Mr. Ashley: To ask the Secretary of State for Education and Science (1) whether he intends that blind and partially sighted students should have the opportunity to take the GCSE as key stage 4 of the national curriculum;

(2) what arrangements are being made by his Department to ensure that examination papers for the GCSE are available in Braille.

Mr. Eggar: Examination papers are made available in braille for those visually impaired candidates who are notified to the examining groups as needing this facility. The cost of brailling papers is spread evenly over the examination fees of all GCSE candidates. I would envisage these arrangements continuing with the introduction of the national curriculum.

Environmental Education

Mr. Flynn: To ask the Secretary of State for Education and Science whether he has received a report on the meeting hosted at Warwick university on 22 May by the Association of British Chambers of Commerce on the development of environmental education and business schools, universities and polytechnics.

Mr. Fallon: Yes.

National Curriculum

Mr. Pawsey: To ask the Secretary of State for Education and Science when he expects to publish proposals to put into effect his policy of expecting whole classes of pupils who have taken examinations for GCSE or equivalent qualifications in national curriculum subjects early from the further requirements of the national curriculum.

Mr. Kenneth Clarke: The National Curriculum Council, as required by section 20(3) of the Education Reform Act 1988, will next week give notice of my proposal to except whole classes of pupils who have taken examinations for GCSE or equivalent qualifications in national curriculum subjects early from all the provisions of the national curriculum relating to that subject at key stage 4. I announced my intention of issuing such a proposal in January. Copies of my proposal have been placed in the Library.

My proposal is that where groups of particularly able pupils complete full courses of studies in particular national curriculum subjects before the last year of key stage 4 and take the relevant GCSE or equivalent examinations in those subjects, they should be discharged from any further requirement to follow the programmes of study or be formally assessed in those subjects. Pupils in such circumstances would then be free to use in other ways the time which they would otherwise have spent continuing to follow national curriculum requirements, as is already possible for individual pupils who take their GCSEs early.

At present, the obligation to study further the relevant provisions of the national curriculum can be lifted only, in the case of individual pupils completing their national curriculum studies early, by moving such pupils into classes of older pupils. It is my view that the present restriction upon the accelerated progress of whole classes of pupils should now be removed.

The period for the submission of evidence and representations on the proposals to the National Curriculum Council will end on 27 September 1991. The council will then report to me. I intend to publish draft regulations, as required by section 20(5) of the Act, in November 1991. My right hon. Friend the Secretary of State for Wales is separately directing the statutory consultation process in Wales.

Student Support

Mr. Bowis: To ask the Secretary of State for Education and Science what information about Government support for students he will make available this year.

Mr. Alan Howarth: We have today published a booklet, "Student Grants and Loans 1991-92". It brings together for the first time information on the two main parts of the Government's system of financial support for students. Copies are being sent—in England and Wales—to schools with sixth forms, colleges, local education authorities and careers information officers; and to higher education institutions throughout the United Kingdom. Further copies are available on request. Copies have also been placed in the Libraries of both Houses.

City Technology Colleges

Mr. Fatchett: To ask the Secretary of State for Education and Science whether following the current review of the Education (School Government) Regulations 1989, he will amend the regulations in order to prevent the chairman and governors of a maintained school that agrees to close in order to assist the establishment of a city technology college from acquiring employment with the city technology college trust or a body sponsoring a city technical college.

Mr. Eggar *[holding answer 26 June 1991]:* Such an amendment would be neither statutorily possible nor desirable.

SCOTLAND

Students

Mr. Watson: To ask the Secretary of State for Scotland if he will list for academic year 1990-91 *(a)* the number of students from Scotland in receipt of grants to attend

universities or colleges in England and Wales and *(b)* the number of students not domiciled in Scotland attending Scottish universities and colleges; and what percentage of the total that figure represents.

Mr. Michael Forsyth: The latest available figures for the number of undergraduate students attending Scottish universities and colleges who are not domiciled in Scotland are for academic year 1989-90. These are set out in the table.

	Attending universities and colleges in Scotland	*Not domiciled in Scotland*	*Percentage*
Universities	44,094	14,601	33
Colleges	36,825	2,581	7
	80,919	17,182	21

In academic year 1989-90, the number of undergraduate students domiciled in Scotland who were in receipt of grants to attend universities and colleges in England, Wales and Northern Ireland was 4,338. Provisional figures for academic year 1990-91 indicate that this figure will rise to 4,555.

Pedestrian Crossing, Fraser Park

Sir Russell Johnston: To ask the Secretary of State for Scotland what representations he has received from the Highlands regional council concerning a survey carried out in 1990 with a view to the provision of a pedestrian crossing on the A96 at Fraser Park, Nairn.

Lord James Douglas-Hamilton: None. The findings of the survey carried out by Highland regional council in 1990 showed that the pedestrian-vehicle flows at this location fell well short of the figure required to meet the criteria justifying the provision of a crossing. I understand that the council plans a further survey in July this year.

Deer

Mr. Dalyell: To ask the Secretary of State for Scotland what representations he has had from the West Grampian Deer Management Group and Mr. John Grant of Rothiemurchus.

Lord James Douglas-Hamilton: The West Grampian Deer Management Group, of which Mr. Grant is a member, has recently responded to our consultation paper on natural heritage areas.

Care Homes

Mr. Worthington: To ask the Secretary of State for Scotland what statistics he has on the number of trained or qualified staff in *(a)* children's homes, *(b)* homes for the elderly and *(c)* hostels for the mentally handicapped.

Mr. Michael Forsyth: Information is not held centrally on the number of qualified staff in establishments in the independent sector or on the training of staff in all sectors. In local authority homes for children and the elderly, there were, at October 1989, 434 and 775 staff respectively with a formal qualification; but the corresponding information on homes for the mentally handicapped is not separately identified. A total of 1,545 officers in charge and assistant officers in charge of local authority residential establishments were qualified as follows:

	Per cent.
Certificate of Qualification in Social Work—or equivalent	9
Certificate in Social Service	14
Other Social Service Qualifications	5
Nursing Qualifications	22

NATIONAL FINANCE

Balance of Payments

15. **Mr. Flynn:** To ask the Chancellor of the Exchequer what is the Government's forecast for the balance of payments deficit in the first half of 1992 at an annualised rate.

Mr. Maples: The figure is £8 billion.

Equipment (Write-off)

16. **Mr. Speller:** To ask the Chancellor of the Exchequer if he will bring forward proposals to allow an earlier write-off of capital equipment purchased by manufacturing industry.

Mrs. Gillian Shephard: There are no plans to do so. The present capital allowance regime for equipment already provides a generous average rate of depreciation for tax purposes.

VAT (Police Cars)

17. **Mr. Andrew F. Bennett:** To ask the Chancellor of the Exchequer what plans he has to change the way police authorities pay value added tax on police cars they buy.

Mrs. Gillian Shephard: There are no plans to change the VAT treatment of police cars. Where VAT is non-recoverable by a police authority, as is the case when it purchases police cars, this is allowed for in its funding.

Institute of Directors

18. **Mr. William Powell:** To ask the Chancellor of the Exchequer what representations about economic policy he has received from the Institute of Directors.

Mr. Mellor: I refer my hon. Friend to the answer I gave earlier today to my hon. Friend the Member for Shipley (Sir M. Fox).

Interest Rates

19. **Mr. Churchill:** To ask the Chancellor of the Exchequer what steps he has taken to persuade the high street banks to reduce their margins on loans to small businesses; and if he will make a statement.

20. **Mr. Carr:** To ask the Chancellor of the Exchequer what measures he has taken to assess the impact of high interest rates on small businesses.

Mr. Maples: My right hon. Friend has asked Treasury officials and the Bank of England to look into these questions.

Interest Rates

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what representations he has received from the Confederation of British Industry regarding interest rate policy.

Mr. Norman Lamont: I have received a number of such representations.

Mortgage Repossessions

22. **Mr. Eastham:** To ask the Chancellor of the Exchequer what was the number of mortgage repossessions in 1990.

Mrs. Dunwoody: To ask the Chancellor of the Exchequer what was the number of mortgage repossessions in 1990.

Mr. John Maples: Figures published by the Council of Mortgage Lenders show that 43,890 properties were repossessed in 1990.

Economic Downturn

23. **Mr. Hind:** To ask the Chancellor of the Exchequer if he will make a statement on the effect of the current downturn on the economy in the north-west and south-east.

Mr. Mellor: No regions are immune from the current recession, but falling inflation will provide a firm foundation for economic growth in the north-west and south-east and throughout the United Kingdom.

Earnings

24. **Mr. David Martin:** To ask the Chancellor of the Exchequer what was the increase in real take-home pay for a married man with two children on average earnings between 1979 and 1990.

Mrs. Gillian Shephard: I refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for Rugby and Kenilworth (Mr. J. Pawsey).

Civil Service Pay

25. **Mr. Nellist:** To ask the Chancellor of the Exchequer what representations he has received on the recent Office of Manpower Economics report comparing civil service pay levels with the private sector; and if he will make a statement.

Mrs. Gillian Shephard: Each of the civil service long-term pay agreements provides for a survey every four years of the pay and benefit levels in relevant jobs outside the public services sector to inform the pay negotiations. There are no such surveys this year. When my right hon. Friend the Chancellor of the Exchequer met representatives of the National Union of Civil and Public Servants on 11 June, they referred among other things to the survey conducted last year in respect of executive and related staff.

Privatisation

26. **Mr. Harry Barnes:** To ask the Chancellor of the Exchequer what is the total revenue from privatisation receipts since 1979 in today's prices.

Mr. Mellor: Total privatisation proceeds since 1979 to 1990-91 are about £41 billion in 1990-91 prices.

Inflation

27. **Mr. Andrew MacKay:** To ask the Chancellor of the Exchequer if he will make a statement on the current level of inflation.

Mr. Maples: The 12-month all-items RPI inflation rate was 5·8 per cent. in May, the lowest rate since August 1988. RPI inflation is now more than 5 percentage points below its peak last autumn and has fallen for seven successive months. We are on track for the Budget forecast of 4 per cent. in the fourth quarter of this year.

Exchange Rate Mechanism

28. **Mr. Quentin Davies:** To ask the Chancellor of the Exchequer if he has received any representations from British commerce or industry urging the withdrawal of the £ sterling from the exchange rate mechanism of the EMS.

Mr. Maples: I have received very few such representations.

Inward Investment

29. **Mr. Bowis:** To ask the Chancellor of the Exchequer what is his estimate of tax revenue from the profits of inward investing companies from overseas *(a)* for the current year and *(b)* for 1979.

Mrs. Gillian Shephard: Estimates of United Kingdom taxes on profits due abroad, which are published in table 5.1 of the 1990 Blue Book, are given in the table for 1979 and 1989, the latest year for which information is available.

	£ million
1979	1,047
1989	5,952

21. **Mr. Patrick Thompson:** To ask the Chancellor of the Exchequer what proportion of United States investment in the EC during 1990 was in the United Kingdom.

Mr. Mellor: Latest available figures from the OECD show that in 1988 and 1989 over 60 per cent. of total United States direct investment in the EC was in the United Kingdom.

Foreign Governments (Rates Bills)

Mr. Ron Brown: To ask the Chancellor of the Exchequer which Governments with official premises in London have not paid their rates bills; what are the individual amounts concerned; and if he will make a statement.

Mr. Maples: The Crown Property Unit, formerly the Rating of Government Property Department, collects the beneficial portion of the rates from diplomatic missions.

The following missions have arrears outstanding in respect of claims made before 1 April 1991 on official premises in London.

	Amount outstanding (£)
Afghanistan	12,300
Cote d'Ivoire	14,900
France	10,900
Grenada	5,000
Iran	16,200
Iraq	115,300
Jordan	1,500

	Amount outstanding (£)
Liberia	1,200
Libya	21,300
Morocco	4,000
Pakistan	8,600
Portugal	1,900
Sierra Leone	13,100
Sudan	1,000
Uganda	34,900
Venezuela	26,600
Zambia	6,800

The Crown Property Unit and the Foreign and Commonwealth Office regularly approach countries that are in arrears and urge them to make payment.

Mortgages

Mr. Allen: To ask the Chancellor of the Exchequer, pursuant to his answer of 18 June, *Official Report*, columns *114-16*, on mortgage payments, if he will give the information on a monthly basis.

Mr. Maude: Monthly figures may be obtained by multiplying the weekly figures in the previous answer by 52 and divided by 12.

Leased Car Tax

Mr. Gareth Wardell: To ask the Chancellor of the Exchequer if he will bring forward proposals to exempt community nurses from leased car tax.

Mr. Maude: Community nurses are treated in the same way as all other employees for the purpose of the car benefit scale charges and there are no plans to change that.

VAT

Mr. Kennedy: To ask the Chancellor of the Exchequer what proportion of licensed employment agencies are designated as agent and what proportion as principal for VAT purposes.

Mrs. Gillian Shephard: Records of whether licensed employment agencies are designated as agent or as principal for VAT purposes are not held centrally and the information sought could be obtained only at disproportionate cost.

Mr. Kennedy: To ask the Chancellor of the Exchequer how much was collected in VAT payments from *(a)* nursing agencies licensed under the Nursing Agencies Act 1957 and *(b)* licensed employment agencies in the last financial year for which figures are available.

Mrs. Gillian Shephard: It is not possible to isolate total VAT payments made by nursing agencies licensed under the Nursing Agencies Act 1957 or licensed employment agents. Nor is sufficiently detailed information available on consumers' expenditure in this area to make an estimate.

Taxation

Mr. Sedgemore: To ask the Chancellor of the Exchequer (1) what proportion of taxpayers pay a smaller percentage of their earnings in direct and indirect taxes in 1991-92 than in 1978-79:

(2) what proportion of taxpayers pay a smaller percentage of their earnings in income tax and national insurance contributions in 1991-92 than in 1978-79.

Mr. Maude: There are no data available which match up the tax payments of particular taxpayers in 1991-92 with payments by the same taxpayers in 1978-79.

Mr. Sedgemore: To ask the Chancellor of the Exchequer what percentage of earnings was paid in income tax and national insurance contributions, less child benefit where appropriate, by a single person, and by a married couple with two children, on an income of up to half average male earnings, between half and average male earnings, and above average male earnings, in 1978-79; what is the comparable information for 1991-92; and how many taxpayers, in total, were within each of those three earning groups in each case.

Mr. Maude: Figures for a single person, and a married man with two children, on an income of half, average, and one-and-a-half times average male earnings are set out in the table. These figures are calculated on the assumption that the households receive no tax reliefs other than the standard allowances; have income only from employment; and pay class 1 national insurance contributions at the contracted-in rate. For other taxpayers, tax payments will vary according to the level and sources of their income, their family circumstances, their entitlement to other tax reliefs and so on.

Liability to tax depends on total income rather than on earnings; taxpayers may or may not be earners, and earners may or may not be taxpayers. Information on the number of earners in different earnings groups may be found in the New Earnings Survey.

Percentage of earnings paid in income tax and NICs

	Multiples of average male earnings		
	½	1	1½
1978-79			
Single	23·6	31·5	33·3
Married man with two children[1]	2·5	20·9	26·2
1991-92			
Single	22·3	28·2	28·1
Married man with two children[1]	7·7	20·8	23·2

[1] Including child tax allowances and less child benefit.

Mr. Sedgemore: To ask the Chancellor of the Exchequer what percentage of earnings was paid in direct and indirect taxation by a single person, and a married couple with two children, on an income of up to half average male earnings, between half and average male earnings, and above average male earnings, in 1978-79; and if he will give the comparable figure for 1991-92.

Mr. Maude: Figures for a single person, and a married couple with two children, on average male earnings are set out in the table. These figures are calculated on the assumption that the households receive no tax reliefs other than the standard allowances; have income only from employment; and pay class 1 national insurance contributions at the contracted-in rate.

The estimates of indirect taxes are based on equations derived from the Family Expenditure Survey, making the illustrative assumption that 10 per cent. of disposable income is saved. Reliable estimates cannot be made outside the range of three quarters to one-and-a-half times average male earnings.

For other taxpayers, tax payments will vary according to the level and sources of their income, their family circumstances, their entitlement to other tax reliefs, the level and pattern of their expenditure and so on.

Table: Percentage of earnings paid in direct and indirect taxes[1]
At average male earnings

	1978-79	*1992-93*
Single	42·5	40·6
One earner married couple with two children	32·2	33·4

[1] Excluding local taxes.

Sport Governing Bodies

Mr. Pendry: To ask the Chancellor of the Exchequer what plans he has to exempt the national governing bodies of sport from corporation tax.

Mr. Maude: None.

Charitable Giving

Mr. Harry Greenway: To ask the Chancellor of the Exchequer what was the estimated level of charitable giving in 1990.

Mr. Maude: There are no comprehensive data on donations to charities, but there is evidence of a substantial increase in real terms in recent years. For example, the Charities Aid Foundation's estimates show that donations to the top 200 fund-raising charities amounted to £1,058 million in 1988-89 which, in real terms, is more than double the corresponding figure for 1978-79.

Manufacturing Exports

Mr. Simon Coombs: To ask the Chancellor of the Exchequer what the average annual rate of growth in manufacturing exports was between 1974 and 1979; and what is the equivalent figure for the years 1979 to 1990.

Mr. Maples: On a balance of payments basis the United Kingdom volume of exports of manufactures[1] is estimated to have risen by an average of 2 per cent. a year between 1974 and 1979. The equivalent figure for the period 1979 to 1990 is 4 per cent. a year.

[1] SITC (Rev. 3) Sections 5 to 8.

Economic and Monetary Union

Mr. Spearing: To ask the Chancellor of the Exchequer what studies have been made by Her Majesty's Government of the benefit for the United Kingdom of economic and monetary union and a common currency, respectively.

Mr. Maude *[holding answer 26 June 1991]:* I refer the hon. Member to my answer given to him on 7 December 1990 at column *216*. In addition, Her Majesty's Government published in January this year draft proposals for a hard ecu, to be managed by a European monetary fund; these were tabled at the intergovernmental conference. In his speech to the House on 24 January, *Official Report*, column *470*, my right hon. Friend the Chancellor of the Exchequer set out the Government's assessment both of a single currency and of our proposals for a hard ecu.

Unincorporated Businesses

Mr. Quentin Davies: To ask the Chancellor of the Exchequer what would be the effect on Treasury revenues of extending to unincorporated business the loss carry-back provisions for incorporated businesses proposed by the Government in new clause 46 of the Finance Bill.

Mr. Maude: The loss relief provisions contained in new clause 46 of the Finance Bill apply to losses for accounting periods ending on or after 1 April 1991. The effect of extending the provisions to unincorporated businesses would depend on the amount of any losses made in those and later accounting periods, but it might reduce tax receipts by £50 million in 1991-92, £35 million in 1992-93 and £15 million annually thereafter.

HEALTH

Junior Doctors

Mrs. Gorman: To ask the Secretary of State for Health what plans he has to ensure that health authorities implement the new arrangements for junior doctors' hours as quickly as possible.

Mrs. Virginia Bottomley: Task forces have been set up throughout the country to assist regional, district and special health authorities and NHS trusts in ensuring that the contracted hours of duty of doctors in training are reduced to the agreed limits as soon as is practicable.

Task forces will be responsible for ensuring that every training post is identified, for ascertaining the current working practice of each training post and for identifying those in which the doctors are contracted for duty for hours in excess of the agreed limits. They will be expected to advise on ways of reducing contracted hours of duty, for monitoring progress in achieving the required reductions in hours and for reporting on progress at six-monthly intervals to the ministerial and technical groups.

Mrs. Gorman: To ask the Secretary of State for Health what plans he has to maintain downward pressure on junior doctors' hours.

Mrs. Virginia Bottomley: The ministerial group on junior doctors' hours, which I chair, and its supporting technical group, will be monitoring progress on reducing the hours of duty of hospital doctors and dentists in training, through the implementation of the guidance issued on 12 June. A copy of the guidance has been placed in the Library.

Nurses

Mr. Kennedy: To ask the Secretary of State for Health whether his Department has issued any guidance to employment agencies which supply unqualified nursing staff for private clients, on the assessment of client needs and general good practice.

Mrs. Virginia Bottomley: The licensing and control of employment agencies that supply unqualified nursing staff is a matter for my right hon. and learned Friend the Secretary of State for Employment.

Mr. Kennedy: To ask the Secretary of State for Health if he has any plans to amend the Nursing Agencies Act 1957 to bring the provision of unqualified nursing staff under the terms of the Act.

Mrs. Virginia Bottomley: No.

Sickle-cell Disease

Mr. Redmond: To ask the Secretary of State for Health if he will list by regional health authority, and by district health authority, for the last 10 years, the amount of funding at current prices which has been provided for sickle-cell treatment.

Mr. Dorrell: This information is not available centrally.

Local Authority Homes (Transfer)

Mr. Burns: To ask the Secretary of State for Health what are the local authorities' continuing responsibilities for residents of former local authority part III homes which are transferred to the private or voluntary sectors; and if he will make a statement.

Mr. Waldegrave: I refer my hon. Friend to my reply to my hon. Friend the Member for Wanstead and Woodford (Mr. Arbuthnot) on 25 June at column *428*.

Women's Health

Mr. Burns: To ask the Secretary of State for Health if he will make a statement on his Department's new booklet on women's health.

Mrs. Virginia Bottomley: "Your Health—A Guide to Services for Women", published on Monday 24 June, is part of the wider Government initiative to improve and promote health. It draws together, in a single publication, brief details of the main health services which are available to women, encourages full use of them and gives tips on how to get the best out of those services.

The booklet highlights the many preventive services, such as breast and cervical cancer screening, which are available to protect and promote women's health. It also shows where more information can be obtained on a range of issues in the form of leaflets, advice lines or organisations to contact.

There will be a wide distribution of the booklet, including in hospital waiting rooms, GP surgeries, pharmacies, public libraries and citizens advice bureaux. It will also be advertised in women's magazines and national newspapers with copies available to those requesting them by Freepost or Freephone.

Copies are available in the Library.

Appointments

Mr. Paice: To ask the Secretary of State for Health when he will be reviewing the appointments of chairmen of district health authorities; and if he will make a statement.

Mrs. Virginia Bottomley: The terms of office of 108 chairmen of district health authorities come up for review on 31 March 1992. Appointments and reappointments will be announced in due course. If hon. Members wish to nominate any individuals for appointment they are invited to write to me by the end of July.

Blood Transfusions (HIV)

Mr. Ashley: To ask the Secretary of State for Health how blood given by donors is screened to ensure that it is free of the HIV virus; whether the screening process guarantees that all blood used for transfusions is free of the virus; and when the current screening process started being used.

Mrs. Virginia Bottomley: Since September 1983 potential donors who have engaged in high-risk activities have been asked not to give blood. From October 1985, all blood donations have been tested for the presence of the HIV antibody using evaluated methods. Any positive samples undergo confirmatory tests at a reference laboratory. As a further safeguard, blood products such as factor VIII are heat-treated to inactivate any trace of the virus that may be present. Also, doctors are advised by the profession not to give blood to patients unnecessarily.

All reasonable steps are taken to exclude HIV infection from the blood supply in this country.

Mr. Ashley: To ask the Secretary of State for Health what evidence he has supplied, in response to representations from non-haemophiliacs infected with HIV virus from NHS blood transfusions, in respect of the effects of pre-existing haemophilia on the employment, mortgage and insurance prospects of HIV-infected haemophiliacs.

Mrs. Virginia Bottomley: We have not considered it necessary to supply evidence in response to representations.

Mr. Ashley: To ask the Secretary of State for Health how many of the haemophiliacs infected with the HIV virus who have received payments from his Department were related.

Mrs. Virginia Bottomley: Among the haemophiliacs infected with HIV, we understand that there are 65 pairs and six trios of brothers who are infected. We believe there may be a significant number of other cases where HIV-infected haemophiliacs are related, for example, grandfathers, grandsons, uncles and nephews, but these cannot be readily identified from the available information. In addition, there are a number of cases where the haemophiliac's spouse or partner has become infected.

Mr. Ashley: To ask the Secretary of State for Health if he will take steps to ensure that people who have been infected with the HIV virus from an NHS blood transfusion and are taking legal action are provided with the information they require about the blood they were given and the donor who provided it.

Mrs. Virginia Bottomley: Disclosure of information and discovery of documents in litigation are governed by court procedures, which include scope for claiming public interest immunity in appropriate cases.

Royal National Institute for Rheumatic Fevers

Mr. Campbell-Savours: To ask the Secretary of State for Health what powers of restraint or other controls he has over the employment and dismissal of employees including nurses, auxiliaries, ancillary workers and consultants, the procurement of supplies, the letting of contracts, the provision of ear, nose and throat services, casualty departments and maternity services and outpatient clinics, the range of operations provided, the sale of property, and the maintenance of buildings, in the case of the Royal National Institute for Rheumatic Fevers in Bath.

Mrs. Virginia Bottomley: The Royal National Hospital for Rheumatic Diseases NHS trust, like all other NHS trusts, is operationally independent and can exercise the powers given to NHS trusts in the National Health Service and Community Care Act 1990 to employ staff on conditions they consider appropriate, to buy and sell property and to enter into NHS and other contracts. The trust board is responsible for determining the overall policies of the trust. My right hon. Friend the Secretary of State has a range of reserve powers to intervene in trusts' affairs as defined at paragraph 6 of schedule 2 to the National Health Service and Community Care Act 1990.

Tobacco Advertising

Mr. Crowther: To ask the Secretary of State for Health what information he has on trends in tobacco consumption in those European countries where tobacco advertising has been banned.

Mr. Dorrell: A report published by the New Zealand Toxic Substances Board in May 1989 summarised tobacco consumption trends in 33 developed countries.

A table in the report contains the following information on those European countries with complete tobacco advertising bans:

Country and Year of Ban	*Years Studied*	*Consumption Gms/Adult*		*Average Change Percentage per annum*
		From	*To*	
Total ban on tobacco promotion for health reasons				
Iceland 1972	72-86	3,426	3,326	−0·2
Finland 1978	78-86	2,087	2,017	−0·4
Norway 1975	75-86	2,017	1,927	−0·8
Portugal 1983	83-86	2,068	1,750	−5·1
Advertising never permitted for political reasons				
Albania	80-86	1,254	1,183	−0·9
Bulgaria	80-86	2,330	2,282	−0·3
Czechoslovakia	80-86	2,612	2,374	−1·8
East Germany	80-86	2,403	2,408	0·0
Hungary	80-86	3,420	3,246	−0·8
Poland	80-86	3,529	3,558	+0·1
Rumania	80-86	2,027	2,071	+0·4
Soviet Union	80-86	2,106	2,149	+0·3
Yugoslavia	80-86	3,269	3,102	−0·9

These figures compare with an average change in the United Kingdom of minus 2 per cent. during the period 1970-86.

National Health Service Trusts

Mr. Madden: To ask the Secretary of State for Health if he will list the location of the five regional monitoring centres established to monitor NHS trusts; when the centres will start their monitoring; what matters will be monitored; how many staff each centre will employ; what accommodation each centre will occupy; what budget will be allocated to each centre over each of the next three years; and if he will make a statement.

Mr. Waldegrave: We are intending to appoint as soon as possible one person in each of five regions—North West Thames, North East Thames, South Western, Trent and Mersey—to assist in the NHS management executive monitoring of NHS trusts' performance of their financial duties. The five host regional health authorities have each been asked to provide accommodation for the monitoring officer. The Department has allocated £50,000 for 1991-92 as a contribution to the costs of each of the five centres and this sum will be kept under review in future years.

Mr. Madden: To ask the Secretary of State for Health what status the five regional monitoring centres of NHS trusts will enjoy; whether staff will be employed on NHS pay and conditions of employment; to whom the centres will report; with what frequency they will report; whether such reports will be made public; what sanctions centres possess if any trust refuses to provide information; and if he will make a statement.

Mr. Waldegrave: The five local monitoring officers will be employed on NHS terms and conditions and they will report directly to the NHS management executive—NHSME—which will direct their day-to-day work. They will not be required to produce formal reports: they will simply be part of the financial monitoring arrangements for trusts set up by the NHSME. Under paragraph 8 of schedule 2 to the National Health Service and Community Care Act 1990 all NHS trusts are required to furnish such information as I may require.

Fluoridation

Ms. Harman: To ask the Secretary of State for Health when a decision will be made on the fluoridation of the water supply to Greater Manchester and Lancashire.

Mr. Dorrell: North West Water commissioned a study into the design and costings for a standard fluoridation plant. The report is expected by the end of September 1991. The local health authorities believe that North West Water will then have all the technical information it requires to decide whether it is technically able to accede to the health authorities' requests to supply fluoridated water to the region.

Ms. Harman: To ask the Secretary of State for Health which district health authorities have made applications to their local water authorities for fluoridation of the water supply in each year since 1985.

Mr. Dorrell: The following district health authorities asked water undertakers to supply fluoridated water:

Stockport
Bolton
Wigan

Oldham
Tameside and Glossop
Rochdale
Blackburn, Hyndburn and Ribble
Salford
Trafford
Bury
Burnley, Pendle and Rossendale
Blackpool, Wyre and Fylde
Lancaster
Chorley and South Ribble
Preston
North Manchester
Central Manchester
South Manchester
North Staffordshire
Macclesfield
South Cumbria
East Cumbria

All the requests were made in 1988.

Ms. Harman: To ask the Secretary of State for Health which water authorities have fluoridated their water supply in each year since 1985.

Mr. Dorrell: The following water authorities have fluoridated water supplies since 1985:

Anglian Water Services Limited
North West Water Limited
Northumbrian Water Limited
Severn Trent Water Limited
Thames Water Utilities Limited
Colne Valley Water Company
East Worcestershire Water Company
Newcastle and Gateshead Water Company
South Staffordshire Water Company

Yorkshire Water which was supplying fluoridated water in 1985 stopped doing so with effect from 31 October 1989.

Ms. Harman: To ask the Secretary of State for Health what is the annual charge for fluoridation of the water supply charged by each water authority.

Mr. Dorrell: This is a matter for local negotiation and information is not held centrally.

Dental Charges

Ms. Harman: To ask the Secretary of State for Health what is his estimate of the number of people annually who are eligible for a reduction in dental charges or exempt from dental charges who do not claim.

Mr. Dorrell: We estimate that some 41 per cent. of patients are entitled to free NHS dental treatment. It is not possible to quantify the number of people who do not claim.

Ambulance Personnel (Misconduct)

Mr. David Young: To ask the Secretary of State for Health how many charges against ambulance personnel were made in each division in England and Wales for *(a)* general misconduct and *(b)* gross misconduct for each of the last three years for which figures are available.

Mrs. Virginia Bottomley: This information is not available centrally.

Transfusion Aids

Mr. Alfred Morris: To ask the Secretary of State for Health what further representations the Minister for Health has received from Graham L. Ross about transfusion aids legislation; what reply is being sent; what action he will be taking; and if he will make a statement.

Mrs. Virginia Bottomley: I have placed in the Library a copy of an official reply which has been sent to Mr. Graham Ross of J. Keith Park and Co.

DEFENCE

Nuclear Weapons Reduction

Mr. Andrew Smith: To ask the Secretary of State for Defence what assessment he has made of the effect on *(a)* NATO strategy and *(b)* the United Kingdom nuclear deterrent of future reductions in the global total of nuclear warheads.

Mr. Archie Hamilton: NATO is already in the process of reviewing and adapting its strategy to reflect the changed security environment. The communiqué issued following the meeting of its defence planning committee and nuclear planning group in Brussels on 28-29 May looked forward to the approval of a new alliance strategic concept later this year. It also reaffirmed alliance policy of seeking the lowest level of nuclear weapons commensurate with alliance security requirements.

Likewise, the United Kingdom's independent nuclear deterrent has always been the minimum necessary to deter aggression and guarantee our security, and is not based on any numerical correlation with the nuclear arsenals of others. However, if, in time, the United States and Soviet strategic arsenals were further reduced substantially, and if there had been no significant improvements in defensive capabilities, we would consider how best to contribute to the arms control process in the light of the changed circumstances.

Military Exhibitions

Mr. Flynn: To ask the Secretary of State for Defence if he will now make it his policy to publish the notified list of expected attenders at military equipment and armaments exhibitions.

Mr. Alan Clark: No.

Royal Institute of International Affairs

Mr. Flynn: To ask the Secretary of State for Defence if he will place a copy of his speech to the Royal Institute of International Affairs on 19 June in the Library.

Mr. Archie Hamilton: Copies of my right hon. Friend's speech have been placed in the Library.

Kuwait

Mr. Flynn: To ask the Secretary of State for Defence what is the role of the Defence Export Services Organisation in Kuwait; and what is its planned future role.

Mr. Alan Clark: It is not our practice to discuss the activities of the Defence Export Services Organisation in particular countries. Its general role will continue to be as set out in my answer to the hon. Member for Bridgend (Mr. Griffiths) on 19 March, *Official Report*, column 91.

HOTOL Engine

Mr. Atkinson: To ask the Secretary of State for Trade and Industry if he will make a statement on the declassification of the details of the horizontal take-off and landing launcher engine.

Mr. Flynn: To ask the Secretary of State for Defence what is the reason for the declassification of the design of engines of the horizontal take-off and landing space plane.

Mr. Alan Clark: When the order prohibiting publication of the relevant patent applications was last reviewed, it was considered that technological advances had reduced the sensitivity of the detailed specifications sufficiently to allow them to be released.

Aberporth Firing Range

Mr. Flynn: To ask the Secretary of State for Defence on how many occasions since 1987 Aberporth firing range has been used for test firings of missiles intended for use in the Chilean project RAYO.

Mr. Kenneth Carlisle: The Aberporth range is operated by the Defence Research Agency and questions concerning its day-to-day usage fall to the chief executive under the terms of his framework document. I have, therefore, asked him to reply.

The Gulf

Mr. Dalyell : To ask the Secretary of State for Defence, pursuant to his answer of 18 June, *Official Report*, column *147*, when he expects to receive the report of the preliminary inspection of Samarra for chemical weapons under Security Council resolution 667.

Mr. Archie Hamilton: The full inspection reports of the United Nations special commission under United Nations Security Council resolution 687 are confidential to the special commission. The special commission does, however, release information as and when appropriate and a detailed press release on the preliminary inspection of Samarra was issued on 24 June 1991. Copies have been placed in the Library of the House.

Submarines (Clyde)

Mr. Foulkes: To ask the Secretary of State for Defence what conclusions he has reached in his consideration of extending the Clyde reporting scheme for submarines to other coastal waters; and if he will make a statement.

Mr. Archie Hamilton: I refer the hon. Member to my reply to the hon. Member for Argyll and Bute (Mrs. Michie) on 24 June at column *402* of the *Official Report*.

Service Personnel

Dr. Reid: To ask the Secretary of State for Defence what plans he has to make arrangements for service men and women to take out insurance cover against the risk of injury when on exercise.

Mr. Archie Hamilton: It is a matter for individual service personnel to decide what levels of private insurance for death and injury they wish to obtain in the light of their own financial circumstances. The services have, however, negotiated with the private insurance sector a number of special arrangements to provide cover at favourable rates of premium. In addition, there are a number of charitable funds to which service personnel may subscribe, which make one-time payments to widows or other dependants on the death of a subscriber. We continue to investigate ways of improving the availability of insurance arrangements to ensure that service personnel can obtain appropriate levels of cover.

Dr. Reid: To ask the Secretary of State for Defence what are the responsibilities of his Department for ensuring that service men and women injured on exercise are eligible for compensation.

Mr. Archie Hamilton: Since the repeal of section 10 of the Crown Proceedings Act 1947, all service personnel are eligible for common law compensation for any injury sustained while on duty, or on Crown property, if that injury results from negligence on the part of the Ministry of Defence, its servants or agents.

Any payment of common law compensation would be in addition to the benefits available under the war pension and armed forces pension schemes for an injury which is attributable to service.

Operation Granby

Mr. Andrew Mitchell: To ask the Secretary of State for Defence whether the joint commander will present a dispatch on Operation Granby.

Mr. Tom King: Air Chief Marshall Sir Patrick Hine's dispatch on Operation Granby will be published by Her Majesty's Stationery Office as a supplement to *The London Gazette* on 29 June 1991. The Gulf honours list will be announced on the same day.

Written Answers to Questions

Friday 28 June 1991

EDUCATION AND SCIENCE

East Birmingham Task Force

Mr. Terry Davis: To ask the Secretary of State for Education and Science what visits or other official engagements were undertaken by the Parliamentary Under-Secretary of State for Education and Science during his visit to the East Birmingham task force area on 30 January.

Mr. Alan Howarth: The programme included a visit to Hodge Hill girls school, to open the access centre, and a meeting with the Birmingham city action team to discuss the CAT action plan for 1991-92. The afternoon was spent at Coventry polytechnic.

NORTHERN IRELAND

Home Helps

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) what reasons were given for terminating contracts of employment belonging to home helps in each of the last six months in the Down and Lisburn unit of management;

(2) how many home helps employed by the Down and Lisburn unit of management had had their contracts terminated in each of the last six months.

Mr. Hanley: The information requested is not held centrally. The hon. Gentleman may wish to contact Mr. Norman Ferguson, the chairman of the Eastern health and social services board.

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many home helps are currently employed in the Down and Lisburn unit of management.

Mr. Hanley: I am advised by the chairman of the Eastern health and social services board that the number of home helps working in the Down and Lisburn unit of management at 31 March 1991 was 894; the whole-time equivalent is 179.

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many home helps are currently employed in the Banbridge and Newry and Mourne units of management.

Mr. Hanley: I am advised by the chairman of the Eastern health and social services board that the number of home helps working in the Craigavon/Banbridge community and Newry and Mourne units of management at 31 March 1991 was:

Units of management

	Number working	*Whole-time equivalent*
Craigavon/Banbridge community	834	189
Newry and Mourne	834	179

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many home helps were employed in the Down unit of management from 1 April 1985 to 31 March 1990.

Mr. Hanley: I am advised by the chairman of the Eastern health and social services board that the number of home helps working in the Down unit of management from 31 March 1985 to 31 March 1990 were:

Date	*Number working*	*Whole time equivalent*
31 March 1985	457	107
31 March 1986	450	100
31 March 1987	426	89
31 March 1988	441	88
31 March 1989	426	81
31 March 1990	441	79

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many home helps were employed in the Banbridge and Newry and Mourne units of management from 1 April 1985 to 31 March 1990.

Mr. Hanley: I am advised by the chairman of the Eastern health and social services board that the number of home helps working in the Banbridge/Craigavon and Newry and Mourne units of management from 31 March 1985 to 31 March 1990 were:—

Unit: Banbridge/Craigavon

Date	*Number working*	*Whole Time Equivalent*
31 March 1985	951	239
31 March 1986	933	224
31 March 1987	891	224
31 March 1988	892	219
31 March 1989	865	209
31 March 1990	860	204

Unit: Newry and Mourne

Date	*Number Working*	*Whole Time Equivalent*
31 March 1985	974	230
31 March 1986	933	224
31 March 1987	918	216
31 March 1988	883	203
31 March 1989	939	210
31 March 1990	811	177

Fishery Law

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will now produce a consolidation of fishery law in Northern Ireland.

Mr. Hanley: The Government would like to consolidate this legislation. However, the volume of Northern Ireland legislation which is currently being drafted, and which must be accorded priority, is such that no firm timetable for a consolidation of fisheries legislation can be set at this stage.

Police Authority

Mrs. Peacock: To ask the Secretary of State for Northern Ireland what arrangements have been made for the appointment of a new police authority for Northern Ireland following the expiry of the term of office of the previous authority on 28 June; and if he will make a statement.

Mr. Brooke: I have today appointed a new Police Authority for Northern Ireland for a term of three years from 29 June 1991. In making the appointments I have, as required by statute, consulted those organisations and persons who are representative of the community in Northern Ireland. I welcome the positive approach that was made by almost all those consulted. As a result, the membership widely represents the whole community and includes representatives from the local councils, voluntary organisations, agriculture, industry and commerce.

The Police Authority has a vital task to perform in maintaining an adequate and efficient police force. It also has a very important role in enhancing the relationship between the police and the public it serves and I am confident that the new authority will continue the excellent work carried out by the outgoing authority, some of whose members are being reappointed.

ENVIRONMENT

Local Services, Greenwich

Mr. Peter Bottomley: To ask the Secretary of State for the Environment if he will make a statement on the reasons why the spread of parks, woods, sports grounds and undeveloped land in the borough of Greenwich, through the ward weighted density calculation, leads to reduced other services standard spending assessment.

Mr. Key: Ward weighted density is one of the indicators used to calculated the all other services element of standard spending assessments (SSAs). It is based on the number of persons per hectare in each ward in an authority, using information from the 1981 Census; and on the overall population change for that authority between 1981 and the most recent available estimate of population produced by the Office of Population Censuses and Surveys. A full definition of the indicator is provided in the Revenue Support Grant Distribution Report (England) which is in the Library. Any change in the area of Greenwich's parks and woods since 1981 will only have affected its score for this indicator and hence its SSA if this resulted in a change in the borough's resident population.

Mr. Peter Bottomley: To ask the Secretary of State for the Environment what are the main services within other services part of standard spending assessment; what are the elements determining the allocation; and what are the characteristics of Greenwich in the all ages social index that lead to the per resident allocation being half the Lewisham figure and one-third the Wandsworth figure.

Mr. Key: A list of the main services covered by the all other services element of standard spending assessments and details of the elements determining its allocation are included in the Revenue Support Grant Distribution Report (England). Information on the five factors which comprise the all ages social index is given in the Standard Spending Assessment Handbook 1991-92. Both documents are in the Library.

Children

Mr. Peter Bottomley: To ask the Secretary of State for the Environment if he will list for Greenwich, Wandsworth and Lewisham the comparable rates of children in care, and perinatal and infant mortality, and other identifiable outcomes which are associated with or predicted by the elements of the social index used for social services allocations for children.

Mr. Key: The most recent available information on the proportion of children in care, the perinatal and the infant mortality rates for Greenwich, Wandsworth and Lewisham are shown in the table below. The Children's Social Index is one of the indicators used to calculate the children's social services standard spending assessment. By itself, it is not used to predict any outcomes. Both the perinatal and infant mortality rates are based on a very small number of cases.

Table showing the proportion of children in care, perinatal and infant mortality rates for Greenwich, Wandsworth and Lewisham

	Authority		
	Greenwich	*Wandsworth*	*Lewisham*
Children in care as a proportion of all resident children—latest data (year shown in brackets)	6·94 (1990)	8·05 (1990)	11·10 (1985)
Perinatal mortality rate[1] 1990	7·1	7·2	9·7
Infant mortality rate [1] 1990	8·2	7·8	7·3

[1] Rate per 1,000 live births.

Mr. Peter Bottomley: To ask the Secretary of State for the Environment if he will list for Greenwich, Wandsworth and Lewisham *(a)* the numbers of children under five and under 18 years, *(b)* the SSA for social services-children, per child and *(c)* the social index element per child and the factors and the dates of base figures within the social index.

Mr. Key: The following table shows for each of the three specified authorities the number of resident children aged under 18 years and under five years of age at 30 June 1989; the amount of Children's Social Services SSA per child aged under 18 years for 1991-92 and the amount distributed on the basis of the Social Index element; and the factor values which constitute the present Children's Social Index. These factors are based on information collected by the 1981 Census.

Authority	*Children aged under five years*	*Children aged under 18 years*	*SSA per child*	
			Total (£)	*Social index only (£)*
Greenwich	15,899	51,746	272	36
Wandsworth	16,776	52,326	514	204
Lewisham	16,566	52,352	437	144

Authority	Factor (i)	Factor (ii)	Factor (iii)	Factor (iv)	Factor (v)
Greenwich	0·1773	0·0004	0·0106	0·1174	53·7411
Wandsworth	0·2434	0·0051	0·0555	0·2928	82·7945
Lewisham	0·2273	0·0059	0·0307	0·2357	66·0626

A detailed description of each of the five factors is given in section 2, annex A of the Revenue Support Grant Distribution Report (England) which is in the Library.

Footpaths

Mr. Hind: To ask the Secretary of State for the Environment if he has reached a conclusion on the deletion from the definitive map of footpath number 66, Parish of North Meols on appeal by Mr. and Mrs. Baybutt of The Coppins, Hundred End lane, Hesketh Bank, near Preston, against the decision by Lancashire county council; and if he will make a statement.

Mr. Baldry: No.

The exchange of representations between the parties in this appeal is still underway. My right hon. Friend cannot take a decision until those exchanges are complete and he has had an opportunity to consider all the information put to him.

Local Government Finance

Mr. Beith: To ask the Secretary of State for the Environment how much was raised by local authorities in England in 1990-91 using their discretionary powers to raise £5 per head of adult population, in areas where there is a single tier of principal local authority, and £2·50 per head of adult population, in areas where there are two administrative tiers; and if he has made any assumptions for the likely yield under this power for 1991-92.

Mr. Key: Information on the expenditure incurred under the provisions of section 137 of the Local Government Act 1972 (as amended by section 36 of the Local Government and Housing Act 1989) in respect of 1990-91 is not available. I have made no assumptions about the likely expenditure in respect of 1991-92.

Rain Forests

Mr. Bowis: To ask the Secretary of State for the Environment when he expects to respond to the report by the House of Commons Environment Committee on the climatological and environment effects of rain forest destruction; and if he will make a statement.

Mr. Trippier: I have today laid before the House the Government's response to this report. I welcome the conclusions of the Committee's constructive report, which endorse the Government's approach to helping developing countries conserve their tropical forests. The report makes a well-informed contribution to the debate on rainforest protection. The Government, in line with the Committee's recommendations, are working with the Governments and peoples of the tropical countries in their efforts to conserve the forests and we are implementing a major increase in assistance to the forest sector in the developing countries.

EC Environment and Transport Policies

Mr. Flynn: To ask the Secretary of State for the Environment what representations he has received since 1987 from Earth Resources Research (London) on environmental and transport policy developments in the European Community.

Mr. Baldry *[holding answer 27 June 1991]:* Earth Resources Research (London) has produced a number of reports on behalf of environmental organisations. I am not aware of the department's having received representations from them on European Community matters.

TRANSPORT

Driving Standards Agency

Sir Alan Glyn: To ask the Secretary of State for Transport if he will publish the financial and service targets that he has set for the Driving Standards Agency for the current financial year.

Mr. Chope: I have today placed copies of the Driving Standards Agency's business plan for 1991 in the House Library. The plan sets a demanding target of £20·89 for the 'L' test unit cost and a reduction in the average waiting time for 'L' tests from eight to six weeks.

Airport Capacity

Sir Trevor Skeet: To ask the Secretary of State for Transport what passenger air traffic he expects for the south-east in the late 1990s; and when he proposes to announce increased airport capacity in the south-east to meet it.

Mr. McLoughlin: The Department's air traffic forecasts distinguish between London and regional airports, and are predicted for five-yearly intervals. Passenger demand at the London airports in 2000 is currently forecast to be in the range 88·7-117·6 million. It is for airport operators to bring forward proposals for new capacity. BAA plc holds outline planning permission for the development of Stansted to handle 15 million passengers per year, although expansion beyond the 8 mppa capacity of its first phase will require Parliament's agreement to the relaxation of the present limit on aircraft movements at the airport. No decision has been taken on the timing of an approach to Parliament.

Thurleigh Airfield

Sir Trevor Skeet: To ask the Secretary of State for Transport if, in view of the recent Civil Aviation Authority report, he will give an assurance that the airfield at Thurleigh will not be required as a passenger terminal.

Mr. McLoughlin: In the light of the Civil Aviation Authority's advice last year on the air traffic control and air space implications of developing additional capacity at

various airports in and near the south-east, to meet demand for air travel in the longer term, Thurleigh is not one of those being considered further by the working group we have established for the purpose. I refer my hon. Friend to the statement made on 9 May by the Parliamentary Under-Secretary of State for Defence Procurement, that on a preliminary assessment Thurleigh could have potential as a commercial non-passenger airfield.

Disabled Rail Travellers

Mr. John Hughes: To ask the Secretary of State for Transport what steps he is taking to ensure that British Rail provides toilets, easy access, hand rails and greater space for disabled travellers on the new 323 train.

Mr. McLoughlin: I wrote to the hon. Member on 26 June.

DVLA (Medical Reports)

Mr. Kirkwood: To ask the Secretary of State for Transport if he will instruct the Driver and Vehicle Licensing Agency to allow individuals access to medical reports which it obtains on them on the same terms as apply under the Access to Medical Records Act 1988 to reports obtained for employment or insurance purposes.

Mr. Chope *[holding answer Monday 24 June 1991]:* Medical reports provided to the medical advisers at the Driver and Vehicle Licensing Agency are provided on a strictly doctor to doctor basis, under provisions in the Road Traffic Act 1988, for the sole purpose of determining fitness to hold a driving licence. Although there is no legal requirement I have asked the DVLA to consider the operational and privacy implications of releasing medical reports and I shall write further to the hon. Member.

AGRICULTURE, FISHERIES AND FOOD

Shellfish

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food (1) what representations he has had from shellfish fishermen about the import of Canadian lobster;

(2) what assessment he has made of whether Canadian lobsters are being dumped on the United Kingdom market.

Mr. Curry: I and my officials have received several representations about the import of Canadian lobster, including the National Federation of Fishermen's Organisations and the Shellfish Association of Great Britain.

Although imports of Canadian lobsters has increased, there is no evidence of dumping. However, my officials have asked the European Commission to look into the problem, and we shall continue to monitor developments.

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food what action he is taking to ensure the United Kingdom shellfish industry is not undermined by Government subsidised competition from other countries.

Mr. Curry: I am not aware that the United Kingdom shellfish industry is being undermined in this way, but if my hon. Friend has specific evidence I will be happy to investigate further.

Farmers

Sir Dudley Smith: To ask the Minister of Agriculture, Fisheries and Food what total sum of money would be involved if the maximum sums permitted by EC regulations were paid to farmers and others qualified to receive them.

Mr. Curry: The total additional cost of making all payments under EC schemes at the maximum permitted rates cannot be assessed precisely.

Sir Dudley Smith: To ask the Minister of Agriculture, Fisheries and Food if he will list the payments of any description which are being made to farmers, and those who qualify, at less than the maximum permitted by EC regulations.

Mr. Curry: The following payments under EC agricultural schemes are not being made at the maximum rates permitted in the relevant EC regulation:

- Set-aside
- Suckler cow premium (outside the less favoured areas only)
- Hill livestock compensatory allowances (HLCAs)
- Grants under the farm and conservation grant scheme for:
  - Supply and installation of:
    - (i) energy saving facilities;
    - (ii) thermal insulation, vapour or gas sealing (excluding glasshouses)
  - Fences
  - Walls not constructed of traditional materials
  - Flood protection
  - Replacement drainage
  - Reseeding and regeneration of gressland
  - Preparation of improvement plans

EMPLOYMENT

Employment Action

Mr. Leighton: To ask the Secretary of State for Employment if he will give a detailed description of Employment Action, including how, apart from remuneration, it will differ from the old community programme; and what work it will undertake.

Mr. Jackson: Employment Action is a significant new initiative which will offer unemployed people the chance to keep their skills up to date by work experience on projects of value to the local community. It will provide work experience for 60,000 unemployed people in a full year. It will be targeted on people who have been unemployed for six months or more, including particularly those living in our inner cities.

Employment Action will differ from the community programme in three very significant ways. Firstly, help for individuals in finding jobs will be an integral part of the programme. Secondly, the opportunities it provides will be full-time. Thirdly, TECs and local enterprise companies in Scotland, will take the lead in organising the programme locally and in determining which projects of genuine local benefit will be supported.

The exact nature of the work carried out under Employment Action will be decided by the TECs and local enterprise companies with regard to the needs of the local community and of unemployed people.

Race Relations

Mr. Redmond: To ask the Secretary of State for Employment if he will set up a special discrimination section within the industrial tribunal system in respect of cases involving race relations; and if he will make a statement.

Mr. Forth: I have no plans to do so. Industrial tribunals hearing cases of racial discrimination have a special race member with knowledge or experience of relations between persons of different racial groups in the employment field and this system is working satisfactorily.

Mr. Redmond: To ask the Secretary of State for Employment if he will bring forward proposals for legislation to make ethnic record-keeping and monitoring obligatory by employers; and if he will make a statement.

Mr. Jackson: The Government fully support the practice of ethnic monitoring in employment but believes that the voluntary approach is the best way forward in this area. Ethnic monitoring makes good business sense by helping employers to assess whether their personnel practices and procedures are providing equality of opportunity for all, irrespective of race.

The Commission for Racial Equality's code of practice on employment which recommends ethnic monitoring by employers recognises that the need for detailed information, and the methods of collecting it, will vary according to the circumstances of individual establishments. It must therefore be for individual employers to adopt the method of monitoring that is best suited to their needs and circumstances.

Management Charter Initiative

Mr. Clelland: To ask the Secretary of State for Employment how many employers have subscribed publicly to the principles expressed in the management charter initiative since the publication of the Government's White Paper "Employment for the 1990s"; and if he will list them.

Mr. Jackson: As at 25 June 1991, 943 employers had joined the management charter initiative, pledging commitment to its principles as expressed in the code of practice published in May 1989. A copy of the most current membership list will be lodged in the Library of the House.

Employment Training

Mr. Leighton: To ask the Secretary of State for Employment how many industry lead bodies there are; and if he will list them, stating how many staff each of them have.

Mr. Jackson: There are currently 157 industry lead bodies. A number of them are consortia. A listing of all organisations acting as industry lead bodies is contained in the regularly updated publication, the Standards Digest. A copy of the most recent edition has been placed in the House of Commons Library. It is not possible to state how many staff work on lead body activities as the majority of these bodies are also industry training organisations.

Footwear and Textiles

Mr. Vaz: To ask the Secretary of State for Employment how many people were employed in the footwear and textile industries for each month since February.

Mr. Jackson: The number of employees in employment in the footwear and textile industries in Great Britain were as follows:

Unadjusted for seasonal variations

Thousands

	Footwear SIC group 451	*Textiles SIC class 43*
1991		
February	44·0	186·4
March	43·4	182·6
April	42·3	183·5

HOME DEPARTMENT

EC Convention on Frontiers

Sir John Wheeler: To ask the Secretary of State for the Home Department if he will make a statement on the progress of discussions between the member states of the European Community in respect of the draft convention on the crossing of external frontiers.

Mr. Kenneth Baker: The scope and content of this draft convention, together with progess to date, were outlined in the answer that I gave on 20 June at columns *242-43* to a previous question by my hon. Friend following the meeting of EC Ministers concerned with immigration on 13-14 June. The draft convention, and the declarations to be attached to it, were further discussed at a special meeting of EC Ministers which I attended on 26 June. Agreement was reached on the substance; but the Spanish Government declined to agree to the provision which the draft Convention makes in respect of Gibraltar. I will inform my hon. Friend and the House of further developments as they occur.

Asylum Seekers

Mr. Roy Hughes: To ask the Secretary of State for the Home Department (1) whether he plans to increase the use of detention for asylum seekers;

(2) if he plans to decrease the proportion of asylum seekers held in prisons in the United Kingdom.

Mr. Peter Lloyd: Persons (including asylum seekers) who are liable to be detained under powers given in the Immigration Act 1971 are detained only if they cannot be relied on to comply with the terms of temporary admission or release. There are no present plans to change this policy. Detention may be in immigration service accommodation or in prisons, depending upon the degree of security required and the availability of places.

Prison Discharge Grant

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will bring forward proposals to increase the prison discharge grant to the equivalent of two weeks' payment.

Mrs. Rumbold: We are considering the representations which have been made to us about this matter.

Crime Prevention Week

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will make a statement on his evaluation of the effect on the crime rate of Crime Prevention Week.

Mr. John Patten: Home Office research shows that the following were some of the new initiatives which were set up as a result of the week: 37 crime prevention panels, 73 neighbourhood watch schemes, 300 vehicle watch schemes and 54 other watch schemes. Moreover, business and media support for the week was worth over £11 million. In addition, 1·5 million copies of the crime prevention handbook were distributed. Taken together, we believe these activities and the many others that took place during the week, will have encourged the public to help to prevent crime, particularly crimes involving property, and that increased public participation in crime prevention can lead to a reduction in crime.

Violence against Women

Mrs. Ray Michie: To ask the Secretary of State for the Home Department if he will make a statement on the progress towards implementing the recommendations of the Women's National Commission report on violence against women.

Mr. John Patten: I will reply as soon as possible.

HEALTH

Pensions

Mr. Robin Cook: To ask the Secretary of State for Health (1) what was the date on which the announcement was made of an error in the calculation of the retail prices index which led to an underpayment of public service pensions; and what was the total amount due to national health service pensioners as a result of the error at that date;

(2) if he will give the *(a)* date on which the National Health Service Pensioners Trust was established; *(b)* the date on which the National Health Service Pensioners Trust deed was approved by the Charity Commissioners; *(c)* the amount of money which has currently been paid to the trust with approval of his Department; and *(d)* the date of those payments;

(3) if the amount vested in the National Health Service Pensioners Trust was calculated at 1987 prices or current cash prices; and if he will make a statement.

Mr. Waldegrave: The announcement of an error in calculating the retail prices index between February 1986 and October 1987 was made on 11 December 1987 at column *283* by my right hon. Friend the then Secretary of State for Employment and on 18 December 1987 at columns *1376-84* by my right hon. Friend the Minister for Social Security and Disabled People. The underpayment on all retirement pensions and long-term benefits at that date was estimated at £109 million. The amount attributable to national health service pensioners was subsequently estimated as £1·13 million (England and Wales) and £180,000 (Scotland). This was based on an estimate of the expenditure on national health service pensions in the years when the underpayments occurred. From April 1989 all pensions were adjusted to make good the effect of the error.

On 3 May 1988 at column *400* my right hon. Friend the then Paymaster General announced to the House how public service pensioners would be able to benefit through a donation to public service charities. Following a feasibility study on how best to provide for national health service pensioners, the Charity Commissioners approved the trust deed for the National Health Service Pensioners' Trust on 26 November 1990. The trust was established on 4 January 1991 and a payment of £1·311 million was made to the Trust on 28 March 1991.

Employment

Mrs. Peacock: To ask the Secretary of State for Health what steps are being taken to improve the recruitment and retention of women in the national health service and to enable them to fulfil their potential in a changing labour market.

Mrs. Virginia Bottomley: There are already many initiatives under way in the NHS. These include career breaks, flexible working arrangements, job sharing, flexi-hours, holiday play schemes and more flexible approaches to training.

A seminar "Women in the NHS: Opening Minds Opening Doors" was held on Tuesday 25 June. This brought together representatives from health authorities and NHS trusts. It concluded very positively in the preparation of regional action plans to be implemented over the coming year. Earlier this year I invited regional chairmen to nominate a non-executive director in their region to take forward this work. Three regional conferences will be held in the autumn to build on this progress plus another national event next year. In the meantime, we are preparing a document to promote best practice in this field.

All these steps will provide a spur to bring employment practices for women throughout the NHS up to the very high standards which we are working to attain.

Form E111

Mr. Onslow: To ask the Secretary of State for Health what response he has received from the French authorities to his reminder about the unlimited validity of forms E111 issued in the United Kingdom to holders ordinarily resident here.

Mr. Dorrell: I regret that, despite two reminders, the French authorities have not so far responded. I am asking the British Embassy in Paris to assist in bringing this matter to a conclusion and I shall ensure that my right hon. Friend is kept informed.

GP Fundholders

Mr. Rogers: To ask the Secretary of State for Health (1) what extra costs are envisaged for the employment of management staff and techniques in fund-holding general practices; and whether these will be met by extra payment;

(2) what financial arrangements are being made to ease the transition of fund-holding general practices towards greater managerial responsibility.

Mr. Dorrell: In recognition of their additional management responsibilities fund holders are eligible to claim up to £33,000 assistance with the relevant costs. An allowance of £16,500 is payable for this purpose in the preparatory year.

Operation Waiting Lists

Mr. Terry Davis: To ask the Secretary of State for Health how many people had been waiting for more than a year for an operation in East Birmingham district on *(a)* 30 September 1989 and *(b)* 30 June 1990.

Mrs. Virginia Bottomley: There were 456 people waiting over a year for in-patient operations in East Birmingham district at 30 September 1989 and 268 at 30 June 1990.

SOCIAL SECURITY

Pensioners

Mr. Andrew Bowden: To ask the Secretary of State for Social Security when he intends to bring forward a consultative document on equalisation of the state pension age.

Miss Widdecombe: I refer my hon. Friend to the statement made to the House by my right hon. Friend, the Secretary of State on 26 June at column *997-1006*.

Mr. Andrew Bowden: To ask the Secretary of State for Social Security what his latest estimate is of the number of pensioners who both pay income tax and receive housing benefit.

Miss Widdecombe: The number of those aged 60 or over in Great Britain who pay income tax and recieve housing benefit is estimated to be 110,000 during 1991-92.

Source: Modelled using data drawn from the 1986, 1987 and 1988 Family Expenditure Surveys.

Note: Married and unmarried couples count as one unit.

Mr. Andrew Bowden: To ask the Secretary of State for Social Security what would be the number of pensioners who received housing benefit and paid income tax if the income tax age allowances were increased by *(a)* £500 and *(b)* £1,000 at current benefit levels.

Miss Widdecombe: The number of those aged 60 or over in Great Britain who would receive housing benefit and pay income tax in 1991-92 if the income tax age allowances were increased is estimated as follows:

	£
Income tax allowance increased by	500—80,000
Income tax allowance increased by	1,000—70,000

Source: Modelled using data drawn from the 1986, 1987 and 1988 Family Expenditure Surveys.

Note: Married and unmarried couples count as one unit.

Payment Delays

Mr. Frank Field: To ask the Secretary of State for Social Security how many claimants are still waiting to receive their April increase in benefits; and if he will also supply totals for each standard region.

Miss Widdecombe: The uprating exercise for all social security benefits has been completed. There will be individual cases where for various reasons it has not been possible to pay the April increase, but information on these cases is not available and could be obtained only at disproportionate cost.

Social Fund

Mr. Terry Davies: To ask the Secretary of State for Social Security how many applications for review by a social fund inspector were considered by social fund inspectors during January, February, March, April and May.

Mr. Scott: The information requested is shown in the table.

	Number
January 1991	817
February 1991	748
March 1991	755
April 1991	760
May 1991	915

Benefit Regulations

Dr. Godman: To ask the Secretary of State for Social Security if he has now received an opinion from the Social Security Advisory Committee concerning his Department's proposal to abrogate regulation 72 of the Social Security Benefit (Adjudication) Regulations 1986; and if he will make a statement.

Miss Widdecombe: I can confirm that the Social Security Advisory Committee has submitted its report on the proposal to amend regulation 72. We are carefully considering the contents of that report before proceeding further.

LORD PRESIDENT OF THE COUNCIL

Parliamentary Pensions

Mr. Alfred Morris: To ask the Lord President of the Council when the Top Salaries Review Body report on parliamentary pensions is to be published; when the Government Actuary's valuation report on the parliamentary contributory pension fund will be laid before the House; and if he will make a statement.

Mr. MacGregor: In my letter of 4 February to the chairman of the Top Salaries Review Body, I invited the TSRB to review a number of aspects of the parliamentary pension scheme, including the balance between the Exchequer and Member contributions, the role of the Government Actuary and the rate of accrual. The TSRB has in consequence conducted a wide ranging review of the financing of the scheme. Its report has been published today and a copy has been placed in the Library of the House. Copies are also available in the Vote Office. I would like to thank the review body most warmly for the speed and thoroughness with which they have produced their report.

The TSRB have recommended that

(a) there should not be a switch to a fixed ratio between the Exchequer and Member contributions to the parliamentary contributory pension fund and the balance of cost method should be retained for determining the level of the Exchequer contribution;

(b) the Government Actuary should continue to be responsible for reviewing the financial position of the fund every three years and, as provided in the Parliamentary and Other Pensions Act 1987, for recommending the balance of cost contribution required from the Exchequer;

(c) because there is at present no adequate system for reviewing the parliamentary pension scheme and the Trustees' role is essentially fiduciary, the TSRB should review the pension scheme on a regular basis at the time of the Government Actuary's triennial valuations;

(d) in line with their finding that only 4 per cent. of occupational pension schemes have an employee contribution in excess of 7 per cent., which demonstrates that the Members' contribution has been seriously out of line with practice elsewhere in the public and private sectors, the Members' contribution rate should be reduced from the existing rate of 9 per cent. to 6 per cent. of salary;

(e) the accrual rate introduced in 1983 should remain at a fiftieth of final salary for each year of service;

(f) this accrual rate of fiftieths should be applied to all —ie including pre-1983—service for currently sitting MPs in respect of their future pension entitlement, with appropriate augmentation for those who have been making up the shortfall voluntarily;

(g) pensions for surviving spouses should not be improved further from the present level of five-eighths of the Member's pension;

(h) the existing complex enhancement rules should be replaced by the grant of full years of potential pensionable employment to age 65 for the calculation of ill-health retirement pensions and of spouses' pensions when MPs die in service;

(i) in respect of former MPs who die during the first five years of retirement, a Member's pension should continue to be paid to the surviving spouse for the remainder of the five years after retirement, followed thereafter by the dependant's entitlement;

(j) these changes should apply also to the supplementary scheme for Ministers and other paid office holders.

The Government propose to accept all these recommendations except the backdating of the faster rate of accrual introduced in 1983—recommendation (f). Given that Members have already had an opportunity to purchase added years at the higher rate of accrual—and that many Members have taken this opportunity—we do not believe that a retrospective change of this kind is justified.

The Government Actuary's valuation report on the parliamentary contribution pension fund is today being laid before the House, in accordance with section 3 of the Parliamentary and other Pensions Act 1987.

The valuation (as at April 1990) estimates that the long run total cost of the scheme—leaving aside surpluses and deficits—is 23 per cent. of salary. This compares with the valuation at April 1987 when the total cost of the scheme was estimated at 20 per cent. The higher total cost of the scheme reflects the substantial benefit improvements—principally the increased widows' pension—made by Regulations laid in March.

Under existing legislation, the Exchequer contribution is determined by the balance of cost after taking account of the Member contribution. As I have explained, the TSRB have recommended, and the Government accept, that this system should continue unchanged. Accordingly, if the Member contribution remained at its present level of 9 per cent., the Exchequer contribution following the latest valuation would be 14 per cent., as against 11 per cent. at present. But as the House is aware, the actual Exchequer contribution since April 1989 has been lower, because the previous valuation (as at April 1989) showed a surplus in the Fund: as a result the actual contribution paid by the Exchequer since April 1989 has been 4·4 per cent.

There continues to be a surplus in the fund and the Actuary has therefore recommended that the actual Exchequer contribution should fall to 2·8 per cent. until 2000, when it would need to rise to the long run standard rate of 14 per cent. Under the 1987 Act, this recommendation would not come into effect until April 1992. However the TSRB's recommendations, which the Government propose to accept, will significantly alter the position.

The Government propose that the reduction in the Member contribution from 9 per cent. to 6 per cent. should also take effect from next April: this correspondingly increases the Exchequer contribution by 3 per cent. The recommended improvements in the death and ill-health benefits, which we also propose to accept, will increase the long run total cost of the scheme by 1 per cent., to 24 per cent. of salary. Since these improvements are being accepted by the Government without changing the Member contribution, the Exchequer contribution will also rise by a further 1 per cent. As a result, the long term cost payable by the Exchequer—leaving aside surpluses or deficits—will be 18 per cent., against a Member contribution of 6 per cent., and the actual Exchequer contribution, taking the present surplus into account, will be 6·8 per cent.

As required by section 2 of the Parliamentary and Other Pensions Act 1987, I will be consulting about these changes with the Trustees of the scheme and other interested parties. I then intend to allow the House to debate both the GAD and TSRB reports before the summer recess.

Ice Cream

Mr. Kaufman: To ask the Lord President of the Council why supplies of Loseley ice cream for the Members Dining Room have been cancelled in favour of another product; and if he will resume orders for Loseley ice cream forthwith.

Mr. MacGregor *[holding answer 26 June 1991]:* I understand that the Assistant Manager of the Refreshment Department wrote to the right hon. Member on this matter on 21 June. Loseley ice cream is still being supplied.

NATIONAL FINANCE

Building Societies

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer when counsel for the Inland Revenue conceded in court in the Woolwich case that there had been double or additional taxation.

Mr. Maples: Counsel for the Inland Revenue did not concede in the Woolwich case that there had been double or additional taxation.

Sterling M3

Mr. Lawson: To ask the Chancellor of the Exchequer if he will publish a table showing the annualised rate of growth of sterling M3 for the eight months from mid-June 1979 to mid-April 1980, and for each subsequent financial year from 1980-81.

Mr. Norman Lamont: Sterling M3 is no longer published. For M4, the nearest current measure of money stock, the information requested is shown in the table:

12-month growth rates of M4

Financial year	*Percentage change*
June 1979 to March 1980	[1]11·9
1980-81	17·4
1981-82	13·9
1982-83	14·4
1983-84	11·7
1984-85	13·8
1985-86	14·5
1986-87	14·1
1987-88	16·8
1988-89	18·1
1989-90	17·9
1990-91	9·8

[1] Change between June 1979 and March 1980 at an annual rate.

Labour Party Policy

Mr. Battle: To ask the Chancellor of the Exchequer if he will estimate the number of civil service staff hours which have been spent producing information used in the production of the document on Labour's public expenditure plans, published on 20 June, and the total cost to the Exchequer thereof.

Mr. Nigel Griffiths: To ask the Chancellor of the Exchequer if he will estimate *(a)* the total cost, *(b)* the total number of man hours and *(c)* the number of officials in each grade involved in the costings of Labour party proposals included in the letter from the Chief Secretary to the Treasury, which was deposited in the Library on 20 June.

Mrs. Gillian Shephard *[holding answer 27 June 1991]:* It is not the normal practice to give details of the time spent by civil servants in carrying out particular tasks for Ministers. This work was undertaken in accordance with guidelines on the role of officials in costing Opposition policies drawn up by the head of the home civil service and published in the Fifth Report of the Treasury and Civil Service Committee for the 1989-90 session.

FOREIGN AND COMMONWEALTH AFFAIRS

Piracy

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what help and assistance his Department has given to merchant shipping to counter the problem of piracy at sea.

Mr. Lennox-Boyd: We recognise the importance of combating piracy. Together with other countries the United Kingdom participated in a recent meeting sponsored by the International Maritime Organisation which discussed piracy. We will play a full part in further deliberations in the International Maritime Organisation in October.

Oleg Tsarev

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will reconsider the non-granting of a visa to Oleg Tsarev to visit the United Kingdom.

Mr. Douglas Hogg: No.

Expo 92

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer on 24 June, *Official Report*, column *351*, whether any Gibraltarian expertise is being provided or whether any exhibit will come from Gibraltar.

Mr. Garel-Jones: The detailed content of exhibits for the British pavilion has yet to be decided, but any exhibit will need to fit in with the overall exhibition theme.

SCOTLAND

Employment Training

Mr. Worthington: To ask the Secretary of State for Scotland what percentage of employment training placements in 1990-91 were in workplaces with employers; and what percentage were in project-based schemes.

Mr. Alan Stewart: The information requested is set out on the table.

	April 1990 to March 1991
Estimated percentage of employment training placements in workplaces with employers	20
Estimated percentage of employment training placements in project based schemes	40

Mr. Worthington: To ask the Secretary of State for Scotland what evidence he has on the level of employer contributions to the finance of ET schemes since ET started.

Mr. Allan Stewart: We do not have any evidence. Employer contributions are a matter for negotiation between training providers and employers providing placements.

Offenders

Dr. Godman: To ask the Secretary of State for Scotland if he will give the latest available figures for the total number and percentage of convicted offenders broken down by *(a)* sex, *(b)* age and *(c)* type of offence; and what are the average and median ages for known offenders in terms of (i) males and (ii) females, respectively.

Lord James Douglas-Hamilton: The information requested is set out in the following table:

Persons with a charge proved 1989

(a) Sex	*Number*	*Per cent.*	*Mean age*	*Median age*
Males	146,165	86	28·5	24·9
Females	22,795	13	30·8	28·1
TOTAL[1]	169,599	99		

[1] Includes sex/age not known.

Persons with a charge proved 1989

(b) Age[1]	Number	Per cent.
8–15	321	0
16–20	44,175	26
21–25	38,894	23
26–30	25,486	15
31-40	29,027	17
Over 40	26,389	16
TOTAL[2]	169,599	100

[1] Most children alleged to have committed crimes or offences are dealt with under the children's hearing system.
[2] Includes sex/age not known.

Persons with a charged proved 1989

(c) Type of offence	Number	Per cent.
Non-sexual crimes of violence	3,232	2
Crimes of indencency	1,188	1
Crimes of dishonesty	34,618	20
Fire-raising, vandalism, etc.	6,202	4
Other crimes	7,872	5
Miscellaneous offences	54,380	32
Motor vehicle offences	62,107	37
TOTAL	169,599	100

Note: Companies are excluded throughout.

Prisoners

Dr. Godman: To ask the Secretary of State for Scotland (1) what are the latest available figures and percentages for the total number of people receiving custodial sentences broken down by *(a)* type of sentence and *(b)* sex;

(2) what are the latest available figures and percentages for the total number of people receiving non-custodial sentences broken down by *(a)* type of sentence and *(b)* sex.

Lord James Douglas-Hamilton: The information requested is set out in the table.

Persons with a charge proved, 1989

Number

Main penalty	Males	Females	Total[1]
Absolute discharge	424	135	567
Admonition or caution	11,610	3,335	15,069
Probation	2,827	769	3,610
Remit to children's hearing	59	7	66
Community service order	3,728	251	3,990
Fine	113,372	17,316	131,143
Compensation order	1,490	292	1,797
Prison	8,630	549	9,189
Young offenders institution	3,906	112	4,020
Detention of child	3	0	3
Hospital, guardianship order	116	29	145
Total	146,165	22,795	169,599

Per cent.

Main penalty	Males	Females	Total[1]
Absolute discharge	75	24	99
Admonition or caution	77	22	99
Probation	78	21	99
Remit to children's hearing	89	11	100
Community service order	93	6	99
Fine	86	13	99
Compensation order	83	16	99
Prison	94	6	100
Young offenders institution	97	3	100
Detention of child	100	0	100
Hospital, guardianship order	80	20	100
Total	86	13	99

[1] Includes sex not known.
Note: Companies are excluded throughout.

Dr. Godman: To ask the Secretary of State for Scotland if he will provide statistics on the total number of prisoners between the years 1979 to 1990 broken down by *(a)* sex and *(b)* type of offence; and of these how many had (i) no previous convictions, (ii) one conviction and (iii) two or more convictions.

Lord James Douglas-Hamilton: The available information is given in the table. Statistics are only held in relation to the number of sentenced prisoner receptions over the period in question and on whether a prisoner has previous convictions rather than how many.

Number of sentenced receptions to Scottish penal establishments between 1979 and 1990 inclusive.

Sex/previous conviction	No previous convictions	One or more previous convictions	Total
Male	13,150	210,486	223,636
Female	1,743	9,393	11,136
Total	14,893	219,879	234,772

Type of offence/previous conviction	No previous convictions	One or more previous convictions	Total
Crimes of violence	1,721	17,444	19,165
Crimes of indecency	598	2,714	3,312
Crimes of dishonesty	5,964	101,391	107,355
Fireraising, vandalism etc.	424	4,686	5,110
Other crimes	869	8,718	9,587
Miscellaneous offences	3,598	64,201	67,799
Motor vehicle offences	1,719	20,725	22,444
Total	14,893	219,879	234,772

Notes:
1. Data included for 1990 is provisional.
2. One reception is counted if one or more warrants arrive for the same person from the same court on the same day.
3. The information provided on previous convictions is obtained directly from prisoners on reception.

Employment Laws

Mr. Wallace: To ask the Secretary of State for Scotland whether the Lord Advocate has issued any guidance in the last 10 years to procurators fiscal in respect of prosecutions under the Employment of Women, Young Persons and Children Act 1920 and part III of the Children and Young Persons (Scotland) Act 1937 as amended and associated local byelaws; and if he will make a statement.

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate has not issued any guidance in the last 10 years to procurators fiscal in respect of contraventions of the Acts or byelaws specified. Any

reports received by procurators fiscal alleging such contraventions are considered according to the individual circumstances of each case.

Mr. Wallace: To ask the Secretary of State for Scotland how many *(a)* prosecutions have been brought and *(b)* convictions obtained in respect of alleged offences under (i) the Employment of Women, Young Persons and Children Act 1920, (ii) part III of the Children and Young Persons (Scotland) Act 1937 as amended and (iii) local byelaws made under section 28 of the Children and Young Persons (Scotland) Act 1937, in each year since 1980.

Lord James Douglas-Hamilton: The information requested is not separately identifiable in the Scottish Office classification of crimes and offences.

Criminal Justice

Dr. Godman: To ask the Secretary of State for Scotland if he will list the number of persons convicted for offences in relation to the provisions of the Debtors (Scotland) Act 1880 or the Civil Imprisonment (Scotland) Act 1882 in each of the past 20 years in terms of *(a)* type of offence, *(b)* sex of convicted miscreant and *(c)* type of sentence imposed by the court; and if he will make a statement.

Lord James Douglas-Hamilton: Information in the form requested is not available, but the prison population of civil prisoners averaged 1 in the years 1985 to 19879, while the average number of receptions of such prisoners over this period was 15. These figures relate to all types of civil imprisonment.

Dr. Godman: To ask the Secretary of State for Scotland what are the latest available figures and percentages for people sentenced by the courts for indictable offences broken down by *(a)* sex and *(b)* age.

Lord James Douglas-Hamilton: The tables give information on all persons who were proceeded against on indictment and who had a charge proved against them in 1989. It is not possible to provide information on persons who had a charge proved under summary procedure whose cases could have been heard on indictment.

Persons with a charge proved under solemn procedure, 1989

Sex	*Number*	*Per cent*
Males	2,965	95
Females	147	5
Total[1]	3,129	100

[1] Includes sex not known.

Age	*Number*	*Per cent*
8-15	12	0
16-20	741	24
21-25	912	29
26-30	598	19
31-40	503	16
Over 40	306	10
Age not known	57	2
Total	3,129	100

Note: Companies have been excluded throughout.

Dr. Godman: To ask the Secretary of State for Scotland what are the latest available figures and percentages for the total number of people cautioned for summary and indictable offences broken down by *(a)* sex, *(b)* age and *(c)* type of offence.

Lord James Douglas-Hamilton: Information on the number of persons warned by the police is not collected centrally.

Prison Service

Dr. Godman: To ask the Secretary of State for Scotland what are the latest available figures for the total number of people employed in the prison service broken down by *(a)* occupation and grade and *(b)* sex.

Lord James Douglas-Hamilton: The information is as follows:

Grade	*Male*	*Female*	*Total*
Governor 1	6	0	6
Governor 2	8	0	8
Governor 3	20	2	22
Governor 4	24	2	26
Governor 5	48	13	61
Senior medical officer	2	0	2
Medical officer	5	0	5
Catering adviser	1	0	1
Steward I	1	0	1
Steward II	1	0	1
Senior professional and technical officer	4	0	4
Higher professional and technical officer	4	0	4
Professional and technical officer	7	0	7
Discipline			
Principal officer	190	10	200
Senior officer	261	20	281
Officer	2,152	105	2,257
Physical education instructors			
Principal officer	3	0	3
Senior officer	7	0	7
Officer	31	1	32
Staff training officers/tutors	32	2	34
Caterers			
Governor 5	1	0	1
Principal officer	7	0	7
Senior officer	17	1	18
Officer	54	3	57
Nurses			
Governor 5	1	0	1
Principal officer	10	1	11
Senior officer	20	2	22
Officer	102	14	116
Instructors industries			
Principal officer	28	0	28
Senior officer	46	1	47
Officer	145	11	156
Officer vocational training	26	1	27
Works officers			
Governor 4	3	0	3
Governor 5	5	0	5
Principal officer	28	0	28
Senior officer	40	0	40
Officer	190	0	190
Office staff			
Chief clerk officer	14	0	14
Principal clerk officer	64	7	71
Clerk officer	44	13	57
Civilian instructors industries			
Instructional officer	15	1	16
Instructional officer vocational training	6	0	6

Grade	Male	Female	Total
Other staff			
Stores supervisor	4	1	5
Stores staff	12	2	14
Typists	0	45	45
Telephonists	1	7	8
Messengers	3	0	3
Bricklayer	1	0	1
Driver	14	0	14
Electrician	2	0	2
Industrial ganger	1	0	1
Joiner	2	0	2
Mechanical fitter	1	0	1
Nightwatchman	1	0	1
Painter	8	0	8
Plasterer	2	0	2
Plumber	5	0	5
Sewage plant attendant	3	0	3
Slater	5	0	5
Stockman	1	0	1
Stoker/boilerman	13	0	13
Stonemason	1	0	1
Total full-time staff	3,753	265	4,018
Part-time staff			
Medical Officers	24	1	25
Chaplains	65	3	68
Temporary female assistants	0	16	16
Typists	0	7	7
Organists	8	9	17
Weekend watchmen	2	0	2
Others	10	1	11
Total part-time staff	109	37	146
Casual staff			
Drivers	1	0	1
Painters	2	0	2
Stoker/boilerman	1	0	1
Total casual staff	4	0	4
Overall total staff	3,866	302	4,168

Sheriff Ewen Stewart

Mr. Maclennan: To ask the Secretary of State for Scotland what representations he has had about the conduct of Sheriff Ewen Stewart; and if he will make a statement.

Mr. Lang: Following representations, including representations from Members of this House, and in the light of the observations of Sheriff Principal R. A. Bennett QC in a recent case, I have concluded that it would be appropriate for an investigation to be undertaken of the fitness for office of Sheriff Ewen Stewart. I have therefore asked the Lord President and Lord Justice Clerk to carry out such an investigation under the provisions of section 12 of the Sheriff Courts (Scotland) Act 1971.

Foreign Languages

Mr. Bill Walker: To ask the Secretary of State for Scotland what plans he has to strengthen support for foreign language study in Scotland.

Mr. Michael Forsyth: The Government attach great importance to the study of modern foreign languages within the school curriculum and beyond. Guidance is that all secondary pupils should pursue the study of a modern European foreign language throughout the four years of compulsory secondary education and that increasing numbers should continue their study beyond that. At the same time pilot studies are being undertaken on the teaching of modern languages in the primary school. Employers are increasingly aware of the need for language training to ensure that their staff have the requisite capabilities to trade successfully within the single European market.

To support schools and others in the substantial demands made on them by these developments the Centre for Information on Language Teaching and Research (CILT) and the university of Stirling, with the support of the Scottish Office Education Department, are to establish a Scottish Centre for Information on Language Teaching and Research.

The centre will be based in the university of Stirling and will commence operations in December this year. Its work will be evaluated after three years. The centre will provide support and material for language teachers in their work and will also aim to supply information and advice to firms about language policy, recruitment and training. The centre will draw on the experience and resources of CILT built up over many years and will also benefit from Stirling University's particular facilities for modern language provision and associated pre-service teacher training.

TRADE AND INDUSTRY

Manufacturing Industry

Mr. Cash: To ask the Secretary of State for Trade and Industry when the Government will respond to the Report of the House of Lords Select Committee on Science and Technology on innovation in manufacturing industry—1st report, 1990-91, HL Paper 18-1.

Mr. Lilley: Yesterday the Government published their reply, "Innovation in Manufacturing Industry: Government Response to the First Report of the House of Lords Select Committee on Science and Technology, 1990-91 Session." Copies have been placed in the Library of the House.

Steel

Mr. Hardy: To ask the Secretary of State for Trade and Industry what was the output of the steel industries of each EC member state in 1980 and in 1990.

Mr. Leigh: The information requested is shown in the table. Output is given in terms of crude steel production; this is the basic output measure for which EC-wide statistics are available.

Crude steel production in current EC countries, 1980 and 1990
(million tonnes)

	1980	1990
Germany	43·8	41·8
Italy	26·5	25·5
France	23·2	19·0
United Kingdom	11·3	17·9
Spain	12·6	12·7
Belgium	12·3	11·5
Netherlands	5·3	5·4
Luxembourg	4·6	3·6
Greece	0·9	1·0
Portugal	0·7	0·7
Denmark	0·7	0·6
Ireland	0·0	0·3

	1980	1990
Total	141·9	140·0

[1]1980 was an exceptional year for crude steel production in the United Kingdom because of strike action. Production in 1979 was 21·5 million tonnes and in 1981 was 15·3 million.
Source: Eurostat, with additional information for 1980 for Spain, Portugal and Greece from the International Iron and Steel Institute.

Timeshares

Mr. David Nicholson: To ask the Secretary of State for Trade and Industry what representations his Department has received about misleading advertising techniques practised by promoters selling timeshares; whether he has any evidence that such complaints are increasing in number; and if he will make a statement.

Mr. Leigh: I receive a steady stream of complaints about the marketing practices of some timeshare companies and associated high pressure selling. There has been an increase over the last month but this may reflect publicity given to these practices in a recent television programme.

I have already told the House that we intend to amend the Trade Descriptions Act 1968 to tighten the controls on statements about services and to bring timeshare award schemes within the Act's powers.

European Community

Ms. Quin: To ask the Secretary of State for Trade and Industry if he will obtain for his departmental library a copy of "European Economy December 1990", published by the European Commission.

Mr. Sainsbury: A copy of the publication is already held by the Library.

Mr. Grylls: To ask the Secretary of State for Trade and Industry how many of the single market laws have been implemented by each EEC member to date.

Mr. Sainsbury: I refer to the response that I gave to the hon. Member for Warrington, South (Mr. Butler) on 25 June at columns *438-40*, which gives the full implementation records of all member states.

Mr. Leighton: To ask the Secretary of State for Trade and Industry if he will give details of the proposals not yet adopted necessary for the completion of the single market.

Mr. Sainsbury: Annex 2 of the Commission's reports to the Council and the European Parliament give the proposals submitted by the Commission which still require Council adoption. These reports are deposited in the House Library when my Department receives them from the Commission. A copy of the fifth report is already held. A copy of the sixth report is expected shortly.

Mr. Grylls: To ask the Secretary of State for Trade and Industry how many of the single market laws each EC country has refused to implement; and which countries have been brought before the European Court of Justice by the European Commission for persistently refusing to implement the single market laws.

Mr. Sainsbury: I refer to the answer I gave to the hon. Member for Warrington, South (Mr. Butler) on 25 June at columns *438-40*.

Our understanding is that it is not a question of member states refusing to implement single market measures, but of legislative and administrative delays.

The Commission's latest report on the completion of the internal market notes that implementation of court judgments has itself considerably improved; 26 judgments by the court are currently the subject of actions brought for failure to act. These failures to act involve only four member states: Greece (3), Germany (4), Belgium (4) and Italy (15). It should be noted that these cases include measures which fall into the general single market area, but go considerably wider than the White Paper programme, on which the figures for implementation provided on 25 June are based.

Mr. Flynn: To ask the Secretary of State for Trade and Industry if he will make a statement on the departmental on-line data base Spearhead, in providing public and commercial information on the European single market; how many users have accessed the data base in each month since it was established; and at what cost to his Department and the consumer of the service Spearhead is operated.

Mr. Sainsbury: *[holding answer 27 June 1991]:* My Department's Spearhead detabase provides comprehensive information on current and prospective EC legislation affecting business. It provides a brief synopsis of measures which have been adopted (and where appropriate how they have been implemented in this country), proposals currently under discussion in Brussels, and others which the Commission intend to submit. A Government contact point is given for each measure who can provide more detailed advice.

In addition Spearhead provides information on shared-cost EC research and development programmes and gives details of draft national legislation proposed in other member states and EFTA countries notified to the European Commission under the procedure laid down in Directive 83/189/EEC.

Spearhead is published commercially through private sector data providers. The Department provides the information free of charge to the hosts. However, in return the Exchequer receives royalties based on actual usage by customers. It was originally launched in April 1988 exclusively on Profile Information (now FT Profile). The database is now also hosted on the Justis on-line service provided by Context Limited and by Data-Star. All subscribers to these services can access the database directly. It is also available through a range of distributors (including Telecom Gold) who offer gateways to these hosts. Because hosts bill distributors as if they were a single customer the actual number of users who have accessed the database each month is not available. My officials therefore monitor the performance indirectly through the royalties received from the hosts which is related to the use made of the database.

The table gives combined royalty payments received on a half yearly basis since Spearhead was launched.

The costs to consumers of accessing the Spearhead database are the standard charges for accessing the various data files carried by the individual hosts. This is approximately £1·80 per minute plus VAT. Distributors set their own pricing arrangements. The estimated marginal cost to my Department of making this service available to business (excluding royalties) is some £10,000 per annum.

Period	Royalties (£ thousand)
April to June 1988	1
July to December 1988	1
January to June 1989	9·5
July to December 1989	6·9
January to June 1990	5·7
July to December 1990	5·6
January to May 1991	5·0

[1] For the first eight months the Department waived royalty payments as part of the launch campaign. Had they not have been waived royalties would have been some £8 thousand.

Enterprise Initiative

Mr. Battle: To ask the Secretary of State for Trade and Industry how much has been spent on the enterprise initiative since its inception, broken down into *(a)* administration, *(b)* publicity, *(c)* grants to business and (i) by region and (ii) in total.

Mr. Leigh *[holding answer 20 June 1991]:* Total expenditure on the consultancy initiatives in the period from launch of the initiatives in January 1988 up to the end of March 1991 was £171·2 million, of which £43·2 million was on administration, including enterprise counsellor and scheme contractor activities, £36·2 million on publicity and £91·8 million on consultancy and support for businesses. A breakdown of expenditure on consultancy support for businesses for each DTI region and for Scotland and Wales is as follows. It is not possible to give a breakdown by region of expenditure on administration and publicity.

D.T.I. Expenditure on assisted consultancies January 1988—March 1991

	£ million
North East	7·1
North West	14·9
Yorkshire/Humberside	9·7
West Midlands	10·6
East Midlands	5·5
South West	6·4
East	4·9
South East	18·4
Scotland	8·0
Wales	6·3
sub-total	91·8
Administration	43·2
Publicity	36·2
Total	171·2

Bass, Preston Brook

Mr. Butler: To ask the Secretary of State for Trade and Industry if he will list all the regional and job creation grants and incentives given to Bass at Preston Brook; and what were the numbers of jobs expected to be created.

Mr. Leigh *[holding answer 27 June 1991]:* All applications for assistance by companies from my Department are treated in strictest confidence. However, Preston Brook is not in an assisted area and no companies there can qualify for DTI regional assistance.

Overseas Trade Fairs

Mr. Flynn: To ask the Secretary of State for Trade and Industry whether there is any difference in policy in awarding grants, travel and exhibitions to British firms exhibiting at overseas trade fairs between military companies and non-military companies.

Mr. Sainsbury *[holding answer 27 June 1991]:* Of the 292 fairs selected for DTI support during 1990-91, only four were specifically military fairs.

The Department of Trade and Industry does not differentiate between civil and military companies when providing assistance at overseas trade fairs.

Environmental Education

Mr. Flynn: To ask the Secretary of State for Trade and Industry if he has any plans to meet the United Kingdom Chamber of Commerce to discuss the outcome of the meeting co-ordinated by the Association of British Chambers of Commerce on environmental education in business schools, universities and polytechnics, held on 22 May.

Mr. Leigh *[holding answer 27 June 1991]:* My Department has no knowledge of this organisation nor the meeting referred to. However, if the hon. Gentleman can provide further details I shall be glad to consider his question again.

Braille Books

Mr. Cryer: To ask the Secretary of State for Trade and Industry if he will introduce legislation to allow reproduction of books in Braille without any copyright fee being required; and if he will make a statement.

Mr. Leigh *[holding answer 27 June 1991]:* I understand that many authors and publishers grant Braille reproduction rights free of charge. I do not think it would be appropriate to compel them to do so.

Shipbuilding

Ms. Quin: To ask the Secretary of State for Trade and Industry what formula was used to calculate the extent to which Britain would have to reduce shipbuilding capacity in return for levels of state aid authorised to the industry in the agreement between the United Kingdom Government and the European Commission which resulted in the closure of North East Shipbuilders Ltd, Sunderland.

Mr. Leigh *[holding answer 25 June 1991]:* The level of state aid to British Shipbuilders authorised by the European Commission in December 1988 was not conditional on a particular reduction in United Kingdom merchant shipbuilding capacity calculated by reference to any formula.

In the absence of acceptable bids for the remaining North East Shipbuilders Ltd. shipyards during the eight and a half months in which they had been up for sale, the Government decided in early December 1988 to close the yards. The proposed closure aid at North East Shipbuilders Ltd. to cover such matters as redundancies and the provision of remedial assistance had to be taken into account in determining the overall level of subsidy

permissible to British Shipbuilders within the relevant Community shipbuilding aid ceilings. Accordingly these costs were included in the wider package of subsidy measures notified to, and approved by, the European Commission in December 1988.

DEFENCE

Operation Granby

Mr. Churchill: To ask the Secretary of State for Defence how many British personnel died during Operation Granby; and how many of those were killed in action.

Mr. Archie Hamilton: Forty-seven British personnel died during Operation Granby. It is now known that 24 of these were killed in action.

Injured Grenadiers

Mr. Winnick: To ask the Secretary of State for Defence (1) if he will ask Guardsmen Hicks, Povey and Ray to make a further statement on the events in July 1989 in Suffield, Canada;

(2) if he will now arrange for Guardsmen Povey and Hicks to be interviewed over the accident in July 1989; and if he will make a statement.

Mr. Archie Hamilton: We have no plans at present to interview or take further statements from Guardsmen Hicks, Ray and Povey in connection with the accident at Batus in July 1989.

Mr. Winnick: To ask the Secretary of State for Defence what steps have been taken by his Department to trace the origin of the munition that exploded in July 1989 in Suffield, Canada, causing the injuries suffered by Guardsmen Hicks, Povey and Ray.

Mr. Archie Hamilton: The munition was identified in the report of the board of inquiry into this tragic incident as being of Canadian manufacture.

Mr. Winnick: To ask the Secretary of State for Defence why the proceedings of the board of inquiry into the accident during a training exercise in July 1989 at Suffield, Canada, are classified as restricted; and if he will make a statement.

Mr. Archie Hamilton: MOD regulations require the originator of any document to give it security classification appropriate to its contents. The restricted classification of the board of inquiry's report is therefore a result of the judgment of the members of the board exercised at the time.

Mr. Winnick: To ask the Secretary of State for Defence whether guardsmen on the training exercise in July 1989 at Suffield, Canada, were properly briefed on the possibility of unexploded munitions; and if he will make a statement.

Mr. Archie Hamilton: The board of inquiry into this incident concluded that the men were properly briefed.

Mr. Winnick: To ask the Secretary of State for Defence, pursuant to his reply of the 25 June to the hon. Member for Walsall, North, *Official Report*, column *453*, if he will state the name and rank of the senior officer in the Grenadier Guards who has made representations to him over Guardsmen Povey, Hicks and Ray.

Mr. Archie Hamilton: Major General (Ret'd) B. C. Gordon Lennox CB MBE, the regimental lieutenant-colonel of the Grenadier Guards.

Mr. Winnick: To ask the Secretary of State for Defence what insurance policies are taken out by his Department on soldiers involved in non-combat or non-anti-terrorist activities.

Mr. Archie Hamilton: None. Service men killed or injured are eligible for benefits under the armed forces pension scheme. Where death or injury is attributable to service they are also eligible for benefits under the Department of Social Security's war pensions scheme. Both these schemes are funded by the Exchequer. The Department has, however, arranged for service men to have access to various commercial insurance policies at advantageous premium rates; participation is a matter for the individuals concerned.

Mr. Winnick: To ask the Secretary of State for Defence what steps he has taken to assure himself that the board of inquiry held in Canada after the accident in July 1989 at Suffield, examined all the relevant facts pertaining to his Department's responsibility for the safety of their employees.

Mr. Archie Hamilton: I refer the hon. member to the answer I gave my hon. Friend the Member for Winchester (Mr. Browne) on 21 June at columns *347-48*.

Mr. Winnick: To ask the Secretary of State for Defence, pursuant to his reply of 25 June to the hon. Member for Walsall, North, *Official Report*, column *453*, if he will place in the Library a copy of the transcript of the interview with Lance Corporal Ray at Medicine Hat City hospital, Canada.

Mr. Archie Hamilton: No. The transcript in question forms part of the proceedings of the board of inquiry which investigated the accident at Batus in July 1989. Board of inquiry reports are confidential to the Ministry of Defence, and it is not the Ministry's practice to release them to outside parties.

Holy Loch

Mr. Boyes: To ask the Secretary of State for Defence if it is planned to retain X-berth facilities at Holy Loch following the departure of the United States navy.

Mr. Archie Hamilton: No. Following the departure of the United States Navy, Holy Loch will be designated as a Z berth, which will allow occasional visits by nuclear-powered warships. This designation will not require any facilities to be retained ashore or afloat at Holy Loch.

Naval Vessels

Mr. Boyes: To ask the Secretary of State for Defence if he will make a statement on his Department's conclusions regarding the capability of Soviet neutron and gamma ray detector equipment to verify the presence of nuclear weapons aboard naval vessles.

Mr. Archie Hamilton: In 1989 a Soviet agency conducted experiments with the National Resources Defence Council—a United States non-governmental

body—in which it was demonstrated that under favourable circumstances the Soviet Union has the capability to detect some types of nuclear weapons at short range using neutron and gamma ray detection equipment.

Nuclear Safety

Mr. Boyes: To ask the Secretary of State for Defence if any member of the United States Congress's Drell Commission on nuclear warhead safety was provided with facilities or visits to British nuclear weapon system establishments during the course of the Commission's inquiry.

Mr. Alan Clark: We received no requests for such facilities or visits.

Mr. Boyes: To ask the Secretary of State for Defence what information on British nuclear weapon system safety arrangements was provided by his Department to the Drell Commission of the United States Congress; and what security restrictions were applied to any such information.

Mr. Alan Clark: We received no requests to provide such information to the Drell panel.

Submarines (Women Crew)

Mr. Boyes: To ask the Secretary of State for Defence what consideration is being given to opening up afloat postings in the submarine service to women.

Mr. Archie Hamilton: When sea service for women was announced on 5 February 1990 it was made clear that current plans did not include extending mixed manning to the submarine flotilla. The reason for this was not one of principle but simply that conditions in existing RN submarines are such that major problems would be encountered in ensuring a proper degree of privacy for both men and women. Now that sea service for women in surface ships is well established, the feasibility of their serving in submarines in the future is being addressed.

Navy (Training)

Mr. Boyes: To ask the Secretary of State for Defence if he will provide figures showing the level of training activity by naval forces from the Portland naval base in each year since 1979.

Mr. Archie Hamilton: The information requested is as follows:

Year	*Total number of ships undertaking training*	*Total ship weeks*
1979	61	253
1980	49	181
1981	61	285
1982	87	348
1983	105	363
1984	99	352
1985	99	347
1986	81	294
1987	84	302
1988	74	237
1989	92	332
1990	70	213
[1]1991	52	166

[1] To date.

These figures include the training of foreign warships.

East Timor

Mrs. Mahon: To ask the Secretary of State for Defence if, at his recent meeting with Indonesia's Minister for Research, the question of the use of United Kingdom supplied arms in East Timor was discussed; and if he will make a statement.

Mr. Alan Clark: Such discussions are a confidential matter between Governments.

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This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc, between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

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